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1 A bill to be entitled
2 An act relating to traffic offenses; creating s.
3 318.195, F.S.; providing penalties for the commission
4 of a noncriminal traffic infraction or certain other
5 violations that cause or result in the serious injury
6 of a motorcyclist, bicyclist, pedestrian, or person of
7 other means of conveyance; providing enhanced
8 penalties for such violations that cause the death of
9 such person; providing that the victim of a crash that
10 causes death or serious bodily injury or the victim's
11 representative is entitled to certain rights regarding
12 any judicial proceeding relating to the crash;
13 requiring the state attorney to consult the victim or
14 the victim's representative about the disposition of
15 any such case; providing that the act does not
16 prohibit the person from being charged with, convicted
17 of, or punished for any other violation of law;
18 providing an effective date.

19
20 Be It Enacted by the Legislature of the State of Florida:

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22 Section 1. Section 318.195, Florida Statutes, is created to
23 read:

24 318.195 Enhanced penalties for moving violations causing
25 injury or death.—

26 (1) A person whose commission of a noncriminal traffic
27 infraction or any violation of this chapter causes or results in
28 the serious bodily injury, as defined in s. 316.1933(1), of a
29 motorcyclist, bicyclist, pedestrian, or person of other means of

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30 conveyance shall be fined \$1,000 and have his or her license
31 suspended for a minimum of 90 days. If the infraction or
32 violation causes the death of a motorcyclist, bicyclist,
33 pedestrian, or person of other means of conveyance, the person
34 shall pay a fine of \$2,500 and have his or her license revoked
35 for a minimum of 2 years. The person shall also be required by
36 the court to complete a 12-hour driver improvement course and
37 may be ordered by the court to serve 120 community service hours
38 under s. 316.027(4), plus an additional 120 community service
39 hours as required by the court.

40 (2) Any victim of a crash that causes death or serious
41 bodily injury or the victim's lawful representative, including
42 the next of kin if the victim is deceased, is entitled to be
43 informed, to be present, and to be heard, when relevant, at all
44 crucial stages of a judicial hearing, to the extent that such
45 rights do not interfere with the constitutional rights of the
46 accused. The state attorney, if applicable, shall consult the
47 victim or the victim's lawful representative about the
48 disposition of such case.

49 (3) This section does not prohibit a person from being
50 charged with, convicted of, or punished for any other violation
51 of law.

52 Section 2. This act shall take effect July 1, 2010.