

Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	—	(Y/N)
ADOPTED AS AMENDED	—	(Y/N)
ADOPTED W/O OBJECTION	—	(Y/N)
FAILED TO ADOPT	—	(Y/N)
WITHDRAWN	—	(Y/N)
OTHER	—	

1 Committee/Subcommittee hearing bill: Criminal Justice
 2 Subcommittee

3 Representative Passidomo offered the following:

4
 5 **Amendment (with title amendment)**

6 Remove lines 650-674 and insert:

7 Section 2. Subsection (1) and paragraphs (e) and (f) of
 8 subsection (2) of section 316.027, Florida Statutes, are amended
 9 to read:

10 316.027 Crash involving death or personal injuries.—

11 (1) As used in this section, the term:

12 ~~(a)~~ "Serious bodily injury" means an injury to a person,
 13 including the driver, which consists of a physical condition
 14 that creates a substantial risk of death, serious personal
 15 disfigurement, or protracted loss or impairment of the function
 16 of a bodily member or organ.

17 ~~(b) "Vulnerable road user" means:~~

Amendment No. 1

18 ~~1. A pedestrian, including a person actually engaged in~~
19 ~~work upon a highway, or in work upon utility facilities along a~~
20 ~~highway, or engaged in the provision of emergency services~~
21 ~~within the right-of-way;~~

22 ~~2. A person operating a bicycle, motorcycle, scooter, or~~
23 ~~moped lawfully on the roadway;~~

24 ~~3. A person riding an animal; or~~

25 ~~4. A person lawfully operating on a public right-of-way,~~
26 ~~crosswalk, or shoulder of the roadway;~~

27 ~~a. A farm tractor or similar vehicle designed primarily~~
28 ~~for farm use;~~

29 ~~b. A skateboard, roller skates, or in-line skates;~~

30 ~~c. A horse-drawn carriage;~~

31 ~~d. An electric personal assistive mobility device; or~~

32 ~~e. A wheelchair.~~

33 (2)

34 (e) A driver who violates paragraph (a), paragraph (b), or
35 paragraph (c) shall have his or her driver license revoked for
36 at least 3 years as provided in s. 322.28(4).

37 1. A person convicted of violating paragraph (a),
38 paragraph (b), or paragraph (c) shall, before his or her driving
39 privilege may be reinstated, present to the department proof of
40 completion of a victim's impact panel session in a judicial
41 circuit if such a panel exists, or if such a panel does not
42 exist, a department-approved driver improvement course relating

Amendment No. 1

43 to the rights of vulnerable ~~road~~ users relative to vehicles on
44 the roadway as provided in s. 322.0261(2).

45 2. The department may reinstate an offender's driving
46 privilege after he or she satisfies the 3-year revocation period
47 as provided in s. 322.28(4) and successfully completes either a
48 victim's impact panel session or a department-approved driver
49 improvement course relating to the rights of vulnerable ~~road~~
50 users relative to vehicles on the roadway as provided in s.
51 322.0261(2).

52 3. For purposes of this paragraph, an offender's driving
53 privilege may be reinstated only after the department verifies
54 that the offender participated in and successfully completed a
55 victim's impact panel session or a department-approved driver
56 improvement course.

57 (f) For purposes of sentencing under chapter 921 and
58 determining incentive gain-time eligibility under chapter 944,
59 an offense listed in this subsection is ranked one level above
60 the ranking specified in s. 921.0022 or s. 921.0023 for the
61 offense committed if the victim of the offense was a vulnerable
62 ~~road~~ user.

63 -----
64 **T I T L E A M E N D M E N T**

65 Remove lines 3-7 and insert:
66

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 253 (2016)

Amendment No. 1

67 316.003, F.S.; providing definitions; amending s. 316.027, F.S.;
68 deleting the definition of "vulnerable road user;" conforming
69 provision to changes made by the act; amending s. 316.083,