



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

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

5 Section 2. Paragraph (a) of subsection (1) of section  
6 316.650, Florida Statutes, is amended to read:

7 316.650 Traffic citations.--

8 (1)(a) The department shall prepare, and supply to  
9 every traffic enforcement agency in this state, an appropriate  
10 form traffic citation containing a notice to appear (which  
11 shall be issued in prenumbered books with citations in  
12 quintuplicate) and meeting the requirements of this chapter or  
13 any laws of this state regulating traffic, which form shall be  
14 consistent with the state traffic court rules and the  
15 procedures established by the department. Upon all future  
16 printings of the traffic citation, the form shall include a  
17 special box which is to be checked by the law enforcement  
18 officer when the officer believes that the traffic violation  
19 or crash was due to aggressive careless driving as defined in  
20 s. 316.1923. The form shall also include a special box that is  
21 to be checked by the law enforcement officer when the officer  
22 writes a uniform traffic citation for a violation of s.  
23 316.074(1) as a result of the driver failing to stop at a  
24 traffic signal.

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

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

30 (14) One hundred twenty-five dollars for a violation  
31 of s. 316.074(1) or s. 316.075(1)(c)1., when a driver has

1 failed to stop at a traffic signal, of which \$60 shall be  
2 distributed as provided in s. 318.21 and the remaining \$65  
3 shall be remitted to the Department of Revenue for deposit  
4 into the Grants and Donations Trust Fund of the Agency for  
5 Health Care Administration.

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

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

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

17 Section 5. Section 322.0261, Florida Statutes, is  
18 amended to read:

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

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

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

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

30 (2) With respect to an operator convicted of, or who  
31 pleaded nolo contendere to, a traffic offense giving rise to a

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

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

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

26 Section 6. Paragraph (d) of subsection (3) of section  
27 322.27, Florida Statutes, is amended to read:

28 322.27 Authority of department to suspend or revoke  
29 license.--

30 (3) There is established a point system for evaluation  
31 of convictions of violations of motor vehicle laws or

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

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

- 15 |             1. Reckless driving, willful and wanton--4 points.  
16 |             2. Leaving the scene of a crash resulting in property  
17 | damage of more than \$50--6 points.  
18 |             3. Unlawful speed resulting in a crash--6 points.  
19 |             4. Passing a stopped school bus--4 points.  
20 |             5. Unlawful speed:  
21 |                 a. Not in excess of 15 miles per hour of lawful or  
22 | posted speed--3 points.  
23 |                 b. In excess of 15 miles per hour of lawful or posted  
24 | speed--4 points.  
25 |             6. A violation of a traffic control signal device as  
26 | provided in s. 316.074(1) or s. 316.075(1)(c)1.--4 points.

27 |             ~~7.6-~~ All other moving violations (including parking on  
28 | a highway outside the limits of a municipality)--3 points.  
29 | However, no points shall be imposed for a violation of s.  
30 | 316.0741 or s. 316.2065(12).  
31 |

1           ~~8.7.~~ Any moving violation covered above, excluding  
2 unlawful speed, resulting in a crash--4 points.

3           ~~9.8.~~ Any conviction under s. 403.413(6)(b) ~~s.~~  
4 ~~403.413(5)(b)~~--3 points.

5           Section 7. Section 395.4036, Florida Statutes, is  
6 created to read:

7           395.4036 Trauma payments.--

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

17           (a) Twenty percent of the total funds collected under  
18 this subsection shall be distributed to verified trauma  
19 centers located in a region that has a local funding  
20 contribution of \$250,000 or more as of December 31.  
21 Distribution of funds under this paragraph shall be based on  
22 trauma caseload volume.

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

29           (c) Forty percent of the total funds collected under  
30 this subsection shall be distributed to verified trauma  
31 centers based on severity of trauma patients. The

1 determination of severity for distribution of funds under this  
2 paragraph shall be based on the department's Injury Severity  
3 Scores, weighted based on scores of 1-14 and 15 plus.

4  
5 Trauma centers may request that their distributions from the  
6 Administrative Trust Fund be used as intergovernmental  
7 transfer funds in the Medicaid program.

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

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

18 (3) The department, working with the Agency for Health  
19 Care Administration, shall maximize resources for trauma  
20 services wherever possible. Total payments to trauma centers  
21 that use revenues from the Grants and Donations Trust Fund  
22 shall be distributed to the extent possible, in a manner which  
23 is the same proportion as set forth in s. 395.4036(1).

24 Section 8. There is appropriated \$7.5 million to the  
25 Grants and Donations Trust Fund in the Agency for Health Care  
26 Administration to provide funding for trauma centers in  
27 accordance with this act.

28 Section 9. This act shall take effect upon becoming a  
29 law.

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STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN  
COMMITTEE SUBSTITUTE FOR  
CS for SB 1264

- Authorizes trauma centers to request that their distributions from the Administrative Trust Fund be used as intergovernmental transfer funds in the Medicaid program.
- Provides that funds will be deposited into the Grants and Donations Trust Fund in the Agency for Health Care Administration.
- Provides that twenty percent of the funds collected will be distributed to trauma centers in a region that has a local funding contribution of \$250,000 or more.
- Provides for a \$7.5 million appropriation to the Grants and Donations Trust Fund in the Agency for Health Care Administration.