

By Senator Wise

5-1629-06

See HB

1 A bill to be entitled
2 An act relating to noncriminal traffic
3 infractions; amending s. 318.14, F.S.;
4 providing that persons required to appear
5 before a designated official for infractions
6 that resulted in a crash that caused serious
7 bodily injury of another may receive a
8 specified fine or license suspension, or both,
9 rather than requiring that such persons receive
10 both; providing an effective date.

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

14 Section 1. Subsection (5) of section 318.14, Florida
15 Statutes, is amended to read:

16 318.14 Noncriminal traffic infractions; exception;
17 procedures.--

18 (5) Any person electing to appear before the
19 designated official or who is required so to appear shall be
20 deemed to have waived his or her right to the civil penalty
21 provisions of s. 318.18. The official, after a hearing, shall
22 make a determination as to whether an infraction has been
23 committed. If the commission of an infraction has been proven,
24 the official may impose a civil penalty not to exceed \$500,
25 except that in cases involving unlawful speed in a school zone
26 or involving unlawful speed in a construction zone, the civil
27 penalty may not exceed \$1,000; or require attendance at a
28 driver improvement school, or both. If the person is required
29 to appear before the designated official pursuant to s.
30 318.19(1) and is found to have committed the infraction, the
31 designated official shall impose a civil penalty of \$1,000 in

1 addition to any other penalties and the person's driver's
2 license shall be suspended for 6 months. If the person is
3 required to appear before the designated official pursuant to
4 s. 318.19(2) and is found to have committed the infraction,
5 the designated official shall impose a civil penalty of \$500
6 in addition to any other penalties or ~~and~~ the person's
7 driver's license shall be suspended for 3 months , or both. If
8 the official determines that no infraction has been committed,
9 no costs or penalties shall be imposed and any costs or
10 penalties that have been paid shall be returned. Moneys
11 received from the mandatory civil penalties imposed pursuant
12 to this subsection upon persons required to appear before a
13 designated official pursuant to s. 318.19(1) or (2) shall be
14 remitted to the Department of Revenue and deposited into the
15 Department of Health Administrative Trust Fund to provide
16 financial support to certified trauma centers to assure the
17 availability and accessibility of trauma services throughout
18 the state. Funds deposited into the Administrative Trust Fund
19 under this section shall be allocated as follows:

20 (a) Fifty percent shall be allocated equally among all
21 Level I, Level II, and pediatric trauma centers in recognition
22 of readiness costs for maintaining trauma services.

23 (b) Fifty percent shall be allocated among Level I,
24 Level II, and pediatric trauma centers based on each center's
25 relative volume of trauma cases as reported in the Department
26 of Health Trauma Registry.

27 Section 2. This act shall take effect July 1, 2006.
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