

Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	<u> </u>	(Y/N)
ADOPTED AS AMENDED	<u> </u>	(Y/N)
ADOPTED W/O OBJECTION	<u> </u>	(Y/N)
FAILED TO ADOPT	<u> </u>	(Y/N)
WITHDRAWN	<u> </u>	(Y/N)
OTHER	<u> </u>	

1 Committee/Subcommittee hearing bill: Judiciary Committee
 2 Representative Michael offered the following:

Amendment

5 Remove lines 58-97 and insert:

6 (3) (a) Except as provided in paragraphs (b), (c), and (d),
 7 any person who violates subsection (2) commits a misdemeanor of
 8 the first degree, punishable as provided in s. 775.082 or s.
 9 775.083. Any person who violates subsection (2) shall pay a fine
 10 of not less than \$500 and not more than \$2,000 ~~\$1,000~~, and the
 11 department shall revoke the driver license of a person so
 12 convicted for 1 year. A hearing may be requested pursuant to s.
 13 322.271.

14 (b) Any person who commits a second violation of
 15 subsection (2) within 1 year ~~5 years~~ after the date of a prior
 16 violation that resulted in a conviction for a violation of

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17 subsection (2) commits a felony of the third degree ~~misdemeanor~~
18 ~~of the first degree~~, punishable as provided in s. 775.082, ~~or~~ s.
19 775.083, or s. 775.084, and shall pay a fine of not less than
20 \$2,500 ~~\$1,000~~ and not more than \$4,000 ~~\$3,000~~. The department
21 shall also revoke the driver license of that person for 2 years.
22 A hearing may be requested pursuant to s. 322.271.

23 (c) Any person who commits a third or subsequent
24 violation of subsection (2) within 5 years after the date of a
25 prior violation that resulted in a conviction for a violation of
26 subsection (2) commits a felony ~~misdemeanor~~ of the third ~~first~~
27 degree, punishable as provided in s. 775.082, ~~or~~ s. 775.083, or
28 s. 775.084, and shall pay a fine of not less than \$3,500 ~~\$2,000~~
29 and not more than \$7,500 ~~\$5,000~~. The department shall also
30 revoke the driver license of that person for 4 years. A hearing
31 may be requested pursuant to s. 322.271.

32 (d) Except as provided in paragraph (e), any person who
33 violates subsection (2) and, in the course of committing the
34 offense, knowingly impedes, obstructs, or interferes with an
35 authorized emergency vehicle, as defined in s. 316.003(1), that
36 is on call and responding to an emergency other than a violation
37 of this section, commits a felony of the third degree,
38 punishable as provided in paragraph (b).

39 (e) Any person who commits a second or subsequent
40 violation of paragraph (d) commits a felony of the second
41 degree, punishable as provided in s. 775.082, s. 775.083, or s.

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42 775.084. The department shall also revoke the driver license of
43 that person for 4 years. A hearing may be requested pursuant to
44 s. 322.271.

45 (f)~~(d)~~ In any case charging a violation of subsection (2),