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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
02/07/2024	.	
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The Committee on Transportation (Pizzo) recommended the following:

**Senate Amendment (with title amendment)**

Delete lines 29 - 117

and insert:

Section 1. Present paragraphs (b) through (k) of subsection (1) of section 316.191, Florida Statutes, are redesignated as paragraphs (c) through (l), respectively, a new paragraph (b) is added to that subsection, subsection (3), paragraph (b) of subsection (4), and paragraph (c) of subsection (5) of that section are amended, and subsection (2) and paragraph (a) of



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11 subsection (4) of that section are republished, to read:

12 316.191 Racing on highways, street takeovers, and stunt  
13 driving.—

14 (1) As used in this section, the term:

15 (b) “Coordinated street takeover” means 10 or more vehicles  
16 operated in an organized manner to effect a street takeover.

17 (2) A person may not:

18 (a) Drive any motor vehicle in any street takeover, stunt  
19 driving, race, speed competition or contest, drag race or  
20 acceleration contest, test of physical endurance, or exhibition  
21 of speed or acceleration or for the purpose of making a speed  
22 record on any highway, roadway, or parking lot;

23 (b) In any manner participate in, coordinate through social  
24 media or otherwise, facilitate, or collect moneys at any  
25 location for any such race, drag race, street takeover, stunt  
26 driving, competition, contest, test, or exhibition;

27 (c) Knowingly ride as a passenger in any such race, drag  
28 race, street takeover, stunt driving, competition, contest,  
29 test, or exhibition;

30 (d) Purposefully cause the movement of traffic, including  
31 pedestrian traffic, to slow, stop, or be impeded in any way for  
32 any such race, drag race, street takeover, stunt driving,  
33 competition, contest, test, or exhibition;

34 (e) Operate a motor vehicle for the purpose of filming or  
35 recording the activities of participants in any such race, drag  
36 race, street takeover, stunt driving, competition, contest,  
37 test, or exhibition. This paragraph does not apply to bona fide  
38 members of the news media; or

39 (f) Operate a motor vehicle carrying any amount of fuel for



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40 the purposes of fueling a motor vehicle involved in any such  
41 race, drag race, street takeover, stunt driving, competition,  
42 contest, test, or exhibition.

43 (3) (a) Any person who violates subsection (2) commits a  
44 misdemeanor of the first degree, punishable as provided in s.  
45 775.082 or s. 775.083. Any person who violates subsection (2)  
46 shall pay a fine of not less than \$500 and not more than \$2,000  
47 ~~\$1,000~~, and the department shall revoke the driver license of a  
48 person so convicted for 1 year. A hearing may be requested  
49 pursuant to s. 322.271.

50 (b) Any person who commits a second violation of subsection  
51 (2) within 1 year ~~5 years~~ after the date of a prior violation  
52 that resulted in a conviction for a violation of subsection (2)  
53 commits a felony of the third degree ~~misdemeanor of the first~~  
54 ~~degree~~, punishable as provided in s. 775.082, ~~or~~ s. 775.083, or  
55 s. 775.084, and shall pay a fine of not less than \$2,500 ~~\$1,000~~  
56 and not more than \$4,000 ~~\$3,000~~. The department shall also  
57 revoke the driver license of that person for 2 years. A hearing  
58 may be requested pursuant to s. 322.271.

59 (c) Any person who violates subsection (2) and, in the  
60 course of committing the offense, knowingly impedes, obstructs,  
61 or interferes with an authorized emergency vehicle as defined in  
62 s. 316.003(1) which is on call and responding to an emergency  
63 other than a violation of this section, commits a felony of the  
64 third degree, punishable as provided in paragraph (b).

65 (d) Any person who commits a second or subsequent violation  
66 of paragraph (c) commits a felony of the second degree,  
67 punishable as provided in s. 775.082, s. 775.083, or s. 775.084.  
68 The department shall also revoke the driver license of that



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69 person for 4 years. A hearing may be requested pursuant to s.  
70 322.271.

71 (e) Any person who commits a third or subsequent violation  
72 of subsection (2) within 5 years after the date of a prior  
73 violation that resulted in a conviction for a violation of  
74 subsection (2) commits a ~~felony misdemeanor~~ of the second first  
75 degree, punishable as provided in s. 775.082, ~~or~~ s. 775.083, or  
76 s. 775.084, and shall pay a fine of not less than \$3,500 ~~\$2,000~~  
77 and not more than \$7,500 ~~\$5,000~~. The department shall also  
78 revoke the driver license of that person for 4 years. A hearing  
79 may be requested pursuant to s. 322.271.

80 (f) Any person who violates paragraphs (2) (a), (d), (e), or  
81 (f) while engaged in a coordinated street takeover commits a  
82 felony of the third degree, punishable as provided in s. 775.082  
83 or s. 775.083, and shall pay a fine of not less than \$2,500 and  
84 not more than \$4,000. Pursuant to the Florida Contraband  
85 Forfeiture Act, the arresting law enforcement agency may move to  
86 seize any vehicle used in the violation of paragraph (d). The  
87 department shall also revoke the driver license of that person  
88 for 2 years. A hearing may be requested pursuant to s. 322.271.

89 (g) ~~(d)~~ In any case charging a violation of subsection (2),  
90 the court shall be provided a copy of the driving record of the  
91 person charged and may obtain any records from any other source  
92 to determine if one or more prior convictions of the person for  
93 a violation of subsection (2) have occurred within a specified  
94 period ~~5 years~~ before the charged offense.

95 (4) (a) A person may not be a spectator at any race, drag  
96 race, or street takeover prohibited under subsection (2).

97 (b) A person who violates paragraph (a) commits a



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98 noncriminal traffic infraction, punishable by a fine of \$400 as  
99 ~~a moving violation as provided in chapter 318.~~

100 ===== T I T L E A M E N D M E N T =====

101 And the title is amended as follows:

102 Delete lines 3 - 21

103 and insert:

104 316.191, F.S.; defining the term "coordinated street  
105 takeover"; increasing the maximum fine for violations  
106 of prohibitions against drag race, street takeover,  
107 stunt driving, competition, contest, test, or  
108 exhibitions; revising applicability of the penalty for  
109 second violations of prohibitions against drag race,  
110 street takeover, stunt driving, competition, contest,  
111 test, or exhibition; increasing the fine for any such  
112 violations; providing penalties for knowingly  
113 impeding, obstructing, or interfering with an  
114 authorized emergency vehicle that is on call or  
115 responding to an emergency while participating in a  
116 drag race, street takeover, stunt driving,  
117 competition, contest, test, or exhibition; revising  
118 applicability of the penalty for third or subsequent  
119 violations of prohibitions against