

Bill No. CS for CS for SB 454

Barcode 640358

CHAMBER ACTION

Senate

House

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The Committee on Transportation and Economic Development
Appropriations (Sebesta) recommended the following amendment:

Senate Amendment (with title amendment)

On page 37, between lines 13 and 14,

insert:

Section 22. Effective October 1, 2005, subsection (5)
of section 318.14, Florida Statutes, is amended to read:

318.14 Noncriminal traffic infractions; exception;
procedures.--

(5) Any person electing to appear before the
designated official or who is required so to appear shall be
deemed to have waived his or her right to the civil penalty
provisions of s. 318.18. The official, after a hearing, shall
make a determination as to whether an infraction has been
committed. If the commission of an infraction has been proven,
the official may impose a civil penalty not to exceed \$500,
except that in cases involving unlawful speed in a school zone
or involving unlawful speed in a construction zone, ~~or~~
~~involving a death~~, the civil penalty may not exceed \$1,000; or

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1 require attendance at a driver improvement school, or both. If
 2 the person is required to appear before the designated
 3 official pursuant to s. 318.19(1) and is found to have
 4 committed the infraction, the designated official shall impose
 5 a civil penalty of \$1,000 in addition to any other penalties
 6 and the person's driver license shall be suspended for 6
 7 months. If the person is required to appear before the
 8 designated official pursuant to s. 318.19(2) and is found to
 9 have committed the infraction, the designated official shall
 10 impose a civil penalty of \$500 in addition to any other
 11 penalties and the person's driver license shall be suspended
 12 for 3 months. If the official determines that no infraction
 13 has been committed, no costs or penalties shall be imposed and
 14 any costs or penalties that have been paid shall be returned.
 15 Moneys received from the mandatory civil penalties imposed
 16 pursuant to this subsection upon persons required to appear
 17 before a designated official pursuant to s. 318.19(1) or (2)
 18 shall be remitted to the Department of Revenue and deposited
 19 into the Department of Health Administrative Trust Fund to
 20 provide financial support to certified trauma centers to
 21 assure the availability and accessibility of trauma services
 22 throughout the state. Funds deposited into the Administrative
 23 Trust Fund under this section shall be allocated as follows:
 24 (1) Fifty percent shall be allocated equally among all
 25 Level I, Level II, and pediatric trauma centers in recognition
 26 of readiness costs for maintaining trauma services.
 27 (2) Fifty percent shall be allocated among Level I,
 28 Level II, and pediatric trauma centers based on each center's
 29 relative volume of trauma cases as reported in the Department
 30 of Health Trauma Registry.

31 Section 23. Effective October 1, 2005, subsection (13)

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1 is added to section 318.21, Florida Statutes, to read:

2 318.21 Disposition of civil penalties by county
3 courts.--All civil penalties received by a county court
4 pursuant to the provisions of this chapter shall be
5 distributed and paid monthly as follows:

6 (13) Notwithstanding subsections (1) and (2), the
7 proceeds from the mandatory civil penalties imposed pursuant
8 to s. 318.14(5) shall be distributed as provided in that
9 section.

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11 (Redesignate subsequent sections.)

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14 ===== T I T L E A M E N D M E N T =====

15 And the title is amended as follows:

16 On page 4, line 3, delete that line

17

18 and insert:

19 amending s. 318.14, F.S.; providing penalties
20 for certain traffic infractions requiring a
21 mandatory hearing; providing for distribution
22 of moneys collected; amending s. 318.21, F.S. ;
23 providing; providing for distribution of
24 specified civil penalties by county courts;
25 providing effective dates.

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