

By Senator Campbell

32-107-06

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A bill to be entitled

An act relating to the Department of Transportation; providing for the relief of Stephen Hall to compensate him for injuries sustained as a result of the negligence of an employee of the department; providing an appropriation; providing an effective date.

WHEREAS, on June 30, 1997, Stephen Hall was a passenger in a vehicle driven by his father, Edward Hall, traveling westbound on State Road 500 in Brevard County, Florida, and

WHEREAS, David Eaker, an employee of the Department of Transportation, was stopped on the north shoulder of State Road 500, headed in the same direction as the Hall vehicle, and

WHEREAS, as the Hall vehicle approached his vehicle, David Eaker pulled into the path of the Hall vehicle, resulting in a collision between the two vehicles, and

WHEREAS, Stephen Hall was injured and was transported by ambulance to Holmes Regional Medical Center in Melbourne, where he was treated for multiple traumatic injuries, including multiple facial fractures and lacerations; multiple intra-oral mucosal lacerations; and orthopedic injuries to his right arm and shoulder, neck, and both knees, and

WHEREAS, as a result of the injuries, Stephen Hall was subjected to multiple surgeries and physical therapy, will likely need additional surgery for the injuries in the future, missed 2 years of school, has suffered from mood swings and depression, and has permanent facial disfigurement and continuing problems as a result of the injuries, and

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.

