

By Senator Martin

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A bill to be entitled

An act relating to traffic infractions resulting in a crash with another vehicle; amending s. 318.14, F.S.; requiring the imposition of specified civil penalties and periods of driver license suspension on a person found at a mandatory hearing to have committed certain traffic infractions that resulted in a crash with another vehicle, in addition to any other penalties; amending s. 318.19, F.S.; requiring persons cited for specified infractions that result in a crash with another vehicle to appear at a certain mandatory hearing; amending s. 324.023, F.S.; requiring certain owners and operators of motor vehicles to establish and maintain the ability to respond in damages for liability on account of certain accidents; revising the specified minimum period during which certain owners and operators of motor vehicles are required to maintain the ability to respond in damages for certain liability in certain amounts; providing an effective date.

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

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

318.14 Noncriminal traffic infractions; exception; procedures.—

(5) A Any person who elects electing to appear before the designated official or who is required to appear is shall be

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30 deemed to have waived his or her right to the civil penalty
31 provisions of s. 318.18. The official, after a hearing, shall
32 make a determination as to whether an infraction has been
33 committed. If the commission of an infraction has been proven,
34 the official may impose a civil penalty not to exceed \$500,
35 except that in cases involving unlawful speed in a school zone
36 or involving unlawful speed in a construction zone, the civil
37 penalty may not exceed \$1,000; or require attendance at a driver
38 improvement school, or both. If the person is required to appear
39 before the designated official pursuant to s. 318.19(1) and is
40 found to have committed the infraction, the designated official
41 must ~~shall~~ impose a civil penalty of \$1,000 in addition to any
42 other penalties and the person's driver license must ~~shall~~ be
43 suspended for 6 months. If the person is required to appear
44 before the designated official pursuant to s. 318.19(1) and is
45 found to have committed the infraction against a vulnerable road
46 user as defined in s. 316.027(1), the designated official must
47 ~~shall~~ impose a civil penalty of not less than \$5,000 in addition
48 to any other penalties, the person's driver license must ~~shall~~
49 be suspended for 1 year, and the person must ~~shall~~ be required
50 to attend a department-approved driver improvement course
51 relating to the rights of vulnerable road users relative to
52 vehicles on the roadway as provided in s. 322.0261(2). If the
53 person is required to appear before the designated official
54 pursuant to s. 318.19(2) and is found to have committed the
55 infraction, the designated official must ~~shall~~ impose a civil
56 penalty of \$500 in addition to any other penalties and the
57 person's driver license must ~~shall~~ be suspended for 3 months. If
58 the person is required to appear before the designated official

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59 pursuant to s. 318.19(2) and is found to have committed the
60 infraction against a vulnerable road user as defined in s.
61 316.027(1), the designated official must shall impose a civil
62 penalty of not less than \$1,500 in addition to any other
63 penalties, the person's driver license must shall be suspended
64 for 3 months, and the person must shall be required to attend a
65 department-approved driver improvement course relating to the
66 rights of vulnerable road users relative to vehicles on the
67 roadway as provided in s. 322.0261(2). If the person is required
68 to appear before the designated official pursuant to s.
69 318.19(7) and is found to have committed an infraction of s.
70 316.074(1) or s. 316.123(2) which resulted in a crash with
71 another vehicle as defined in s. 316.003, the designated
72 official must impose a civil penalty of \$500 in addition to any
73 other penalties. If the person is required to appear before the
74 designated official pursuant to s. 318.19(7) for an infraction
75 and is found to have committed a second infraction of s.
76 316.074(1) or s. 316.123(2) which resulted in a crash with
77 another vehicle as defined in s. 316.003, the designated
78 official must impose a civil penalty of \$1,000 in addition to
79 any other penalties and the person's driver license must be
80 suspended for 6 months. If the person is required to appear
81 before the designated official pursuant to s. 318.19(7) for an
82 infraction and is found to have committed a third or subsequent
83 infraction of s. 316.074(1) or s. 316.123(2) which resulted in a
84 crash with another vehicle as defined in s. 316.003, the
85 designated official must impose a civil penalty of \$1,000 in
86 addition to any other penalties and the person's driver license
87 must be suspended for 1 year. If the official determines that no

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infraction has been committed, no costs or penalties may shall be imposed and any costs or penalties that have been paid must shall be returned. Moneys received from the mandatory civil penalties imposed pursuant to this subsection upon persons required to appear before a designated official pursuant to s. 318.19(1) or (2) shall be remitted to the Department of Revenue and deposited into the Department of Health Emergency Medical Services Trust Fund to provide financial support to certified trauma centers to assure the availability and accessibility of trauma services throughout the state. Funds deposited into the Emergency Medical Services Trust Fund under this section shall be allocated as follows:

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

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

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

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

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

(2) Any infraction which results in a crash that causes

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117 "serious bodily injury" of another as defined in s. 316.1933(1);
118 (3) Any infraction of s. 316.172(1) (b);
119 (4) Any infraction of s. 316.520(1) or (2);
120 (5) Any infraction of s. 316.183(2), s. 316.187, or s.
121 316.189 of exceeding the speed limit by 30 mph or more; ~~or~~
122 (6) Any infraction of s. 316.1926(2); or
123 (7) Any infraction of s. 316.074(1) or s. 316.123(2) which
124 results in a crash with another vehicle as defined in s.
125 316.003.

126 Section 3. Section 324.023, Florida Statutes, is amended to
127 read:

128 324.023 Financial responsibility for bodily injury or
129 death.—

130 (1) In addition to any other financial responsibility
131 required by law, every owner or operator of a motor vehicle that
132 is required to be registered in this state, or that is located
133 within this state, and who:~~r~~

134 (a) Regardless of adjudication of guilt, has been found
135 guilty of or entered a plea of guilty or nolo contendere to a
136 charge of driving under the influence under s. 316.193 after
137 October 1, 2007; or

138 (b) Is found to have committed an infraction of s.
139 316.075(1)(c) or s. 316.123(2) which resulted in a crash with
140 another vehicle as defined in s. 316.003,

141
142 shall, by one of the methods established in s. 324.031(1) or
143 (2), establish and maintain the ability to respond in damages
144 for liability on account of accidents arising out of the use of
145 a motor vehicle in the amount of \$100,000 because of bodily

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146 injury to, or death of, one person in any one crash and, subject
147 to such limits for one person, in the amount of \$300,000 because
148 of bodily injury to, or death of, two or more persons in any one
149 crash and in the amount of \$50,000 because of property damage in
150 any one crash. If the owner or operator chooses to establish and
151 maintain such ability by furnishing a certificate of deposit
152 pursuant to s. 324.031(2), such certificate of deposit must be
153 at least \$350,000. Such higher limits must be carried for a
154 minimum period of 1 year ~~3 years~~.

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

161 Section 4. This act shall take effect October 1, 2026.