

By Senator Evers

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20121754

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 pedestrian or a person operating or
7 riding in a motor vehicle or operating or riding on a
8 motorcycle or bicycle; requiring that the person pay a
9 specified fine, serve a minimum period of
10 incarceration, and attend a driver improvement course;
11 requiring that the court revoke the person's driver
12 license for a minimum specified period; providing that
13 the act does not prohibit the person from being
14 charged with, convicted of, or punished for any other
15 violation of law; providing an effective 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
25 pedestrian or to a person operating or riding in a motor vehicle
26 or operating or riding on a motorcycle or bicycle commits a
27 misdemeanor of the second degree, punishable as provided in s.
28 775.082 or s. 775.083, and, upon conviction, shall pay a fine of
29 not less than \$500, serve a minimum of 30 days of incarceration,

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30 and attend a driver improvement course. The court shall also
31 revoke the person's driver license for at least 30 days.

32 (2) A person who commits a moving violation that causes or
33 contributes to the death of a pedestrian or a person operating
34 or riding in a motor vehicle or operating or riding on a
35 motorcycle or bicycle commits a misdemeanor of the first degree,
36 punishable as provided in s. 775.082 or s. 775.083, and, upon
37 conviction, shall pay a fine of not less than \$1,000, serve a
38 minimum of 90 days of incarceration, and, in lieu of the
39 requirements of s. 322.0261, attend an advanced driver
40 improvement course. The court shall also revoke the person's
41 driver license for at least 1 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, 2012.