

1 Section 1. This act may be cited as the "Anjelica and
2 Victoria Velez Memorial Traffic Safety Act."

3 Section 2. Paragraph (a) of subsection (1) of section
4 316.650, Florida Statutes, is amended to read:

5 316.650 Traffic citations.--

6 (1)(a) The department shall prepare, and supply to
7 every traffic enforcement agency in this state, an appropriate
8 form traffic citation containing a notice to appear (which
9 shall be issued in prenumbered books with citations in
10 quintuplicate) and meeting the requirements of this chapter or
11 any laws of this state regulating traffic, which form shall be
12 consistent with the state traffic court rules and the
13 procedures established by the department. Upon all future
14 printings of the traffic citation, the form shall include a
15 special box which is to be checked by the law enforcement
16 officer when the officer believes that the traffic violation
17 or crash was due to aggressive careless driving as defined in
18 s. 316.1923. The form shall also include a special box that is
19 to be checked by the law enforcement officer when the officer
20 writes a uniform traffic citation for a violation of s.
21 316.074(1) as a result of the driver failing to stop at a
22 traffic signal.

23 Section 3. Subsection (14) is added to section 318.18,
24 Florida Statutes, to read:

25 318.18 Amount of civil penalties.--The penalties
26 required for a noncriminal disposition pursuant to s. 318.14
27 are as follows:

28 (14) One hundred twenty-five dollars for a violation
29 of s. 316.074(1) or s. 316.075(1)(c)1., when a driver has
30 failed to stop at a traffic signal, of which \$60 shall be
31 distributed as provided in s. 318.21 and the remaining \$65

1 shall be remitted to the Department of Revenue for deposit
2 into the Administrative Trust Fund of the Department of
3 Health.

4 Section 4. Subsection (13) is added to section 318.21,
5 Florida Statutes, to read:

6 318.21 Disposition of civil penalties by county
7 courts.--All civil penalties received by a county court
8 pursuant to the provisions of this chapter shall be
9 distributed and paid monthly as follows:

10 (13) Of the proceeds from the fine under s.
11 318.18(14), \$65 shall be remitted to the Department of Revenue
12 for deposit into the Administrative Trust Fund of the
13 Department of Health and the remaining \$60 shall be
14 distributed under subsections (1) and (2).

15 Section 5. Section 322.0261, Florida Statutes, is
16 amended to read:

17 322.0261 ~~Mandatory~~ Driver improvement course;
18 requirement to maintain driving privileges; failure to
19 complete; department approval of course ~~certain crashes~~.--

20 (1) The department shall screen crash reports received
21 under s. 316.066 or s. 324.051 to identify crashes involving
22 the following:

23 (a) A crash involving death or a bodily injury
24 requiring transport to a medical facility; or

25 (b) A second crash by the same operator within the
26 previous 2-year period involving property damage in an
27 apparent amount of at least \$500.

28 (2) With respect to an operator convicted of, or who
29 pleaded nolo contendere to, a traffic offense giving rise to a
30 crash identified pursuant to subsection (1), the department
31 shall require that the operator, in addition to other

1 applicable penalties, attend a department-approved
2 ~~departmentally approved~~ driver improvement course in order to
3 maintain driving privileges. If the operator fails to complete
4 the course within 90 days of receiving notice from the
5 department, the operator's driver's license shall be canceled
6 by the department until the course is successfully completed.

7 (3) The department shall identify any operator
8 convicted of, or who has pleaded nolo contendere to, a second
9 violation of s. 316.074(1) or s. 316.075(1)(c)1., which
10 violation occurred within 12 months after the first violation,
11 and shall require that operator, in addition to other
12 applicable penalties, to attend a department-approved driver
13 improvement course in order to maintain driving privileges. If
14 the operator fails to complete the course within 90 days after
15 receiving notice from the department, the operator's driver's
16 license shall be canceled by the department until the course
17 is successfully completed.

18 ~~(4)(3)~~ In determining whether to approve a driver
19 improvement course for the purposes of this section, the
20 department shall consider course content designed to promote
21 safety, driver awareness, crash avoidance techniques, and
22 other factors or criteria to improve driver performance from a
23 safety viewpoint.

24 Section 6. Paragraph (d) of subsection (3) of section
25 322.27, Florida Statutes, is amended to read:

26 322.27 Authority of department to suspend or revoke
27 license.--

28 (3) There is established a point system for evaluation
29 of convictions of violations of motor vehicle laws or
30 ordinances, and violations of applicable provisions of s.
31 403.413(6)(b) when such violations involve the use of motor

1 vehicles, for the determination of the continuing
2 qualification of any person to operate a motor vehicle. The
3 department is authorized to suspend the license of any person
4 upon showing of its records or other good and sufficient
5 evidence that the licensee has been convicted of violation of
6 motor vehicle laws or ordinances, or applicable provisions of
7 s. 403.413(6)(b), amounting to 12 or more points as determined
8 by the point system. The suspension shall be for a period of
9 not more than 1 year.

10 (d) The point system shall have as its basic element a
11 graduated scale of points assigning relative values to
12 convictions of the following violations:

- 13 1. Reckless driving, willful and wanton--4 points.
- 14 2. Leaving the scene of a crash resulting in property
15 damage of more than \$50--6 points.
- 16 3. Unlawful speed resulting in a crash--6 points.
- 17 4. Passing a stopped school bus--4 points.
- 18 5. Unlawful speed:
 - 19 a. Not in excess of 15 miles per hour of lawful or
20 posted speed--3 points.
 - 21 b. In excess of 15 miles per hour of lawful or posted
22 speed--4 points.
- 23 6. A violation of a traffic control signal device as
24 provided in s. 316.074(1) or s. 316.075(1)(c)1.--4 points.
- 25 ~~7.6-~~ All other moving violations (including parking on
26 a highway outside the limits of a municipality)--3 points.
27 However, no points shall be imposed for a violation of s.
28 316.0741 or s. 316.2065(12).
- 29 ~~8.7-~~ Any moving violation covered above, excluding
30 unlawful speed, resulting in a crash--4 points.

31

1 ~~9.8.~~ Any conviction under s. 403.413(6)(b) ~~s.~~
2 ~~403.413(5)(b)~~--3 points.

3 Section 7. Section 395.4036, Florida Statutes, is
4 created to read:

5 395.4036 Trauma payments.--

6 (1) Recognizing the Legislature's stated intent to
7 provide financial support to the current verified trauma
8 centers and to provide incentives for the establishment of
9 additional trauma centers as part of a system of
10 state-sponsored trauma centers, the department shall use funds
11 collected under s. 318.18(14) and deposited into the
12 Administrative Trust Fund of the department to ensure the
13 availability and accessibility of trauma services throughout
14 the state as provided in this subsection.

15 (a) Twenty percent of the total funds collected under
16 this subsection shall be distributed to verified trauma
17 centers located in a region that has a local funding
18 contribution as of December 31. Distribution of funds under
19 this paragraph shall be based on trauma caseload volume.

20 (b) Forty percent of the total funds collected under
21 this subsection shall be distributed to verified trauma
22 centers based on trauma caseload volume of the previous
23 calendar year. The determination of caseload volume for
24 distribution of funds under this paragraph shall be based on
25 the department's Trauma Registry data.

26 (c) Forty percent of the total funds collected under
27 this subsection shall be distributed to verified trauma
28 centers based on severity of trauma patients. The
29 determination of severity for distribution of funds under this
30 paragraph shall be based on the department's Injury Severity
31 Scores, weighted based on scores of 1-14 and 15 plus.

1 (2)(a) Any trauma center not subject to audit under s.
2 215.97 shall annually attest, under penalties of perjury, that
3 such proceeds were used in compliance with law. The annual
4 attestation shall be made in a form and format determined by
5 the department. The annual attestation shall be submitted to
6 the department for review within 9 months after the end of the
7 organization's fiscal year.

8 (b) Any trauma center subject to audit under s. 215.97
9 shall submit an audit report in accordance with rules adopted
10 by the Auditor General.

11 (3) The department, working with the Agency for Health
12 Care Administration, shall maximize resources for trauma
13 services wherever possible.

14 Section 8. This act shall take effect upon becoming a
15 law.

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17 STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN
18 COMMITTEE SUBSTITUTE FOR
19 Senate Bill 1264

20 The CS includes references to s. 316.074(1), F.S., which was
21 inadvertently omitted, but also applies to traffic control
22 devices. The CS also provides the uniform traffic citation
23 form is to include a box to be checked by law enforcement
24 officers when citing a person for a violation of s.
25 316.074(1), F.S. In addition, the CS corrects a cross
26 reference relating to assessment of points for litter
27 violations.
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