

1 A bill to be entitled
 2 An act relating to traffic infractions; amending s.
 3 316.192, F.S.; providing additional actions that
 4 constitute reckless driving per se; increasing
 5 penalties for reckless driving; providing impoundment
 6 procedures for motor vehicles used in certain reckless
 7 driving offenses; amending s. 318.14, F.S.;
 8 authorizing, rather than requiring, an officer to
 9 indicate the applicable civil penalty on a traffic
 10 citation; increasing penalties for certain offenses;
 11 amending s. 318.19, F.S.; requiring a person cited for
 12 certain infractions to appear at a scheduled hearing;
 13 providing an effective date.

14
 15 Be It Enacted by the Legislature of the State of Florida:

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 17 **Section 1. Subsections (1) and (2) of section 316.192,**
 18 **Florida Statutes, are amended, and subsection (6) is added to**
 19 **that section, to read:**

20 316.192 Reckless driving.—

21 (1) (a) A ~~Any~~ person who drives a ~~any~~ vehicle in willful or
 22 wanton disregard for the safety of persons or property commits
 23 ~~is guilty of~~ reckless driving.

24 (b) Fleeing a law enforcement officer in a motor vehicle
 25 is reckless driving per se.

26 (c) Exceeding the speed limit by 50 mph or more is
 27 reckless driving per se.

28 (d) Operating a motor vehicle at 100 mph or more is
 29 reckless driving per se.

30 (2) Except as provided in subsection (3), a ~~any~~ person
 31 convicted of reckless driving shall be punished:

32 (a) Upon a first conviction, by imprisonment for up to a
 33 ~~period of not more than~~ 90 days or by a fine of not less than
 34 \$2,500 ~~\$25 nor more than \$500~~, or by both such fine and
 35 imprisonment. In addition, the court shall revoke the person's
 36 driving privilege for 6 months.

37 (b) On a second or subsequent conviction, by imprisonment
 38 for up to ~~not more than~~ 6 months or by a fine of not less than
 39 \$5,000 ~~\$50 nor more than \$1,000~~, or by both such fine and
 40 imprisonment. In addition, the court shall revoke the person's
 41 driving privilege for 1 year.

42 (6) If a law enforcement officer has arrested or issued a
 43 criminal citation to the operator of a motor vehicle used in
 44 violation of paragraph (1)(c) or (1)(d), the officer may
 45 immediately impound the motor vehicle. The law enforcement
 46 officer shall notify the department of any impoundment under
 47 this subsection in accordance with procedures established by the
 48 department. The motor vehicle may be impounded for up to 30
 49 days.

50 **Section 2. Subsections (2) and (13) of section 318.14,**

51 **Florida Statutes, are amended to read:**

52 318.14 Noncriminal traffic infractions; exception;
53 procedures.—

54 (2) Except as provided in ss. 316.1001(2), 316.0083,
55 316.173, and 316.1896, any person cited for a violation
56 requiring a mandatory hearing listed in s. 318.19 or any other
57 criminal traffic violation listed in chapter 316 must sign and
58 accept a citation indicating a promise to appear. The officer
59 may indicate on the traffic citation the time and location of
60 the scheduled hearing and may ~~must~~ indicate the applicable civil
61 penalty established in s. 318.18. For all other infractions
62 under this section, except for infractions under s. 316.1001,
63 the officer must certify by electronic, electronic facsimile, or
64 written signature that the citation was delivered to the person
65 cited. This certification is prima facie evidence that the
66 person cited was served with the citation.

67 (13) (a) A person cited for a violation of s. 316.1926
68 shall, in addition to any other requirements provided in this
69 section, pay a fine of \$2,500 ~~\$1,000~~. This fine is in lieu of
70 the fine required under s. 318.18(3) (b), if the person was cited
71 for violation of s. 316.1926(2). In addition, the court shall
72 revoke the person's driving privilege for 6 months.

73 (b) A person cited for a second violation of s. 316.1926
74 shall, in addition to any other requirements provided in this
75 section, pay a fine of \$5,000 ~~\$2,500~~. This fine is in lieu of

76 | the fine required under s. 318.18(3)(b), if the person was cited
 77 | for violation of s. 316.1926(2). In addition, the court shall
 78 | revoke the person's driving privilege for authorization and
 79 | ~~privilege to operate a motor vehicle for a period of~~ 1 year and
 80 | order the person to surrender his or her driver license.

81 | (c) A person cited for a third violation of s. 316.1926
 82 | commits a felony of the third degree, punishable as provided in
 83 | s. 775.082, s. 775.083, or s. 775.084. Upon conviction, the
 84 | court shall impose a fine of \$7,500 ~~\$5,000~~, revoke the person's
 85 | driving privilege for authorization and ~~privilege to operate a~~
 86 | ~~motor vehicle for a period of~~ 10 years, and order the person to
 87 | surrender his or her driver license.

88 | **Section 3. Subsections (4) and (5) of section 318.19,**
 89 | **Florida Statutes, are amended, and subsection (6) is added to**
 90 | **that section, to read:**

91 | 318.19 Infractions requiring a mandatory hearing.—Any
 92 | person cited for the infractions listed in this section shall
 93 | not have the provisions of s. 318.14(2), (4), and (9) available
 94 | to him or her but must appear before the designated official at
 95 | the time and location of the scheduled hearing:

- 96 | (4) Any infraction of s. 316.520(1) or (2); ~~or~~
- 97 | (5) Any infraction of s. 316.183(2), s. 316.187, or s.
 98 | 316.189 of exceeding the speed limit by 30 mph or more; or
- 99 | (6) Any infraction of s. 316.1926.

100 | **Section 4.** This act shall take effect July 1, 2025.