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LEGISLATIVE ACTION

Senate

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House

The Committee on Transportation (Pizzo) recommended the following:

Senate Amendment (with title amendment)

Delete lines 45 - 125

and insert:

(a) Damage to the property or person of another shall be cited for a moving violation, punishable as provided in chapter 318, and the person shall be required to attend a department-approved driver improvement course in order to maintain his or her driving privileges.

(b) Serious bodily injury to another person shall be cited



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11 for a moving violation, punishable as provided in chapter 318,
12 and the person shall be required to attend a department-approved
13 driver improvement course in order to maintain his or her
14 driving privileges. As used in this paragraph, the term "serious
15 bodily injury" means an injury to another person which consists
16 of a physical condition that creates a substantial risk of
17 death, serious personal disfigurement, or protracted loss or
18 impairment of the function of any bodily member or organ.

19 (c) Death to another person commits a misdemeanor of the
20 second degree, punishable as provided in s. 775.082 or s.
21 775.083, and the person shall be required to attend a
22 department-approved driver improvement course in order to
23 maintain his or her driving privileges.

24 (5) A court may order a person who is convicted of
25 aggressive careless driving and who, by reason of such
26 operation, causes death to another person to pay restitution for
27 all of the costs and damages arising from the criminal conduct.
28 Payment of restitution is in addition to any other penalty
29 provided by law.

30 Section 2. Section 318.19, Florida Statutes, is amended to
31 read:

32 318.19 Infractions requiring a mandatory hearing.—Any
33 person cited for the infractions listed in this section shall
34 not have the provisions of s. 318.14(2), (4), and (9) available
35 to him or her but must appear before the designated official at
36 the time and location of the scheduled hearing:

37 (1) Any infraction which results in a crash that causes the
38 death of another;

39 (2) Any infraction which results in a crash that causes



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40 "serious bodily injury" of another as defined in s. 316.1933(1);
41 (3) Any infraction of s. 316.172(1)(b);
42 (4) Any infraction of s. 316.520(1) or (2); ~~or~~
43 (5) Any infraction of s. 316.183(2), s. 316.187, or s.
44 316.189 of exceeding the speed limit by 30 mph or more; or
45 (6) Any infraction of s. 316.1923(4)(b).
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47 ===== T I T L E A M E N D M E N T =====

48 And the title is amended as follows:

49 Delete lines 6 - 12

50 and insert:

51 aggressive careless driving and aggressive careless
52 driving resulting in damage to the property or person
53 of another or serious bodily injury to another person;
54 requiring such persons to attend a certain driver
55 improvement course to maintain their driving
56 privileges; defining the term "serious bodily injury";
57 providing a criminal penalty for aggressive careless
58 driving resulting in the death of another person;
59 requiring persons convicted of such offense to attend
60 a certain driver improvement course to maintain their
61 driving privileges; authorizing a court to order such
62 persons to pay restitution; amending s. 318.19, F.S.;
63 requiring persons cited for aggressive careless
64 driving resulting in serious bodily injury to another
65 person to appear at a hearing; providing an effective