

By the Committee on Transportation; and Senator Martin

596-02240-26

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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; requiring certain owners and operators of motor vehicles to maintain the ability to respond in damages for certain liability in certain amounts for a specified minimum period; 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 deemed to have waived his or her right to the civil penalty

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provisions of s. 318.18. The official, after a hearing, shall make a determination as to whether an infraction has been committed. If the commission of an infraction has been proven, the official may impose a civil penalty not to exceed \$500, except that in cases involving unlawful speed in a school zone or involving unlawful speed in a construction zone, the civil penalty may not exceed \$1,000; or require attendance at a driver improvement school, or both. If the person is required to appear before the designated official pursuant to s. 318.19(1) and is found to have committed the infraction, the designated official must shall impose a civil penalty of \$1,000 in addition to any other penalties and the person's driver license must shall be suspended for 6 months. If the person is required to appear before the designated official pursuant to s. 318.19(1) and is found to have committed the infraction against a vulnerable road user as defined in s. 316.027(1), the designated official must shall impose a civil penalty of not less than \$5,000 in addition to any other penalties, the person's driver license must shall be suspended for 1 year, and the person must shall be required to attend a department-approved driver improvement course relating to the rights of vulnerable road users relative to vehicles on the roadway as provided in s. 322.0261(2). If the person is required to appear before the designated official pursuant to s. 318.19(2) and is found to have committed the infraction, the designated official must shall impose a civil penalty of \$500 in addition to any other penalties and the person's driver license must shall be suspended for 3 months. If the person is required to appear before the designated official pursuant to s. 318.19(2) and is found to have committed the

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

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88 be imposed and any costs or penalties that have been paid must
89 ~~shall~~ be returned. Moneys received from the mandatory civil
90 penalties imposed pursuant to this subsection upon persons
91 required to appear before a designated official pursuant to s.
92 318.19(1) or (2) shall be remitted to the Department of Revenue
93 and deposited into the Department of Health Emergency Medical
94 Services Trust Fund to provide financial support to certified
95 trauma centers to assure the availability and accessibility of
96 trauma services throughout the state. Funds deposited into the
97 Emergency Medical Services Trust Fund under this section shall
98 be allocated as follows:

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

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

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

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

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

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

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

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

324.023 Financial responsibility for bodily injury or
death.—

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

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

137 (b) Is found to have committed an infraction of s.

316.075(1)(c) or s. 316.123(2) which resulted in a crash with
another vehicle as defined in s. 316.003.

140
141 shall, by one of the methods established in s. 324.031(1) or
142 (2), establish and maintain the ability to respond in damages
143 for liability on account of accidents arising out of the use of
144 a motor vehicle in the amount of \$100,000 because of bodily
145 injury to, or death of, one person in any one crash and, subject

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

156 (2) If an the owner or operator described in paragraph
157 (1)(a) has not been convicted of driving under the influence or
158 a felony traffic offense for at least a period of 3 years after
159 from the date of reinstatement of driving privileges for a
160 violation of s. 316.193, the owner or operator is shall be
161 exempt from this section.

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