

By Senator Gelber

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1 A bill to be entitled
2 An act relating to financial responsibility for
3 operating a motor vehicle; amending s. 324.023, F.S.;
4 requiring that on or after a specified date the owner
5 or operator of a motor vehicle who is found guilty of
6 or enters a plea of guilty or nolo contendere to a
7 felony traffic offense or whose driving privilege is
8 revoked to establish and maintain the ability to
9 respond in damages for liability at specified amounts;
10 providing an effective date.

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

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14 Section 1. Section 324.023, Florida Statutes, is amended to
15 read:

16 324.023 Financial responsibility for bodily injury or
17 death.—In addition to any other financial responsibility
18 required by law, every owner or operator of a motor vehicle that
19 is required to be registered in this state, or that is located
20 within this state, and who, regardless of adjudication of guilt,
21 is ~~has been~~ found guilty of or enters entered a plea of guilty
22 or nolo contendere to a charge of driving under the influence
23 under s. 316.193 after October 1, 2007, who on or after October
24 1, 2009, is found guilty of or enters a plea of guilty or nolo
25 contendere to a felony traffic offense or who is subject to a
26 mandatory revocation of his or her driving privilege under s.
27 322.26, shall, by one of the methods established in s.
28 324.031(1), (2), or (3), establish and maintain the ability to
29 respond in damages for liability on account of accidents arising

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30 out of the use of a motor vehicle in the amount of \$100,000
31 because of bodily injury to, or death of, one person in any one
32 crash and, subject to such limits for one person, in the amount
33 of \$300,000 because of bodily injury to, or death of, two or
34 more persons in any one crash and in the amount of \$50,000
35 because of property damage in any one crash. If the owner or
36 operator chooses to establish and maintain such ability by
37 posting a bond or furnishing a certificate of deposit pursuant
38 to s. 324.031(2) or (3), such bond or certificate of deposit
39 must be in an amount not less than \$350,000. Such higher limits
40 must be carried for a minimum period of 3 years. If the owner or
41 operator has not been convicted of driving under the influence
42 or a felony traffic offense for a period of 3 years from the
43 date of reinstatement of driving privileges for a violation of
44 s. 316.193, the owner or operator shall be exempt from this
45 section.

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