

1                                   A bill to be entitled  
 2           An act relating to motor vehicles and railroad trains;  
 3           amending s. 316.003, F.S.; revising the definition of  
 4           the term "railroad train"; amending s. 316.068, F.S.;  
 5           requiring that, in the event of a crash involving a  
 6           railroad train, the collection of certain information  
 7           be at the discretion of the law enforcement officer  
 8           having jurisdiction to investigate the crash;  
 9           specifying that certain persons are not considered  
 10          passengers for the purpose of making crash reports;  
 11          providing an effective date.

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 13 Be It Enacted by the Legislature of the State of Florida:  
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15           Section 1. Subsection (63) of section 316.003, Florida  
 16 Statutes, is amended to read:

17           316.003 Definitions.—The following words and phrases, when  
 18 used in this chapter, shall have the meanings respectively  
 19 ascribed to them in this section, except where the context  
 20 otherwise requires:

21           (63) RAILROAD TRAIN.—A steam engine, electric or other  
 22 motor, with or without cars coupled thereto, operated upon  
 23 rails, except a streetcar. A railroad train is not a motor  
 24 vehicle for purposes of this chapter.

25           Section 2. Subsection (2) of section 316.068, Florida

26 Statutes, is amended to read:

27 316.068 Crash report forms.—

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

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

32 (b) A description of the vehicles involved;

33 (c) The names and addresses of the parties involved;  
 34 however, in the event of a crash involving a railroad train,  
 35 including crashes covered by s. 316.027, s. 316.061, s. 316.065,  
 36 or s. 316.066, the collection of the information specified in  
 37 this paragraph shall be at the discretion of the law enforcement  
 38 officer having jurisdiction to investigate the crash;

39 (d) The names and addresses of all drivers and passengers  
 40 in the vehicles involved; however, in the event of a crash  
 41 involving a railroad train, including crashes covered by s.  
 42 316.027, s. 316.061, s. 316.065, or s. 316.066, the collection  
 43 of the information specified in this paragraph shall be at the  
 44 discretion of the law enforcement officer having jurisdiction to  
 45 investigate the crash;

46 (e) The names and addresses of witnesses;

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

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

51  
52 unless not available. A member of a railroad train crew or a  
53 passenger on a railroad train is not a passenger for purposes of  
54 this section. The absence of information in such written crash  
55 reports regarding the existence of passengers in the vehicles  
56 involved in the crash constitutes a rebuttable presumption that  
57 no such passengers were involved in the reported crash.  
58 Notwithstanding any other provisions of this section, a crash  
59 report produced electronically by a law enforcement officer  
60 must, at a minimum, contain the same information as is called  
61 for on those forms approved by the department.

62 Section 3. This act shall take effect July 1, 2019.