

1 A bill to be entitled
 2 An act relating to children in motor vehicles;
 3 amending s. 316.6135, F.S.; prohibiting a parent,
 4 legal guardian, or other person responsible for a
 5 child younger than a specified age from leaving the
 6 child unattended or unsupervised in a motor vehicle
 7 for any length of time; providing criminal penalties;
 8 providing an effective date.

9
 10 Be It Enacted by the Legislature of the State of Florida:

11
 12 Section 1. Section 316.6135, Florida Statutes, is amended
 13 to read:

14 316.6135 Leaving children unattended or unsupervised in
 15 motor vehicles; penalty; authority of law enforcement officer.-

16 (1) A parent, legal guardian, or other person responsible
 17 for a child younger than 6 years of age may not leave the child
 18 unattended or unsupervised in a motor vehicle for any length of
 19 time;

20 ~~(a) For a period in excess of 15 minutes;~~

21 ~~(b) For any period of time if the motor of the vehicle is~~
 22 ~~running, the health of the child is in danger, or the child~~
 23 ~~appears to be in distress.~~

24 (2) Any person who violates subsection (1) ~~the provisions~~
 25 ~~of paragraph (1)(a)~~ commits a misdemeanor of the second degree,

26 | punishable as provided in s. 775.082 or s. 775.083.

27 | ~~(3) Any person who violates the provisions of paragraph~~
28 | ~~(1)(b) is guilty of a noncriminal traffic infraction, punishable~~
29 | ~~by a fine not less than \$50 and not more than \$500.~~

30 | (3)(4) Any person who violates subsection (1) and in so
31 | doing causes great bodily harm, permanent disability, or
32 | permanent disfigurement to a child commits a felony of the third
33 | degree, punishable as provided in s. 775.082, s. 775.083, or s.
34 | 775.084.

35 | (4)(5) Any law enforcement officer who observes a child
36 | left unattended or unsupervised in a motor vehicle in violation
37 | of subsection (1) may use whatever means are reasonably
38 | necessary to protect the ~~minor~~ child and to remove him or her
39 | ~~the child~~ from the vehicle.

40 | (5)(6) If the child is removed from the immediate area,
41 | notification should be placed on the vehicle.

42 | (6)(7) The child shall be remanded to the custody of the
43 | Department of Children and Families pursuant to chapter 39,
44 | unless the law enforcement officer is able to locate the parents
45 | or legal guardian or other person responsible for the child.

46 | Section 2. This act shall take effect October 1, 2018.