

HB 1161

2009

1 A bill to be entitled
2 An act relating to traffic offenses; creating s. 318.195,
3 F.S.; providing criminal penalties for a person who
4 commits a moving violation that causes serious bodily
5 injury to, or causes or contributes to the death of, a
6 person operating or riding in a motor vehicle or operating
7 or riding on a motorcycle; requiring that the person pay a
8 specified fine, serve a minimum period of incarceration,
9 and attend a driver improvement course; requiring the
10 court to revoke the person's driver's license for a
11 specified period; providing that the act does not prohibit
12 the person from being charged with, convicted of, or
13 punished for any other violation of law; providing an
14 effective date.

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

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18 Section 1. Section 318.195, Florida Statutes, is created
19 to read:

20 318.195 Enhanced penalties for moving violations causing
21 injury or death.--

22 (1) A person who commits a moving violation that causes
23 serious bodily injury, as defined in s. 316.1933, to a person
24 operating or riding in a motor vehicle or operating or riding on
25 a motorcycle commits a misdemeanor of the second degree,
26 punishable as provided in s. 775.082 or s. 775.083, and, upon
27 conviction, shall pay a fine of not less than \$500, serve a
28 minimum of 30 days of incarceration, and attend a driver

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29 improvement course. The court shall also revoke the person's
30 driver's license for not less than 30 days.

31 (2) A person who commits a moving violation that causes or
32 contributes to the death of a person operating or riding in a
33 motor vehicle or operating or riding on a motorcycle commits a
34 misdemeanor of the first degree, punishable as provided in s.
35 775.082 or s. 775.083, and, upon conviction, shall pay a fine of
36 not less than \$1,000, serve a minimum of 90 days of
37 incarceration, and, in lieu of the requirements of s. 322.0261,
38 attend an advanced driver improvement course. The court shall
39 also revoke the person's driver's license for not less than 1
40 year.

41 (3) This section shall not prohibit a person from being
42 charged with, convicted of, or punished for any other violation
43 of law.

44 Section 2. This act shall take effect October 1, 2009.