

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:

127 324.023 Financial responsibility for bodily injury or  
128 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: ~~r~~

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.  
138 316.075(1)(c) or s. 316.123(2) which resulted in a crash with  
139 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.