

By Senator Diaz de la Portilla

36-97-07

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A bill to be entitled

An act relating to Miami-Dade County; providing for the relief of Norka Laureiro; authorizing and directing Miami-Dade County to compensate Norka Laureiro for injuries sustained as a result of a collision caused by a Miami-Dade County bus; providing an effective date.

WHEREAS, on March 25, 1998, Norka Laureiro was transporting children in a private school van when she approached an intersection, and

WHEREAS, a Miami-Dade County bus ran a stop sign at the intersection and collided with Ms. Laureiro's van, which caused serious injuries to Ms. Laureiro and several children, and

WHEREAS, the driver of the Miami-Dade County bus had a significant history of driving citations and safety violations, and

WHEREAS, as a result of the collision, Ms. Laureiro suffered a crushing blow to her head which caused bone and nerve damage, and she underwent reconstructive surgery; however, Ms. Laureiro has permanent numbness on the right side of her face due to damaged cranial nerves, and

WHEREAS, Ms. Laureiro also suffered permanent injury to her Achilles tendon, several fractures to her right leg, and a subtalar joint dislocation to her right foot which required two major orthopedic surgeries, and because of the extent of the break to and fragmentation of the bone in her foot, surgery could not achieve complete alignment, and

WHEREAS, due to the resulting extensive arthritis and progressive nature of the injury, Ms. Laureiro is unable to

1 use her foot normally, she will need additional surgeries in
2 the future, her foot swells, she is in constant pain, and, as
3 a result, Ms. Laureiro limps when she walks, which causes
4 additional pain in her hips, back, and legs, and

5 WHEREAS, since the accident, Ms. Laureiro has been
6 under the care of a neurologist for the nerve damage to her
7 foot, leg, and face and she has also been on antidepressants
8 since the collision, and

9 WHEREAS, before the accident, Ms. Laureiro owned her
10 own business that involved driving children to and from school
11 5 days a week, but due to the nature of her foot injury, she
12 is unable to continue her driving business, and she has not
13 worked since the accident, and

14 WHEREAS, on September 3, 2003, a jury from the
15 Miami-Dade County Circuit Court returned a verdict in favor of
16 Ms. Laureiro in the sum of \$1,550,685.38 and \$50,000 in favor
17 of Ms. Laureiro's husband, Fredy Laureiro, for his loss of
18 consortium, and

19 WHEREAS, Miami-Dade County appealed the verdict to the
20 Third District Court of Appeal, and while the appeal was
21 pending, the parties re-mediated the case and reached a
22 settlement of \$1 million, and

23 WHEREAS, on March 29, 2005, the Circuit Court of the
24 Eleventh Judicial Circuit issued a final consent judgment
25 against Miami-Dade County in favor of Ms. Laureiro in the sum
26 of \$1 million, NOW, THEREFORE,

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

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30 Section 1. The facts stated in the preamble to this
31 act are found and declared to be true.

1 Section 2. Miami-Dade County is authorized and
2 directed to appropriate from funds of the county not otherwise
3 appropriated and to draw a warrant payable to Norka Laureiro
4 in the amount of \$1 million for injuries and damages sustained
5 due to the negligence of the Miami-Dade County bus driver.

6 Section 3. This act shall take effect upon becoming a
7 law.

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