

By Senator Martin

33-01746A-25

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1 A bill to be entitled

2 An act relating to traffic infractions resulting in a
3 crash with another vehicle; amending s. 318.14, F.S.;
4 requiring the imposition of specified civil penalties
5 and periods of driver license suspension on a person
6 found at a mandatory hearing to have committed certain
7 traffic infractions that resulted in a crash with
8 another vehicle, in addition to any other penalties;
9 amending s. 318.19, F.S.; requiring persons cited for
10 specified infractions that result in a crash with
11 another vehicle to appear at a certain mandatory
12 hearing; amending s. 324.023, F.S.; requiring certain
13 owners and operators of motor vehicles to establish
14 and maintain the ability to respond in damages for
15 liability on account of certain accidents; providing
16 an effective date.

17
18 Be It Enacted by the Legislature of the State of Florida:

19
20 Section 1. Subsection (5) of section 318.14, Florida
21 Statutes, is amended to read:

22 318.14 Noncriminal traffic infractions; exception;
23 procedures.—

24 (5) Any person electing to appear before the designated
25 official or who is required to appear is ~~shall be~~ deemed to have
26 waived his or her right to the civil penalty provisions of s.
27 318.18. The official, after a hearing, shall make a
28 determination as to whether an infraction has been committed. If
29 the commission of an infraction has been proven, the official

33-01746A-25

20251210__

30 may impose a civil penalty not to exceed \$500, except that in
31 cases involving unlawful speed in a school zone or involving
32 unlawful speed in a construction zone, the civil penalty may not
33 exceed \$1,000; or require attendance at a driver improvement
34 school, or both. If the person is required to appear before the
35 designated official pursuant to s. 318.19(1) and is found to
36 have committed the infraction, the designated official must
37 ~~shall~~ impose a civil penalty of \$1,000 in addition to any other
38 penalties and the person's driver license shall be suspended for
39 6 months. If the person is required to appear before the
40 designated official pursuant to s. 318.19(1) and is found to
41 have committed the infraction against a vulnerable road user as
42 defined in s. 316.027(1), the designated official must ~~shall~~
43 impose a civil penalty of not less than \$5,000 in addition to
44 any other penalties, the person's driver license must ~~shall~~ be
45 suspended for 1 year, and the person must ~~shall~~ be required to
46 attend a department-approved driver improvement course relating
47 to the rights of vulnerable road users relative to vehicles on
48 the roadway as provided in s. 322.0261(2). If the person is
49 required to appear before the designated official pursuant to s.
50 318.19(2) and is found to have committed the infraction, the
51 designated official must ~~shall~~ impose a civil penalty of \$500 in
52 addition to any other penalties and the person's driver license
53 must ~~shall~~ be suspended for 3 months. If the person is required
54 to appear before the designated official pursuant to s.
55 318.19(2) and is found to have committed the infraction against
56 a vulnerable road user as defined in s. 316.027(1), the
57 designated official must ~~shall~~ impose a civil penalty of not
58 less than \$1,500 in addition to any other penalties, the

33-01746A-25

20251210__

59 person's driver license must ~~shall~~ be suspended for 3 months,
60 and the person must ~~shall~~ be required to attend a department-
61 approved driver improvement course relating to the rights of
62 vulnerable road users relative to vehicles on the roadway as
63 provided in s. 322.0261(2). If the person is required to appear
64 before the designated official pursuant to s. 318.19(6) and is
65 found to have committed an infraction of s. 316.074(1) or s.
66 316.123(2) which resulted in a crash with another vehicle as
67 defined in s. 316.003, the designated official must impose a
68 civil penalty of \$500 in addition to any other penalties. If the
69 person is required to appear before the designated official
70 pursuant to s. 318.19(6) for an infraction and is found to have
71 committed a second infraction of s. 316.074(1) or s. 316.123(2)
72 which resulted in a crash with another vehicle as defined in s.
73 316.003, the designated official must impose a civil penalty of
74 \$1,000 in addition to any other penalties and the person's
75 driver license must be suspended for 6 months. If the person is
76 required to appear before the designated official pursuant to s.
77 318.19(6) for an infraction and is found to have committed a
78 third or subsequent infraction of s. 316.074(1) or s. 316.123(2)
79 which resulted in a crash with another vehicle as defined in s.
80 316.003, the designated official must impose a civil penalty of
81 \$1,000 in addition to any other penalties and the person's
82 driver license must be suspended for 1 year. If the official
83 determines that no infraction has been committed, no costs or
84 penalties may ~~shall~~ be imposed and any costs or penalties that
85 have been paid must ~~shall~~ be returned. Moneys received from the
86 mandatory civil penalties imposed pursuant to this subsection
87 upon persons required to appear before a designated official

33-01746A-25

20251210__

88 pursuant to s. 318.19(1) or (2) shall be remitted to the
89 Department of Revenue and deposited into the Department of
90 Health Emergency Medical Services Trust Fund to provide
91 financial support to certified trauma centers to assure the
92 availability and accessibility of trauma services throughout the
93 state. Funds deposited into the Emergency Medical Services Trust
94 Fund under this section shall be allocated as follows:

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

98 (b) Fifty percent shall be allocated among Level I, Level
99 II, and pediatric trauma centers based on each center's relative
100 volume of trauma cases as calculated using the hospital
101 discharge data collected pursuant to s. 408.061.

102 Section 2. Section 318.19, Florida Statutes, is amended to
103 read:

104 318.19 Infractions requiring a mandatory hearing.—Any
105 person cited for the infractions listed in this section does
106 ~~shall~~ not have the provisions of s. 318.14(2), (4), and (9)
107 available to him or her but must appear before the designated
108 official at the time and location of the scheduled hearing:

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

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

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

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

115 (5) Any infraction of s. 316.183(2), s. 316.187, or s.
116 316.189 of exceeding the speed limit by 30 mph or more;

33-01746A-25

20251210__

117 (6) Any infraction of s. 316.074(1) or s. 316.123(2) which
118 results in a crash with another vehicle as defined in s.
119 316.003.

120 Section 3. Section 324.023, Florida Statutes, is amended to
121 read:

122 324.023 Financial responsibility for bodily injury or
123 death.—

124 (1) In addition to any other financial responsibility
125 required by law, every owner or operator of a motor vehicle that
126 is required to be registered in this state, or that is located
127 within this state, and who:7

128 (a) Regardless of adjudication of guilt, has been found
129 guilty of or entered a plea of guilty or nolo contendere to a
130 charge of driving under the influence under s. 316.193 after
131 October 1, 2007; or

132 (b) Is found to have committed an infraction of s.
133 316.074(1) or s. 316.123(2) which resulted in a crash with
134 another vehicle as defined in s. 316.003,

135
136 shall, by one of the methods established in s. 324.031(1) or
137 (2), establish and maintain the ability to respond in damages
138 for liability on account of accidents arising out of the use of
139 a motor vehicle in the amount of \$100,000 because of bodily
140 injury to, or death of, one person in any one crash and, subject
141 to such limits for one person, in the amount of \$300,000 because
142 of bodily injury to, or death of, two or more persons in any one
143 crash and in the amount of \$50,000 because of property damage in
144 any one crash. If the owner or operator chooses to establish and
145 maintain such ability by furnishing a certificate of deposit

33-01746A-25

20251210__

146 pursuant to s. 324.031(2), such certificate of deposit must be
147 at least \$350,000. Such higher limits must be carried for a
148 minimum period of 3 years.

149 (2) If an ~~the~~ owner or operator required to establish and
150 maintain such ability under paragraph (1)(a) has not been
151 convicted of driving under the influence or a felony traffic
152 offense for a period of 3 years from the date of reinstatement
153 of driving privileges for a violation of s. 316.193, the owner
154 or operator is ~~shall be~~ exempt from this section.

155 Section 4. This act shall take effect October 1, 2025.