



703828

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
02/18/2016	.	
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The Committee on Transportation (Evers) recommended the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

Section 1. Subsection (1) of section 316.172, Florida
Statutes, is amended to read:

316.172 Traffic to stop for school bus.—

(1) (a) A ~~Any~~ person using, operating, or driving a vehicle
on or over the roads or highways of this state shall, upon
approaching a ~~any~~ school bus that ~~which~~ displays a stop signal,



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11 bring such vehicle to a full stop while the bus is stopped, and
12 the vehicle may ~~shall~~ not pass the school bus until the signal
13 has been withdrawn. A person who violates this paragraph ~~section~~
14 commits a moving violation, punishable as provided in chapter
15 318.

16 (b) A ~~Any~~ person using, operating, or driving a vehicle
17 that passes a school bus on the side that children enter and
18 exit when the school bus displays a stop signal commits reckless
19 driving a moving violation, punishable as provided in s. 316.192
20 chapter 318, and is ~~subject to a mandatory hearing under the~~
21 ~~provisions of s. 318.19~~.

22 Section 2. Subsection (6) is added to section 316.192,
23 Florida Statutes, to read:

24 316.192 Reckless driving.—

25 (6) In addition to any other penalty provided under this
26 section, \$65 shall be added to a fine imposed pursuant to this
27 section for a violation of s. 316.172(1)(b). The clerk shall
28 remit the \$65 to the Department of Revenue for deposit in the
29 Emergency Medical Services Trust Fund, to be used as provided in
30 s. 395.4036.

31 Section 3. Section 318.17, Florida Statutes, is amended to
32 read:

33 318.17 Offenses excepted.—No provision of this chapter is
34 available to a person who is charged with any of the following
35 offenses:

36 (1) Fleeing or attempting to elude a police officer, in
37 violation of s. 316.1935.†

38 (2) Leaving the scene of a crash, in violation of ss.
39 316.027 and 316.061.†



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40 (3) Driving, or being in actual physical control of, any
41 vehicle while under the influence of alcoholic beverages, any
42 chemical substance set forth in s. 877.111, or any substance
43 controlled under chapter 893, in violation of s. 316.193, or
44 driving with an unlawful blood-alcohol level.†

45 (4) Reckless driving, in violation of s. 316.172(1)(b) or
46 s. 316.192.†

47 (5) Making false crash reports, in violation of s.
48 316.067.†

49 (6) Willfully failing or refusing to comply with any lawful
50 order or direction of any police officer or member of the fire
51 department, in violation of s. 316.072(3).†

52 (7) Obstructing an officer, in violation of s. 316.545(1).†
53 ~~or~~

54 (8) Any other offense in chapter 316 which is classified as
55 a criminal violation.

56 Section 5. Paragraphs (b) and (c) of subsection (5) of
57 section 318.18, Florida Statutes, are amended to read:

58 318.18 Amount of penalties.—The penalties required for a
59 noncriminal disposition pursuant to s. 318.14 or a criminal
60 offense listed in s. 318.17 are as follows:

61 (5)

62 ~~(b) Two hundred dollars for a violation of s.~~

63 ~~316.172(1)(b), passing a school bus on the side that children~~
64 ~~enter and exit when the school bus displays a stop signal. If,~~
65 ~~at a hearing, the alleged offender is found to have committed~~
66 ~~this offense, the court shall impose a minimum civil penalty of~~
67 ~~\$200. In addition to this penalty, for a second or subsequent~~
68 ~~offense within a period of 5 years, the department shall suspend~~



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69 ~~the driver license of the person for not less than 180 days and~~
70 ~~not more than 1 year.~~

71 ~~(b)(e)~~ In addition to the penalty under paragraph (a) ~~or~~
72 ~~paragraph (b)~~, \$65 for a violation of s. 316.172(1) (a) ~~or (b)~~.
73 If the alleged offender is found to have committed the offense,
74 the court shall impose the civil penalty under paragraph (a) ~~or~~
75 ~~paragraph (b)~~ plus an additional \$65. The additional \$65
76 collected under this paragraph shall be remitted to the
77 Department of Revenue for deposit into the Emergency Medical
78 Services Trust Fund of the Department of Health to be used as
79 provided in s. 395.4036.

80 Section 5. Subsection (21) of section 318.21, Florida
81 Statutes, is amended to read:

82 318.21 Disposition of civil penalties by county courts.—All
83 civil penalties received by a county court pursuant to the
84 provisions of this chapter shall be distributed and paid monthly
85 as follows:

86 (21) Notwithstanding subsections (1) and (2), the proceeds
87 from the additional penalties imposed pursuant to s.
88 318.18(5) (b) ~~s. 318.18(5) (e)~~ and (20) shall be distributed as
89 provided in that section.

90 Section 6. Paragraph (b) of subsection (1) of section
91 395.4036, Florida Statutes, is amended to read:

92 395.4036 Trauma payments.—

93 (1) Recognizing the Legislature's stated intent to provide
94 financial support to the current verified trauma centers and to
95 provide incentives for the establishment of additional trauma
96 centers as part of a system of state-sponsored trauma centers,
97 the department shall utilize funds collected under s. 318.18 and



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98 deposited into the Emergency Medical Services Trust Fund of the
99 department to ensure the availability and accessibility of
100 trauma services throughout the state as provided in this
101 subsection.

102 (b) Funds collected under ss. 316.192(6), 318.18(5)(b), and
103 318.18(20) ~~s. 318.18(5)(c) and (20)~~ shall be distributed as
104 follows:

105 1. Thirty percent of the total funds collected shall be
106 distributed to Level II trauma centers operated by a public
107 hospital governed by an elected board of directors as of
108 December 31, 2008.

109 2. Thirty-five percent of the total funds collected shall
110 be distributed to verified trauma centers based on trauma
111 caseload volume for the most recent calendar year available. The
112 determination of caseload volume for distribution of funds under
113 this subparagraph shall be based on the department's Trauma
114 Registry data.

115 3. Thirty-five percent of the total funds collected shall
116 be distributed to verified trauma centers based on severity of
117 trauma patients for the most recent calendar year available. The
118 determination of severity for distribution of funds under this
119 subparagraph shall be based on the department's International
120 Classification Injury Severity Scores or another statistically
121 valid and scientifically accepted method of stratifying a trauma
122 patient's severity of injury, risk of mortality, and resource
123 consumption as adopted by the department by rule, weighted based
124 on the costs associated with and incurred by the trauma center
125 in treating trauma patients. The weighting of scores shall be
126 established by the department by rule.



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127 Section 7. This act shall take effect October 1, 2016.

128

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

130 And the title is amended as follows:

131 Delete everything before the enacting clause

132 and insert:

133 A bill to be entitled

134 An act relating to school bus stop safety; amending s.
135 316.172, F.S.; revising the terms of violation and the
136 penalties for failure to stop a vehicle upon
137 approaching a school bus that displays a stop signal;
138 providing for criminal penalties under certain
139 circumstances; amending s. 316.192, F.S.; requiring an
140 additional fee to be added to a fine imposed for a
141 specified violation; providing for distribution of the
142 fee; amending s. 318.17, F.S.; conforming provisions
143 to changes made by the act; amending s. 318.18, F.S.;
144 removing provisions made obsolete by the act; amending
145 s. 318.21, F.S.; conforming a cross-reference;
146 amending s. 395.4036, F.S.; conforming a cross-
147 reference; conforming provisions to changes made by
148 the act; providing an effective date.