

By Senator Pizzo

37-01705A-25

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1                   A bill to be entitled  
2       An act relating to traffic enforcement; amending s.  
3       316.192, F.S.; providing that exceeding the posted  
4       speed limit by a specified amount or more is reckless  
5       driving per se; providing that operating a motor  
6       vehicle in a certain manner is reckless driving per  
7       se; increasing the fines that may be imposed upon  
8       first and subsequent convictions of reckless driving;  
9       requiring the sentencing court to revoke the  
10      authorization and privilege to operate a motor vehicle  
11      for specified periods upon first and subsequent  
12      convictions of reckless driving; authorizing a law  
13      enforcement officer to impound a motor vehicle for a  
14      specified period of time under certain circumstances;  
15      requiring the law enforcement officer to notify the  
16      Department of Highway Safety and Motor Vehicles of  
17      such impoundment; amending s. 318.14, F.S.;  
18      authorizing, rather than requiring, an officer to  
19      indicate the applicable civil penalties on certain  
20      traffic citations; requiring the sentencing court to  
21      revoke the authorization and privilege to operate a  
22      motor vehicle for a specified period upon citation for  
23      certain moving violations; amending s. 318.19, F.S.;  
24      requiring persons cited for certain moving violations  
25      to attend mandatory hearings; providing an effective  
26      date.

27  
28   Be It Enacted by the Legislature of the State of Florida:  
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30 Section 1. Subsection (2) of section 316.192, Florida  
31 Statutes, is amended, and paragraphs (c), (d), and (e) are added  
32 to subsection (1) and subsection (6) is added to that section,  
33 to read:

34 316.192 Reckless driving.—

35 (1)

36 (c) Exceeding the posted speed limit by 50 miles per hour  
37 or more is reckless driving per se.

38 (d) Operating a motor vehicle in excess of 100 miles per  
39 hour while passing another vehicle or changing lanes is reckless  
40 driving per se.

41 (e) Operating a motor vehicle on any street or roadway  
42 other than a limited access highway while exceeding the posted  
43 speed limit by 35 miles per hour or more is reckless driving per  
44 se.

45 (2) Except as provided in subsection (3), any person  
46 convicted of reckless driving shall be punished:

47 (a) Upon a first conviction, by imprisonment for a period  
48 of not more than 90 days or by fine of not less than \$1,000 ~~\$25~~  
49 ~~nor more than \$500~~, or by both such fine and imprisonment. In  
50 addition, the court shall revoke the person's authorization and  
51 privilege to operate a motor vehicle for a period of 6 months.

52 (b) On a second or subsequent conviction, by imprisonment  
53 for not more than 6 months or by a fine of not less than \$2,500  
54 ~~\$50 nor more than \$1,000~~, or by both such fine and imprisonment.  
55 In addition, the court shall revoke the person's authorization  
56 and privilege to operate a motor vehicle for a period of 1 year.

57 (6) If a law enforcement officer arrests or issues a  
58 criminal citation to the operator of a motor vehicle used in

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59 violation of subsection (1), such motor vehicle may be impounded  
60 for a period of 30 business days. If the law enforcement officer  
61 finds that the criteria of this subsection are met, the law  
62 enforcement officer may immediately impound the motor vehicle.  
63 The law enforcement officer shall notify the Department of  
64 Highway Safety and Motor Vehicles of any such impoundment in  
65 accordance with procedures established by the department.  
66 Section 316.191(5)(a) and (b) applies to such impoundment.

67 Section 2. Subsection (2) and paragraph (a) of subsection  
68 (13) of section 318.14, Florida Statutes, are amended to read:

69 318.14 Noncriminal traffic infractions; exception;  
70 procedures.—

71 (2) Except as provided in ss. 316.1001(2), 316.0083,  
72 316.173, and 316.1896, any person cited for a violation  
73 requiring a mandatory hearing listed in s. 318.19 or any other  
74 criminal traffic violation listed in chapter 316 must sign and  
75 accept a citation indicating a promise to appear. The officer  
76 may indicate on the traffic citation the time and location of  
77 the scheduled hearing and ~~must indicate~~ the applicable civil  
78 penalty established in s. 318.18. For all other infractions  
79 under this section, except for infractions under s. 316.1001,  
80 the officer must certify by electronic, electronic facsimile, or  
81 written signature that the citation was delivered to the person  
82 cited. This certification is prima facie evidence that the  
83 person cited was served with the citation.

84 (13)(a) A person cited for a violation of s. 316.1926  
85 shall, in addition to any other requirements provided in this  
86 section, pay a fine of \$1,000. This fine is in lieu of the fine  
87 required under s. 318.18(3)(b), if the person was cited for

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88 violation of s. 316.1926(2). In addition, the court shall revoke  
89 the person's authorization and privilege to operate a motor  
90 vehicle for a period of 6 months.

91 Section 3. Section 318.19, Florida Statutes, is amended to  
92 read:

93 318.19 Infractions requiring a mandatory hearing.—A ~~Any~~  
94 person cited for any infraction ~~the infractions~~ listed in this  
95 section does ~~shall~~ not have the provisions of s. 318.14(2), (4),  
96 and (9) available to him or her but must appear before the  
97 designated official at the time and location of the scheduled  
98 hearing:

99 (1) Any infraction which results in a crash that causes the  
100 death of another. ~~†~~

101 (2) Any infraction which results in a crash that causes  
102 "serious bodily injury" of another as defined in s.  
103 316.1933(1). ~~†~~

104 (3) Any infraction of s. 316.172(1)(b). ~~†~~

105 (4) Any infraction of s. 316.520(1) or (2). ~~† or~~

106 (5) Any infraction of s. 316.183(2), s. 316.187, or s.  
107 316.189 of exceeding the speed limit by 30 miles per hour ~~mph~~ or  
108 more.

109 (6) Any infraction of s. 316.1926.

110 Section 4. This act shall take effect July 1, 2025.