

1 A bill to be entitled
 2 An act relating to violations against vulnerable road
 3 users; creating s. 318.195, F.S.; providing a short
 4 title; providing criminal penalties for a person who
 5 commits a moving violation that causes serious bodily
 6 injury to, or causes the death of, a vulnerable road
 7 user; requiring that the person pay a specified fine,
 8 serve a minimum period of house arrest, and attend a
 9 driver improvement course; requiring that the court
 10 revoke the person's driver license for a minimum
 11 specified period; defining the term "vulnerable road
 12 user"; providing that the act does not prohibit the
 13 person from being charged with, convicted of, or
 14 punished for any other violation of law; providing an
 15 effective date.

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

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 19 Section 1. Section 318.195, Florida Statutes, is created
 20 to read:

21 318.195 Enhanced penalties for moving violations causing
 22 injury or death.—

23 (1) This section may be cited as the "Vulnerable Road User
 24 Act."

25 (2) A person who commits a moving violation that causes

HB 743

2022

26 serious bodily injury, as defined in s. 316.1933(1)(b), to a
27 vulnerable road user commits a misdemeanor of the second degree,
28 punishable as provided in s. 775.082 or s. 775.083, and, upon
29 conviction, shall pay a fine of not less than \$1,500, serve a
30 minimum of 30 days of house arrest, and attend a department-
31 approved driver improvement course relating to the rights of
32 vulnerable road users relative to vehicles on the roadway as
33 provided in s. 322.0261(2). The court shall also revoke the
34 person's driver license for at least 30 days.

35 (3) A person who commits a moving violation that causes
36 the death of a vulnerable road user commits a misdemeanor of the
37 first degree, punishable as provided in s. 775.082 or s.
38 775.083, and, upon conviction, shall pay a fine of not less than
39 \$5,000, serve a minimum of 180 days of house arrest, and attend
40 a department-approved driver improvement course relating to the
41 rights of vulnerable road users relative to vehicles on the
42 roadway as provided in s. 322.0261(2). The court shall also
43 revoke the person's driver license for at least 1 year.

44 (4) For purposes of this section, the term "vulnerable
45 road user" means any of the following:

46 (a) A pedestrian, including a person actually engaged in
47 work upon a highway, or in work upon utility facilities along a
48 highway, or engaged in the provision of emergency services
49 within the right-of-way.

50 (b) A person lawfully operating a bicycle, electric

51 bicycle, motorcycle, scooter, or moped on the roadway.

52 (c) A person riding an animal.

53 (d) A person lawfully operating any of the following on a
 54 public right-of-way, crosswalk, or shoulder of the roadway:

55 1. A farm tractor or similar vehicle designed primarily
 56 for farm use.

57 2. A skateboard, roller skates, or in-line skates.

58 3. A horse-drawn carriage.

59 4. An electric personal assistive mobility device.

60 5. A wheelchair.

61 (5) This section does not prohibit a person from being
 62 charged with, convicted of, or punished for any other violation
 63 of law.

64 Section 2. This act shall take effect July 1, 2022.