

THE FLORIDA SENATE
2014 SUMMARY OF LEGISLATION PASSED
Committee on Transportation

SB 102 — Drivers Leaving the Scene of a Crash

by Appropriations Committee; Transportation Committee; and Senators Diaz de la Portilla, Garcia, and Evers

The bill creates the “Aaron Cohen Life Protection Act.” The bill addresses a perceived or potential incentive in current law to leave the scene of a crash by:

- Punishing leaving the scene of a crash resulting in serious bodily injury to a person as a second degree felony, rather than a third degree felony;
- Imposing a mandatory minimum term of imprisonment of four years for a driver convicted of leaving the scene of a crash resulting in the death of a person;
- Increasing the mandatory minimum term of imprisonment from two to four years for a driver convicted of leaving the scene of a crash resulting in the death of a person while driving under the influence (DUI);
- Imposing a minimum driver license revocation period of at least three years, and driver education requirements for leaving the scene of a crash;
- Ranking offenses for leaving the scene of a crash one level higher than specified in the Criminal Punishment Code if the victim of the offense was a “vulnerable road user”;
- Authorizing a defendant to move the court to depart from the mandatory minimum term of imprisonment for leaving the scene of a crash resulting in death, unless the violation was committed while the defendant was DUI; authorizing the state to object to the defendant’s motion; and authorizing a court to grant the motion upon a finding that imposition of the mandatory minimum term would constitute or result in an injustice.

If approved by the Governor, these provisions take effect July 1, 2014.

Vote: Senate 39-0; House 118-0