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LEGISLATIVE ACTION

Senate

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House

The Committee on Judiciary (Young) recommended the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

Section 1. Subsection (61) of section 316.003, Florida
Statutes, is amended to read:

316.003 Definitions.—The following words and phrases, when
used in this chapter, shall have the meanings respectively
ascribed to them in this section, except where the context
otherwise requires:

(61) RAILROAD TRAIN.—A steam engine, electric or other



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motor, with or without cars coupled thereto, operated upon rails, except a streetcar. A railroad train is not a motor vehicle for purposes of this chapter.

Section 2. Subsection (2) of section 316.068, Florida Statutes, is amended to read:

316.068 Crash report forms.—

(2) Every crash report required to be made in writing must be made on the appropriate form approved by the department and must contain all the information required therein, including:

(a) The date, time, and location of the crash;

(b) A description of the vehicles involved;

(c) The names and addresses of the parties involved; however, in the event of a crash involving a railroad train, including crashes covered by s. 316.027, s. 316.061, s. 316.065, or s. 316.066, the collection of the information specified in this paragraph shall be at the discretion of the law enforcement officer having jurisdiction to investigate the crash;

(d) The names and addresses of all drivers and passengers in the vehicles involved; however, in the event of a crash involving a railroad train, including crashes covered by s. 316.027, s. 316.061, s. 316.065, or s. 316.066, the collection of the information specified in this paragraph shall be at the discretion of the law enforcement officer having jurisdiction to investigate the crash;

(e) The names and addresses of witnesses;

(f) The name, badge number, and law enforcement agency of the officer investigating the crash; and

(g) The names of the insurance companies for the respective parties involved in the crash,



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42 unless not available. A member of a railroad train crew or a
43 passenger on a railroad train is not a passenger for purposes of
44 this section. The absence of information in such written crash
45 reports regarding the existence of passengers in the vehicles
46 involved in the crash constitutes a rebuttable presumption that
47 no such passengers were involved in the reported crash.
48 Notwithstanding any other provisions of this section, a crash
49 report produced electronically by a law enforcement officer
50 must, at a minimum, contain the same information as is called
51 for on those forms approved by the department.

52 Section 3. This act shall take effect July 1, 2018.

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54 ===== T I T L E A M E N D M E N T =====

55 And the title is amended as follows:

56 Delete everything before the enacting clause
57 and insert:

58 A bill to be entitled

59 An act relating to motor vehicles and railroad trains;
60 amending s. 316.003, F.S.; revising the definition of
61 the term "railroad train"; amending s. 316.068, F.S.;
62 requiring that, in the event of a crash involving a
63 railroad train, the collection of certain information
64 be at the discretion of the law enforcement officer
65 having jurisdiction to investigate the crash;
66 specifying that certain persons are not considered
67 passengers for the purpose of making crash reports;
68 providing an effective date.