

By Senator Soto

14-00037-15

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1 A bill to be entitled
2 An act for the relief of Sharon Robinson,
3 individually, as guardian of Mark Robinson, and as
4 personal representative of the Estate of Matthew
5 Robinson; providing an appropriation to compensate her
6 and her son for the death of Matthew Robinson and for
7 injuries and damages they sustained as a result of the
8 negligence of the Central Florida Regional
9 Transportation Authority as operator of Lynx buses;
10 providing that the amount already paid by the
11 authority and the appropriation satisfy all present
12 and future claims related to the negligent act;
13 providing a limitation on the payment of fees and
14 costs; providing an effective date.

15
16 WHEREAS, on November 4, 2010, Matthew Robinson, 10, and
17 Mark Robinson, 12, both children of Sharon Robinson, were
18 crossing the street at the intersection of Columbia Avenue and
19 Dyer Street in Kissimmee, and

20 WHEREAS, Matthew Robinson and Mark Robinson were struck by
21 the front bike rack of a Lynx bus while in the crosswalk and
22 dragged underneath the bus when the driver of the bus failed to
23 yield to pedestrians in the crosswalk, and

24 WHEREAS, while the bus was still moving, Mark Robinson was
25 able to crawl out to safety, but Matthew Robinson's belt loop
26 was caught in the undercarriage of the bus, and

27 WHEREAS, Matthew Robinson was dragged underneath the bus
28 until the rear tire crushed his head, and

29 WHEREAS, Matthew Robinson was pronounced dead at the scene,

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30 and

31 WHEREAS, Mark Robinson was transported to the hospital via
32 ambulance and diagnosed with a stress fracture of the vertebrae
33 with spondylsthesis, and

34 WHEREAS, Mark Robinson wore a brace until he recovered from
35 his physical injuries, but has permanent injury due to the
36 spondylsthesis, and

37 WHEREAS, Mark Robinson's medical bills total \$27,137.90,
38 and

39 WHEREAS, Sharon Robinson and Mark Robinson both suffer from
40 posttraumatic stress disorder, and Ms. Robinson suffers from
41 symptoms placing her in the range of severe depression, and

42 WHEREAS, the driver of the bus that struck Matthew Robinson
43 and Mark Robinson had been previously involved in six
44 preventable accidents, and

45 WHEREAS, the driver was found guilty of violating s.
46 316.075, Florida Statutes, and was terminated by Lynx for
47 violation of safety policies and procedures after a finding that
48 the accident was preventable, and

49 WHEREAS, Sharon Robinson, individually, as guardian of Mark
50 Robinson, and as personal representative of the Estate of
51 Matthew Robinson, filed a lawsuit against Central Florida
52 Regional Transportation Authority, which operates Lynx, in the
53 Ninth Judicial Circuit in Osceola County, and

54 WHEREAS, before trial, the respondent admitted liability,
55 and the parties reached a settlement agreement totaling \$3.2
56 million, of which the Central Florida Regional Transportation
57 Authority has paid \$200,000 under the statutory limits of
58 liability set forth in s. 768.28, Florida Statutes, and

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59 WHEREAS, the Central Florida Regional Transportation
60 Authority fully supports the passage of this claim bill for the
61 unpaid portion of the settlement amount, NOW, THEREFORE,
62

63 Be It Enacted by the Legislature of the State of Florida:
64

65 Section 1. The facts stated in the preamble to this act are
66 found and declared to be true.

67 Section 2. There is appropriated from the General Revenue
68 Fund to the Central Florida Regional Transportation Authority
69 the sum of \$3 million for the relief of Sharon Robinson,
70 individually, as guardian of Mark Robinson, and as personal
71 representative of the Estate of Matthew Robinson for injuries
72 and damages sustained by Mark Robinson and Sharon Robinson and
73 the death of Matthew Robinson.

74 Section 3. The Chief Financial Officer is directed to draw
75 a warrant in favor of Sharon Robinson, individually, as guardian
76 of Mark Robinson, and as personal representative of the Estate
77 of Matthew Robinson in the sum of \$3 million upon funds of the
78 Central Florida Regional Transportation Authority in the State
79 Treasury, and the Chief Financial Officer is directed to pay the
80 same out of such funds in the State Treasury.

81 Section 4. The amount paid by the Central Florida Regional
82 Transportation Authority pursuant to s. 768.28, Florida
83 Statutes, and the amount awarded under this act are intended to
84 provide the sole compensation for all present and future claims
85 arising out of the factual situation described in the preamble
86 to this act which resulted in the death of Matthew Robinson and
87 the injuries and damages sustained by Mark and Sharon Robinson.

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88 The total amount paid for attorney fees, lobbying fees, costs,
89 and other similar expenses relating to this claim may not exceed
90 25 percent of the amount awarded under this act.

91 Section 5. This act shall take effect upon becoming a law.