

By Senator Baxley

12-00522-20

2020308\_\_

1                   A bill to be entitled  
2       An act relating to traffic offenses; creating s.  
3       318.195, F.S.; providing a short title; providing  
4       criminal penalties for a person who commits a moving  
5       violation that causes serious bodily injury to, or  
6       causes the death of, a vulnerable road user; requiring  
7       that the person who commits the moving violation pay a  
8       specified fine, serve a minimum period of house  
9       arrest, and attend a driver improvement course;  
10      requiring that the court revoke the person's driver  
11      license for a minimum specified period; defining the  
12      term "vulnerable road user"; providing construction;  
13      providing an effective date.

14  
15 Be It Enacted by the Legislature of the State of Florida:

16  
17       Section 1. Section 318.195, Florida Statutes, is created to  
18       read:

19       318.195 Enhanced penalties for moving violations causing  
20       injury or death to vulnerable road users.-

21       (1) This section may be cited as the "Vulnerable Road User  
22       Act."

23       (2) A person who commits a moving violation that causes  
24       serious bodily injury, as defined in s. 316.1933, to a  
25       vulnerable road user commits a misdemeanor of the second degree,  
26       punishable as provided in s. 775.082 or s. 775.083, and, upon  
27       conviction, shall pay a fine of not less than \$1,500, serve a  
28       minimum of 30 days of house arrest, and attend a department-  
29       approved driver improvement course relating to the rights of

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30 vulnerable road users relative to vehicles on the roadway as  
31 provided in s. 322.0261(2). The court shall also revoke the  
32 person's driver license for at least 30 days.

33 (3) A person who commits a moving violation that causes the  
34 death of a vulnerable road user commits a misdemeanor of the  
35 first degree, punishable as provided in s. 775.082 or s.  
36 775.083, and, upon conviction, shall pay a fine of not less than  
37 \$5,000, serve a minimum of 180 days of house arrest, and attend  
38 a department-approved driver improvement course relating to the  
39 rights of vulnerable road users relative to vehicles on the  
40 roadway as provided in s. 322.0261(2). The court shall also  
41 revoke the person's driver license for at least 1 year.

42 (4) As used in this section, the term "vulnerable road  
43 user" has the same meaning as in s. 316.027(1)(b).

44 (5) This section does not prohibit a person from being  
45 charged with, convicted of, or punished for any other violation  
46 of law.

47 Section 2. This act shall take effect October 1, 2020.