

1 A bill to be entitled
 2 An act relating to violations against vulnerable road
 3 users; amending s. 318.14, F.S.; requiring a person
 4 who commits an infraction that causes serious bodily
 5 injury to, or causes the death of, a vulnerable road
 6 user to pay a specified civil penalty; requiring the
 7 person's driver license to be suspended for a
 8 specified period; requiring the person to attend a
 9 specified driver improvement course; republishing s.
 10 318.19(1) and (2), F.S., relating to infractions
 11 requiring a mandatory hearing; providing an effective
 12 date.

13
 14 Be It Enacted by the Legislature of the State of Florida:

15
 16 Section 1. Subsection (5) of section 318.14, Florida
 17 Statutes, is amended to read:

18 318.14 Noncriminal traffic infractions; exception;
 19 procedures.—

20 (5) Any person electing to appear before the designated
 21 official or who is required ~~se~~ to appear shall be deemed to have
 22 waived his or her right to the civil penalty provisions of s.
 23 318.18. The official, after a hearing, shall make a
 24 determination as to whether an infraction has been committed. If
 25 the commission of an infraction has been proven, the official

26 | may impose a civil penalty not to exceed \$500, except that in
27 | cases involving unlawful speed in a school zone or involving
28 | unlawful speed in a construction zone, the civil penalty may not
29 | exceed \$1,000; or require attendance at a driver improvement
30 | school, or both. If the person is required to appear before the
31 | designated official pursuant to s. 318.19(1) and is found to
32 | have committed the infraction, the designated official shall
33 | impose a civil penalty of \$1,000 in addition to any other
34 | penalties and the person's driver license shall be suspended for
35 | 6 months. If the person is required to appear before the
36 | designated official pursuant to s. 318.19(1) and is found to
37 | have committed the infraction against a vulnerable road user as
38 | defined in s. 316.027(1), the designated official shall impose a
39 | civil penalty of not less than \$5,000 in addition to any other
40 | penalties, the person's driver license shall be suspended for 1
41 | year, and the person shall be required to attend a department-
42 | approved driver improvement course relating to the rights of
43 | vulnerable road users relative to vehicles on the roadway as
44 | provided in s. 322.0261(2). If the person is required to appear
45 | before the designated official pursuant to s. 318.19(2) and is
46 | found to have committed the infraction, the designated official
47 | shall impose a civil penalty of \$500 in addition to any other
48 | penalties and the person's driver license shall be suspended for
49 | 3 months. If the person is required to appear before the
50 | designated official pursuant to s. 318.19(2) and is found to

51 have committed the infraction against a vulnerable road user as
52 defined in s. 316.027(1), the designated official shall impose a
53 civil penalty of not less than \$1,500 in addition to any other
54 penalties, the person's driver license shall be suspended for 3
55 months, and the person shall be required to attend a department-
56 approved driver improvement course relating to the rights of
57 vulnerable road users relative to vehicles on the roadway as
58 provided in s. 322.0261(2). If the official determines that no
59 infraction has been committed, no costs or penalties shall be
60 imposed and any costs or penalties that have been paid shall be
61 returned. Moneys received from the mandatory civil penalties
62 imposed pursuant to this subsection upon persons required to
63 appear before a designated official pursuant to s. 318.19(1) or
64 (2) shall be remitted to the Department of Revenue and deposited
65 into the Department of Health Emergency Medical Services Trust
66 Fund to provide financial support to certified trauma centers to
67 assure the availability and accessibility of trauma services
68 throughout the state. Funds deposited into the Emergency Medical
69 Services Trust Fund under this section shall be allocated as
70 follows:

71 (a) Fifty percent shall be allocated equally among all
72 Level I, Level II, and pediatric trauma centers in recognition
73 of readiness costs for maintaining trauma services.

74 (b) Fifty percent shall be allocated among Level I, Level
75 II, and pediatric trauma centers based on each center's relative

76 | volume of trauma cases as calculated using the hospital
 77 | discharge data collected pursuant to s. 408.061.

78 | Section 2. Subsections (1) and (2) of section 318.19,
 79 | Florida Statutes, are republished to 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
 86 | the death of another;

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

89 | Section 3. This act shall take effect July 1, 2024.