

By Senator Pizzo

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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 specified driver
10 improvement course to maintain their driver license;
11 defining the term "serious bodily injury"; providing a
12 criminal penalty for aggressive careless driving
13 resulting in the death of another person; requiring
14 persons convicted of such offense to attend a
15 specified driver improvement course to maintain their
16 driver license; 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:

24
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 described 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 must
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 must be
54 cited for a moving violation, punishable as provided in chapter
55 318, and must attend a department-approved driver improvement
56 course in order to maintain his or her driver license.

57 (b) Serious bodily injury to another person must be cited
58 for a moving violation, punishable as provided in chapter 318,

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59 and must attend a department-approved driver improvement course
60 in order to maintain his or her driver license. As used in this
61 paragraph, the term "serious bodily injury" means an injury to
62 another person which consists of a physical condition that
63 creates a substantial risk of death, serious personal
64 disfigurement, or protracted loss or impairment of the function
65 of any bodily member or organ.

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

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

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

79 318.19 Infractions requiring a mandatory hearing.—Any
80 person cited for the infractions listed in this section may
81 ~~shall~~ not have the provisions of s. 318.14(2), (4), and (9)
82 available to him or her but must appear before the designated
83 official at the time and location of the scheduled hearing:

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

86 (2) Any infraction which results in a crash that causes
87 "serious bodily injury" of another as defined in s. 316.1933(1);

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- 88 (3) Any infraction of s. 316.172(1)(b);
- 89 (4) Any infraction of s. 316.520(1) or (2); ~~or~~
- 90 (5) Any infraction of s. 316.183(2), s. 316.187, or s.
- 91 316.189 of exceeding the speed limit by 30 mph or more; or
- 92 (6) Any infraction of s. 316.1923(4)(b).
- 93 Section 3. This act shall take effect July 1, 2023.