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LEGISLATIVE ACTION

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|------------|---|-------|
| Senate     | . | House |
| Comm: RCS  | . |       |
| 02/06/2018 | . |       |
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The Committee on Judiciary (Young) recommended the following:

**Senate Amendment (with title amendment)**

Delete everything after the enacting clause  
and insert:

Section 1. Subsection (61) of section 316.003, Florida  
Statutes, is amended to read:

316.003 Definitions.—The following words and phrases, when  
used in this chapter, shall have the meanings respectively  
ascribed to them in this section, except where the context  
otherwise requires:

(61) RAILROAD TRAIN.—A steam engine, electric or other



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12 motor, with or without cars coupled thereto, operated upon  
13 rails, except a streetcar. A railroad train is not a motor  
14 vehicle for purposes of this chapter.

15 Section 2. Subsection (2) of section 316.068, Florida  
16 Statutes, is amended to read:

17 316.068 Crash report forms.—

18 (2) Every crash report required to be made in writing must  
19 be made on the appropriate form approved by the department and  
20 must contain all the information required therein, including:

21 (a) The date, time, and location of the crash;

22 (b) A description of the vehicles involved;

23 (c) The names and addresses of the parties involved;

24 however, in the event of a crash involving a railroad train,  
25 including crashes covered by s. 316.027, s. 316.061, s. 316.065,  
26 or s. 316.066, the collection of the information specified in  
27 this paragraph shall be at the discretion of the law enforcement  
28 officer having jurisdiction to investigate the crash;

29 (d) The names and addresses of all drivers and passengers  
30 in the vehicles involved; however, in the event of a crash  
31 involving a railroad train, including crashes covered by s.  
32 316.027, s. 316.061, s. 316.065, or s. 316.066, the collection  
33 of the information specified in this paragraph shall be at the  
34 discretion of the law enforcement officer having jurisdiction to  
35 investigate the crash;

36 (e) The names and addresses of witnesses;

37 (f) The name, badge number, and law enforcement agency of  
38 the officer investigating the crash; and

39 (g) The names of the insurance companies for the respective  
40 parties involved in the crash,



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41  
42 unless not available. A member of a railroad train crew or a  
43 passenger on a railroad train is not a passenger for purposes of  
44 this section. The absence of information in such written crash  
45 reports regarding the existence of passengers in the vehicles  
46 involved in the crash constitutes a rebuttable presumption that  
47 no such passengers were involved in the reported crash.  
48 Notwithstanding any other provisions of this section, a crash  
49 report produced electronically by a law enforcement officer  
50 must, at a minimum, contain the same information as is called  
51 for on those forms approved by the department.

52 Section 3. This act shall take effect July 1, 2018.

53  
54 ===== T I T L E A M E N D M E N T =====

55 And the title is amended as follows:

56 Delete everything before the enacting clause  
57 and insert:

58 A bill to be entitled  
59 An act relating to motor vehicles and railroad trains;  
60 amending s. 316.003, F.S.; revising the definition of  
61 the term "railroad train"; amending s. 316.068, F.S.;  
62 requiring that, in the event of a crash involving a  
63 railroad train, the collection of certain information  
64 be at the discretion of the law enforcement officer  
65 having jurisdiction to investigate the crash;  
66 specifying that certain persons are not considered  
67 passengers for the purpose of making crash reports;  
68 providing an effective date.