

SENATE STAFF ANALYSIS AND ECONOMIC IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: Transportation Committee

BILL: SB 1376

INTRODUCER: Senator Miller

SUBJECT: Reckless Driving

DATE: April 20, 2006

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Woods	Meyer	TR	Favorable
2.			CJ	
3.				
4.				
5.				
6.				

I. Summary:

Senate Bill 1376 amends s. 316.192(1), F.S., to expand the elements of reckless driving to include driving at a speed or in a manner likely to endanger any person or property.

An effective date of July 1, 2006 is provided.

This bill substantially amends section 316.192 of the Florida Statutes.

II. Present Situation:

Section 316.192, F.S., provides any person who drives any vehicle in willful or wanton disregard for the safety of persons or property is guilty of reckless driving.

To prove the crime of reckless driving, the State must prove the following two elements:

- Defendant drove a vehicle in Florida.
- He or she did so with a willful or wanton disregard for the safety of persons or property.

A first conviction of reckless driving is punishable by imprisonment for a period of not more than 90 days or by fine of not less than \$25 or more than \$500, or by both such fine and imprisonment.

A second or subsequent conviction of reckless driving is punishable by imprisonment for no more than 6 months or by a fine of not less than \$50 or more than \$1,000, or by both such fine and imprisonment.

III. Effect of Proposed Changes:

Section 1: Expands the act of reckless driving to include driving in a manner or at a speed likely to endanger any person or property.

The following acts will be considered reckless driving per se;

- Driving over 20 miles per hour or more over the posted speed limit;
- Driving at a speed of 90 miles per hour regardless of the posted speed limit; or
- Fleeing from a law enforcement officer.

Section 2: Provides an effective date of July 1, 2006.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Economic Impact and Fiscal Note:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

None.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

This Senate staff analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.

VIII. Summary of Amendments:

None.

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