

By Senator Baxley

12-00484-21

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1 A bill to be entitled
2 An act relating to traffic offenses; creating s.
3 318.195, F.S.; providing a short title; providing
4 criminal penalties for a person who commits a moving
5 violation that causes serious bodily injury to, or
6 causes the death of, a vulnerable road user; requiring
7 that the person who commits the moving violation pay a
8 specified fine, serve a minimum period of house
9 arrest, and attend a driver improvement course;
10 requiring that the court revoke the person's driver
11 license for a minimum specified period; defining the
12 term "vulnerable road user"; providing construction;
13 providing an effective date.

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15 Be It Enacted by the Legislature of the State of Florida:

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17 Section 1. Section 318.195, Florida Statutes, is created to
18 read:

19 318.195 Enhanced penalties for moving violations causing
20 injury or death to vulnerable road users.-

21 (1) This section may be cited as the "Vulnerable Road User
22 Act."

23 (2) A person who commits a moving violation that causes
24 serious bodily injury, as defined in s. 316.1933(1)(b), to a
25 vulnerable road user commits a misdemeanor of the second degree,
26 punishable as provided in s. 775.082 or s. 775.083, and, upon
27 conviction, shall pay a fine of not less than \$1,500, serve a
28 minimum of 30 days of house arrest, and attend a department-
29 approved driver improvement course relating to the rights of

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30 vulnerable road users relative to vehicles on the roadway as
31 provided in s. 322.0261(2). The court shall also revoke the
32 person's driver license for at least 30 days.

33 (3) A person who commits a moving violation that causes the
34 death of a vulnerable road user commits a misdemeanor of the
35 first degree, punishable as provided in s. 775.082 or s.
36 775.083, and, upon conviction, shall pay a fine of not less than
37 \$5,000, serve a minimum of 180 days of house arrest, and attend
38 a department-approved driver improvement course relating to the
39 rights of vulnerable road users relative to vehicles on the
40 roadway as provided in s. 322.0261(2). The court shall also
41 revoke the person's driver license for at least 1 year.

42 (4) As used in this section, the term "vulnerable road
43 user" has the same meaning as in s. 316.027(1)(b).

44 (5) This section does not prohibit a person from being
45 charged with, convicted of, or punished for any other violation
46 of law.

47 Section 2. This act shall take effect October 1, 2021.