

By Senator Evers

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

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

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

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

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

2-00689-11

2011608__

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

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

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

45 Section 2. This act shall take effect July 1, 2011.