

By Senator Campbell

32-48-05

1 A bill to be entitled
2 An act relating to the Department of
3 Transportation; providing for the relief of
4 Stephen Hall to compensate him for injuries
5 sustained as a result of the negligence of an
6 employee of the department; providing an
7 appropriation; providing an effective date.
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9 WHEREAS, on June 30, 1997, Stephen Hall was a passenger
10 in a vehicle driven by his father, Edward Hall, traveling
11 westbound on State Road 500 in Brevard County, Florida, and
12 WHEREAS, David Eaker, an employee of the Department of
13 Transportation, was stopped on the north shoulder of State
14 Road 500, headed in the same direction as the Hall vehicle,
15 and
16 WHEREAS, as the Hall vehicle approached his vehicle,
17 David Eaker pulled into the path of the Hall vehicle,
18 resulting in a collision between the two vehicles, and
19 WHEREAS, Stephen Hall was injured and was transported
20 by ambulance to Holmes Regional Medical Center in Melbourne,
21 where he was treated for multiple traumatic injuries,
22 including multiple facial fractures and lacerations; multiple
23 intra-oral mucosal lacerations; and orthopedic injuries to his
24 right arm and shoulder, neck, and both knees, and
25 WHEREAS, as a result of the injuries, Stephen Hall was
26 subjected to multiple surgeries and physical therapy, will
27 likely need additional surgery for the injuries in the future,
28 missed 2 years of school, has suffered from mood swings and
29 depression, and has permanent facial disfigurement and
30 continuing problems as a result of the injuries, and
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1 WHEREAS, Stephen Hall's medical expenses total
2 \$51,586.81 to date, and

3 WHEREAS, David Eaker was determined to be at fault and
4 was charged with failure to yield the right-of-way, and

5 WHEREAS, the Halls filed suit in the Eighteenth
6 Judicial Circuit, in and for Brevard County, against the
7 Department of Transportation in case number 05-2001-CA-006293,
8 and

9 WHEREAS, the parties mediated the case and reached a
10 settlement of all claims, and

11 WHEREAS, the parties entered into a settlement
12 agreement in which the Department of Transportation admitted
13 liability and agreed to the entry of a consent judgment in the
14 amount of \$500,000, and

15 WHEREAS, the department has previously paid \$112,000 to
16 the claimant and agreed to affirmatively support a claim bill
17 in the amount of \$388,000, NOW, THEREFORE,

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19 Be It Enacted by the Legislature of the State of Florida:

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21 Section 1. The facts stated in the preamble to this
22 act are found and declared to be true.

23 Section 2. The sum of \$388,000 is appropriated from
24 the General Revenue Fund to the Department of Transportation
25 for the relief of Stephen Hall for injuries and damages
26 sustained.

27 Section 3. The Chief Financial Officer is directed to
28 draw a warrant in favor of Stephen Hall in the sum of
29 \$388,000, upon funds of the Department of Transportation, and
30 to pay the same to Stephen Hall out of funds in the State
31 Treasury.

1 Section 4. This act shall take effect upon becoming a
2 law.

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5 SENATE SUMMARY

6 Provides an appropriation to compensate Stephen Hall for
7 injuries sustained as a result of the negligence of an
8 employee of the Department of Transportation.
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