

By the Committee on Transportation; and Senators Pizzo and Boyd

596-02836A-22

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1 A bill to be entitled
2 An act relating to aggressive careless driving;
3 amending s. 316.1923, F.S.; providing a short title;
4 revising the definition of the term "aggressive
5 careless driving"; providing a civil penalty for
6 aggressive careless driving and aggressive careless
7 driving resulting in damage to the property or person
8 of another or serious bodily injury to another person;
9 requiring certain persons to attend a certain driver
10 improvement course to maintain their driving
11 privileges; defining the term "serious bodily injury";
12 providing a criminal penalty for aggressive careless
13 driving resulting in the death of another person;
14 requiring persons convicted of such offense to attend
15 a certain driver improvement course to maintain their
16 driving privileges; authorizing a court to order such
17 persons to pay restitution; amending s. 318.19, F.S.;
18 requiring persons cited for aggressive careless
19 driving resulting in serious bodily injury to another
20 person to appear at a hearing; providing an effective
21 date.

22
23 Be It Enacted by the Legislature of the State of Florida:

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25 Section 1. Section 316.1923, Florida Statutes, is amended
26 to read:

27 316.1923 Aggressive careless driving.—

28 (1) This section may be cited as the "Anthony Reznik Act."

29 (2) As used in this chapter, the term "aggressive careless

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30 driving" means committing two or more of the following acts
31 simultaneously or in succession:

32 (a) ~~(1)~~ Exceeding the posted speed as defined in s.
33 322.27(3)(d)5.b.

34 (b) ~~(2)~~ Unsafely or improperly changing lanes as defined in
35 s. 316.085.

36 (c) ~~(3)~~ Following another vehicle too closely as defined in
37 s. 316.0895(1).

38 (d) ~~(4)~~ Failing to yield the right-of-way as defined in s.
39 316.079, s. 316.0815, or s. 316.123.

40 (e) ~~(5)~~ Improperly passing as defined in s. 316.083, s.
41 316.084, or s. 316.085.

42 (f) ~~(6)~~ Violating traffic control and signal devices as
43 defined in ss. 316.074 and 316.075.

44 (g) Operating a motor vehicle while texting as defined in
45 s. 316.305(3)(a).

46 (h) Operating a motor vehicle in violation of restrictions
47 imposed under s. 322.16(1)(a) or (b).

48 (3) A person who commits aggressive careless driving shall
49 be cited for a moving violation, punishable as provided in
50 chapter 318.

51 (4) A person who commits aggressive careless driving and
52 who, by reason of such operation, causes:

53 (a) Damage to the property or person of another shall be
54 cited for a moving violation, punishable as provided in chapter
55 318, and the person shall be required to attend a department-
56 approved driver improvement course in order to maintain his or
57 her driving privileges.

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

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

67 (c) Death to another person commits a misdemeanor of the
68 second degree, punishable as provided in s. 775.082 or s.
69 775.083, and the person shall be required to attend a
70 department-approved driver improvement course in order to
71 maintain his or her driving privileges.

72 (5) A court may order a person who is convicted of
73 aggressive careless driving and who, by reason of such
74 operation, causes death to another person to pay restitution for
75 all of the costs and damages arising from the criminal conduct.
76 Payment of restitution is in addition to any other penalty
77 provided by law.

78 Section 2. Section 318.19, Florida Statutes, is amended to
79 read:

80 318.19 Infractions requiring a mandatory hearing.—Any
81 person cited for the infractions listed in this section shall
82 not have the provisions of s. 318.14(2), (4), and (9) available
83 to him or her but must appear before the designated official at
84 the time and location of the scheduled hearing:

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

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

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88 "serious bodily injury" of another as defined in s. 316.1933(1);

89 (3) Any infraction of s. 316.172(1)(b);

90 (4) Any infraction of s. 316.520(1) or (2); ~~or~~

91 (5) Any infraction of s. 316.183(2), s. 316.187, or s.

92 316.189 of exceeding the speed limit by 30 mph or more; or

93 (6) Any infraction of s. 316.1923(4)(b).

94 Section 3. This act shall take effect October 1, 2022.