



388476

LEGISLATIVE ACTION

Senate

House

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Floor: WD/3R

04/27/2010 10:38 AM

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Senator Aronberg moved the following:

1           **Senate Substitute for Amendment (373254) (with title**  
2 **amendment)**

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4           Delete lines 26 - 51  
5 and insert:

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

12           (2) A person whose commission of a noncriminal traffic  
13 infraction or any violation of this chapter causes or results in



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