



373254

LEGISLATIVE ACTION

Senate

House

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Floor: 1/WD/3R

04/27/2010 10:37 AM

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Senator Aronberg moved the following:

**Senate Amendment (with title amendment)**

Delete lines 26 - 51

and insert:

(1) For purposes of this section, the term "serious bodily injury" means an injury to any person, including the driver, which consists of a physical condition that creates a substantial risk of death, serious personal disfigurement, or permanent loss or impairment of the function of any bodily member or organ.

(2) A person whose commission of a noncriminal traffic infraction or any violation of this chapter causes or results in the serious bodily injury, as defined in s. 316.1933(1), of a



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14 motorcyclist, bicyclist, pedestrian, or person of other means of  
15 conveyance shall be fined \$1,000 and have his or her license  
16 suspended for a minimum of 30 days. If the infraction or  
17 violation causes the death of a motorcyclist, bicyclist,  
18 pedestrian, or person of other means of conveyance, the person  
19 shall pay a fine of \$2,500 and have his or her license revoked  
20 for a minimum of 1 year. The person shall also be required by  
21 the court to complete a 12-hour driver improvement course and  
22 may be ordered by the court to serve 120 community service hours  
23 under s. 316.027(4), plus an additional 120 community service  
24 hours as required by the court.

25 (3) Any victim of a crash that causes death or serious  
26 bodily injury or the victim's lawful representative, including  
27 the next of kin if the victim is deceased, is entitled to be  
28 informed, to be present, and to be heard, when relevant, at all  
29 crucial stages of a judicial hearing, to the extent that such  
30 rights do not interfere with the constitutional rights of the  
31 accused. The state attorney, if applicable, shall consult the  
32 victim or the victim's lawful representative about the  
33 disposition of such case.

34 (4) This section does not prohibit a person from being  
35 charged with, convicted of, or punished for any other violation  
36 of law.

37  
38 ===== T I T L E A M E N D M E N T =====

39 And the title is amended as follows:

40 Delete line 3

41 and insert:

42 318.195, F.S.; defining the term "serious bodily



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injury" for specified purposes; providing penalties  
for the commission