

Amendment No. 2

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	<u> </u>	(Y/N)
ADOPTED AS AMENDED	<u> </u>	(Y/N)
ADOPTED W/O OBJECTION	<u> </u>	(Y/N)
FAILED TO ADOPT	<u> </u>	(Y/N)
WITHDRAWN	<u> </u>	(Y/N)
OTHER	<u> </u>	

1 Committee/Subcommittee hearing bill: Judiciary Committee
2 Representative Chambliss offered the following:

Amendment (with directory and title amendments)

Between lines 563 and 564, insert:

6 (7) Motorcycles.- In an action involving a motorcycle
7 alleging injuries received by a claimant, and where the claimant
8 was at the time of the injury in compliance with s. 316.211, the
9 fact that the claimant was or was not wearing protective
10 headgear is not admissible as evidence and shall not be
11 considered in the apportionment of fault or causation, and the
12 trier of fact shall not consider whether the claimant was or was
13 not wearing protective headgear. The jury shall appropriately be
14 instructed by the trial judge that the lack of protective
15 headgear cannot be considered in the apportionment of fault or
16 causation.

278229 - h0837-line563.docx

Published On: 3/7/2023 8:16:27 PM

Amendment No. 2

17
18
19
20
21
22
23
24
25
26
27
28
29
30
31

D I R E C T O R Y A M E N D M E N T

Remove line 551 and insert:

Statutes, is amended, and subsections (6) and (7) are added to
that

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

Remove line 28 and insert:

under a comparative negligence action; providing that in an
action involving a motorcycle, the fact that the claimant
was not wearing headgear may not be considered and is not
admissible if the claimant was in compliance with specified
statutory provisions; repealing ss.