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CS/CS/HB 1133

2024 Legislature

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 2 An act relating to violations against vulnerable road
 3 users; amending s. 318.14, F.S.; requiring a person
 4 who commits an infraction that causes serious bodily
 5 injury to, or causes the death of, a vulnerable road
 6 user to pay a specified civil penalty; requiring the
 7 person's driver license to be suspended for a
 8 specified period; requiring the person to attend a
 9 specified driver improvement course; republishing s.
 10 318.19(1) and (2), F.S., relating to infractions
 11 requiring a mandatory hearing; providing an effective
 12 date.

13
 14 Be It Enacted by the Legislature of the State of Florida:

15
 16 Section 1. Subsection (5) of section 318.14, Florida
 17 Statutes, is amended to read:

18 318.14 Noncriminal traffic infractions; exception;
 19 procedures.—

20 (5) Any person electing to appear before the designated
 21 official or who is required ~~se~~ to appear shall be deemed to have
 22 waived his or her right to the civil penalty provisions of s.
 23 318.18. The official, after a hearing, shall make a
 24 determination as to whether an infraction has been committed. If
 25 the commission of an infraction has been proven, the official

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26 | may impose a civil penalty not to exceed \$500, except that in
27 | cases involving unlawful speed in a school zone or involving
28 | unlawful speed in a construction zone, the civil penalty may not
29 | exceed \$1,000; or require attendance at a driver improvement
30 | school, or both. If the person is required to appear before the
31 | designated official pursuant to s. 318.19(1) and is found to
32 | have committed the infraction, the designated official shall
33 | impose a civil penalty of \$1,000 in addition to any other
34 | penalties and the person's driver license shall be suspended for
35 | 6 months. If the person is required to appear before the
36 | designated official pursuant to s. 318.19(1) and is found to
37 | have committed the infraction against a vulnerable road user as
38 | defined in s. 316.027(1), the designated official shall impose a
39 | civil penalty of not less than \$5,000 in addition to any other
40 | penalties, the person's driver license shall be suspended for 1
41 | year, and the person shall be required to attend a department-
42 | approved driver improvement course relating to the rights of
43 | vulnerable road users relative to vehicles on the roadway as
44 | provided in s. 322.0261(2). If the person is required to appear
45 | before the designated official pursuant to s. 318.19(2) and is
46 | found to have committed the infraction, the designated official
47 | shall impose a civil penalty of \$500 in addition to any other
48 | penalties and the person's driver license shall be suspended for
49 | 3 months. If the person is required to appear before the
50 | designated official pursuant to s. 318.19(2) and is found to

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51 | have committed the infraction against a vulnerable road user as
 52 | defined in s. 316.027(1), the designated official shall impose a
 53 | civil penalty of not less than \$1,500 in addition to any other
 54 | penalties, the person's driver license shall be suspended for 3
 55 | months, and the person shall be required to attend a department-
 56 | approved driver improvement course relating to the rights of
 57 | vulnerable road users relative to vehicles on the roadway as
 58 | provided in s. 322.0261(2). If the official determines that no
 59 | infraction has been committed, no costs or penalties shall be
 60 | imposed and any costs or penalties that have been paid shall be
 61 | returned. Moneys received from the mandatory civil penalties
 62 | imposed pursuant to this subsection upon persons required to
 63 | appear before a designated official pursuant to s. 318.19(1) or
 64 | (2) shall be remitted to the Department of Revenue and deposited
 65 | into the Department of Health Emergency Medical Services Trust
 66 | Fund to provide financial support to certified trauma centers to
 67 | assure the availability and accessibility of trauma services
 68 | throughout the state. Funds deposited into the Emergency Medical
 69 | Services Trust Fund under this section shall be allocated as
 70 | follows:

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

74 | (b) Fifty percent shall be allocated among Level I, Level
 75 | II, and pediatric trauma centers based on each center's relative

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76 | volume of trauma cases as calculated using the hospital
 77 | discharge data collected pursuant to s. 408.061.

78 | Section 2. Subsections (1) and (2) of section 318.19,
 79 | Florida Statutes, are republished to read:

80 | 318.19 Infractions requiring a mandatory hearing.—Any
 81 | person cited for the infractions listed in this section shall
 82 | not have the provisions of s. 318.14(2), (4), and (9) available
 83 | to him or her but must appear before the designated official at
 84 | the time and location of the scheduled hearing:

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

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

89 | Section 3. This act shall take effect July 1, 2024.