

FLORIDA HOUSE OF REPRESENTATIVES

BILL ANALYSIS

This bill analysis was prepared by nonpartisan committee staff and does not constitute an official statement of legislative intent.

BILL #: [CS/CS/CS/HB 351](#)

TITLE: Dangerous Excessive Speeding

SPONSOR(S): Plasencia

COMPANION BILL: [CS/SB 1782](#) (Pizzo)

LINKED BILLS: None

RELATED BILLS: None

Committee References

[Government Operations](#)

15 Y, 1 N, As CS



[Criminal Justice](#)

13 Y, 4 N, As CS



[State Affairs](#)

22 Y, 0 N, As CS

SUMMARY

Effect of the Bill:

The bill creates a criminal offense for dangerous excessive speeding if a driver exceeds the speed limit by 50 miles per hour (mph) or more or operates a motor vehicle at 100 mph or more in a manner that threatens the safety of other persons or property or interferes with the operation of any vehicle. The bill also requires a mandatory hearing for traffic infractions relating to speeding in excess of 50 mph.

Fiscal or Economic Impact:

The bill may have a positive indeterminate impact on jail beds by creating new criminal offenses related to dangerous excessive speeding, and may have a positive indeterminate impact on local and state governments by creating mandatory fines associated with such offenses.

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ANALYSIS

EFFECT OF THE BILL:

The bill creates a criminal offense for “dangerous excessive speeding” if a person operates a motor vehicle:

- Exceeding the speed limit by 50 miles per hour (mph) or more.
- At 100 mph or more in a manner that threatens the safety of other persons or property or interferes with the operation of the vehicle. (Section [1](#))

Under the bill, a person who commits dangerous excessive speeding is punished as follows:

- Upon a first conviction, up to 30 days in jail, a fine of \$500, or both.
- Upon a second or subsequent conviction, up to 90 days in jail, a fine of \$1,000, or both. A person convicted of a second or subsequent violation of dangerous excessive speeding within five years after the date of a prior conviction for such an offense must have his or her driving privilege revoked for at least 180 days but no more than one year. (Section [1](#))

The bill provides that any driver who commits an infraction for exceeding the speed limit in excess of 50 mph must appear before a designated official at a [mandatory hearing](#). (Section [3](#))

The bill authorizes, rather than requires, an officer to indicate the applicable civil penalty on a traffic citation for infractions related to exceeding the speed limit by 30 mph or more, or 50 mph or more. (Section [2](#))

The effective date of the bill is July 1, 2025. (Section [4](#))

FISCAL OR ECONOMIC IMPACT:

STATE GOVERNMENT:

The bill may have a positive indeterminate impact on state government by creating mandatory fines associated with dangerous excessive speeding offenses.

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LOCAL GOVERNMENT:

The bill may have a positive indeterminate impact on jail beds by creating new criminal offenses related to dangerous excessive speeding, and may have a positive indeterminate impact on local governments by creating mandatory fines associated with such offenses.

RELEVANT INFORMATION

SUBJECT OVERVIEW:

Unlawful Speeding

A person is prohibited from driving a vehicle on a highway at a speed greater than is reasonable and prudent and speed must be controlled as necessary to avoid colliding with any person, vehicle, or other conveyance or object on or entering the highway.¹

Maximum Speed Limits

Florida law provides that, on all streets or highways, the maximum speed limits for all vehicles must be 30 miles per hour (mph) in business or residence districts and 55 mph at any time at all other locations.² However, with respect to a residence district, a county or municipality may set a maximum speed limit of 20 or 25 mph on local streets and highways after an investigation determines that such a limit is reasonable.³

Fines for Speeding

A person who drives at an unlawful speed generally commits a noncriminal traffic infraction, punishable as a moving violation. Specifically, a person who exceeds the speed limit by:

- 1-5 mph will receive a warning.
- 6-9 mph will be fined \$25.
- 10-14 mph will be fined \$100.
- 15-19 mph will be fined \$150.
- 20-29 mph will be fined \$175.
- 30 mph or more will be fined \$250.⁴

Additionally, a person cited for a second or subsequent conviction of speed exceeding the limit by 30 mph or more within a 12-month period must pay a fine that is double the amounts listed above.⁵

A person who exceeds the speed limit in excess of 50 mph or more must be cited for a moving violation.⁶

Mandatory Hearing

Current law requires persons who commit certain traffic infractions to appear before a designated official at the time and location of a scheduled hearing.⁷ For example, a person must appear before a designated official for a mandatory hearing if he or she exceeds the speed limit by 30 mph or more.⁸

Generally, any person cited for a violation requiring a mandatory hearing listed or any other criminal traffic violation must sign and accept a citation indicating a promise to appear. The officer may indicate on the traffic citation the time and location of the scheduled hearing and must indicate the applicable civil penalty established.⁹

¹ S. [316.183\(1\), F.S.](#)

² S. [316.183\(2\), F.S.](#)

³ *Id.*

⁴ S. [318.18\(3\)\(b\), F.S.](#)

⁵ S. [318.18\(3\)\(h\), F.S.](#)

⁶ S. [316.1926\(2\), F.S.](#)

⁷ S. [318.19, F.S.](#)

⁸ S. [318.19\(5\), F.S.](#)

⁹ S. [318.14\(2\), F.S.](#)

Reckless Driving

Current law provides that any person who drives a vehicle in willful or wanton disregard for the safety of persons or property is guilty of reckless driving. Current law also provides that fleeing a law enforcement officer in a motor vehicle is an action that constitutes as reckless driving, regardless of whether it is in willful or wanton disregard for the safety of persons or property.¹⁰

Any driver convicted of reckless driving may be punished as follows:

- Upon a first conviction, imprisonment for a period of up to 90 days, a fine ranging from a minimum \$25 to a maximum of \$500, or both.
- Upon a second or subsequent conviction, imprisonment for a period up to six months, a fine ranging from a minimum of \$50 to a maximum of \$1,000, or both.¹¹

Florida courts have held that excessive speed, by itself, does not constitute reckless driving, which requires “competent, substantial evidence that circumstances in addition to [...] speeding showed that [a defendant] was acting ‘with a conscious and intentional indifference to consequences and with knowledge that damage [was] likely to be done to persons or property.’”¹²

¹⁰ S. [316.192\(1\), F.S.](#)

¹¹ S. [316.192\(2\), F.S.](#)

¹² *Harris v. State*, 318 So. 3d 645, 649 (Fla. 2nd DCA 2021) (citations omitted).

BILL HISTORY

COMMITTEE REFERENCE	ACTION	DATE	STAFF DIRECTOR/ POLICY CHIEF	ANALYSIS PREPARED BY
Government Operations Subcommittee	15 Y, 1 N, As CS	3/25/2025	Toliver	Walker
THE CHANGES ADOPTED BY THE COMMITTEE:	<ul style="list-style-type: none"> Revised reckless driving first-conviction penalties by providing that the fine is a flat fee of \$500 and removing the revocation of a person's driving privilege. Removed a provision proving impoundment procedures for motor vehicles used in certain reckless driving offenses. Removed a provision increasing penalties for certain violations relating to speeding in excess of 50 mph and certain motorcycle and moped laws 			
Criminal Justice Subcommittee	13 Y, 4 N, As CS	4/1/2025	Hall	Butcher
THE CHANGES ADOPTED BY THE COMMITTEE:	<ul style="list-style-type: none"> Created a new offense related to dangerous excessive speeding to prohibit operating a motor vehicle at specified speeds, rather than classifying such prohibited conduct as reckless driving per se. Reduced the fine for a second or subsequent offense from not less than \$5,000, to \$1,000. Changed the penalty for a second or subsequent offense so that a person convicted of a violation within 5 years after the date of a prior violation must have his or her driving privilege revoked for at least 180 days but no more than one year, rather than requiring the court to revoke such a person's driving privilege for one year regardless of the date of the prior violation. Authorized, rather than required, an officer to indicate the applicable civil penalty for specified speeding infractions. Required a person who commits a specified speeding infraction to attend a mandatory hearing before a designated official. 			
State Affairs Committee	22 Y, 0 N, As CS	4/17/2025	Williamson	Walker
THE CHANGES ADOPTED BY THE COMMITTEE:	<ul style="list-style-type: none"> Provided that a person who operates a motor vehicle at 100 mph or more commits dangerous excessive speeding if the person is also operating at such speed in a manner that threatens the safety of other persons or property or interferes with the operation of any vehicle. Reduced the period of imprisonment for first, second, and subsequent convictions of dangerous excessive speeding. 			

THIS BILL ANALYSIS HAS BEEN UPDATED TO INCORPORATE ALL OF THE CHANGES DESCRIBED ABOVE.
