

# FLORIDA HOUSE OF REPRESENTATIVES

## FINAL BILL ANALYSIS

*This bill analysis was prepared by nonpartisan committee staff and does not constitute an official statement of legislative intent.*

<b>BILL #:</b> <a href="#">CS/CS/CS/HB 351</a>	<b>COMPANION BILL:</b> <a href="#">CS/SB 1782</a> (Pizzo)
<b>TITLE:</b> Dangerous Excessive Speeding	<b>LINKED BILLS:</b> None
<b>SPONSOR(S):</b> Plasencia, Alvarez, D.	<b>RELATED BILLS:</b> None

<b>FINAL HOUSE FLOOR ACTION:</b>	75 Y's	38 N's	<b>GOVERNOR'S ACTION:</b>	Pending
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### SUMMARY

#### Effect of the Bill:

The bill creates a criminal offense for dangerous excessive speeding if a driver exceeds the speed limit by 50 miles per hour (mph) or more or operates a motor vehicle at 100 mph or more in a manner that threatens the safety of other persons or property or interferes with the operation of any vehicle. The bill also requires a mandatory hearing for traffic infractions relating to speeding in excess of 50 mph.

#### Fiscal or Economic Impact:

The bill may have a positive indeterminate impact on jail beds by creating new criminal offenses related to dangerous excessive speeding, and may have a positive indeterminate impact on local and state governments by creating mandatory fines associated with such offenses.

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### ANALYSIS

#### EFFECT OF THE BILL:

The bill creates a criminal offense for “dangerous excessive speeding” if a person operates a motor vehicle:

- Exceeding the speed limit by 50 miles per hour (mph) or more.
- At 100 mph or more in a manner that threatens the safety of other persons or property or interferes with the operation of the vehicle. (Section [1](#))

Under the bill, a person who commits dangerous excessive speeding is punished as follows:

- Upon a first conviction, up to 30 days in jail, a fine of \$500, or both.
- Upon a second or subsequent conviction, up to 90 days in jail, a fine of \$1,000, or both. A person convicted of a second or subsequent violation of dangerous excessive speeding within five years after the date of a prior conviction for such an offense must have his or her driving privilege revoked for at least 180 days but no more than one year. (Section [1](#))

The bill provides that any driver who commits an infraction for exceeding the speed limit in excess of 50 mph must appear before a designated official at a [mandatory hearing](#). (Section [3](#))

The bill authorizes, rather than requires, an officer to indicate the applicable civil penalty on a traffic citation for infractions related to exceeding the speed limit by 30 mph or more, or 50 mph or more. (Section [2](#))

Subject to the Governor’s veto powers, the effective date of this bill is July 1, 2025. (Section [4](#))

#### FISCAL OR ECONOMIC IMPACT:

##### STATE GOVERNMENT:

The bill may have a positive indeterminate impact on state government by creating mandatory fines associated with dangerous excessive speeding offenses.

**STORAGE NAME:** h0351z.GOS

**DATE:** 5/5/2025

## LOCAL GOVERNMENT:

The bill may have a positive indeterminate impact on jail beds by creating new criminal offenses related to dangerous excessive speeding, and may have a positive indeterminate impact on local governments by creating mandatory fines associated with such offenses.

## RELEVANT INFORMATION

### SUBJECT OVERVIEW:

#### Unlawful Speeding

A person is prohibited from driving a vehicle on a highway at a speed greater than is reasonable and prudent and speed must be controlled as necessary to avoid colliding with any person, vehicle, or other conveyance or object on or entering the highway.<sup>1</sup>

#### Maximum Speed Limits

Florida law provides that, on all streets or highways, the maximum speed limits for all vehicles must be 30 miles per hour (mph) in business or residence districts and 55 mph at any time at all other locations.<sup>2</sup> However, with respect to a residence district, a county or municipality may set a maximum speed limit of 20 or 25 mph on local streets and highways after an investigation determines that such a limit is reasonable.<sup>3</sup>

#### Fines for Speeding

A person who drives at an unlawful speed generally commits a noncriminal traffic infraction, punishable as a moving violation. Specifically, a person who exceeds the speed limit by:

- 1-5 mph will receive a warning.
- 6-9 mph will be fined \$25.
- 10-14 mph will be fined \$100.
- 15-19 mph will be fined \$150.
- 20-29 mph will be fined \$175.
- 30 mph or more will be fined \$250.<sup>4</sup>

Additionally, a person cited for a second or subsequent conviction of speed exceeding the limit by 30 mph or more within a 12-month period must pay a fine that is double the amounts listed above.<sup>5</sup>

A person who exceeds the speed limit in excess of 50 mph or more must be cited for a moving violation.<sup>6</sup>

#### **Mandatory Hearing**

Current law requires persons who commit certain traffic infractions to appear before a designated official at the time and location of a scheduled hearing.<sup>7</sup> For example, a person must appear before a designated official for a mandatory hearing if he or she exceeds the speed limit by 30 mph or more.<sup>8</sup>

Generally, any person cited for a violation requiring a mandatory hearing listed or any other criminal traffic violation must sign and accept a citation indicating a promise to appear. The officer may indicate on the traffic citation the time and location of the scheduled hearing and must indicate the applicable civil penalty established.<sup>9</sup>

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<sup>1</sup> S. [316.183\(1\), F.S.](#)

<sup>2</sup> S. [316.183\(2\), F.S.](#)

<sup>3</sup> *Id.*

<sup>4</sup> S. [318.18\(3\)\(b\), F.S.](#)

<sup>5</sup> S. [318.18\(3\)\(h\), F.S.](#)

<sup>6</sup> S. [316.1926\(2\), F.S.](#)

<sup>7</sup> S. [318.19, F.S.](#)

<sup>8</sup> S. [318.19\(5\), F.S.](#)

<sup>9</sup> S. [318.14\(2\), F.S.](#)

## Reckless Driving

Current law provides that any person who drives a vehicle in willful or wanton disregard for the safety of persons or property is guilty of reckless driving. Current law also provides that fleeing a law enforcement officer in a motor vehicle is an action that constitutes as reckless driving, regardless of whether it is in willful or wanton disregard for the safety of persons or property.<sup>10</sup>

Any driver convicted of reckless driving may be punished as follows:

- Upon a first conviction, imprisonment for a period of up to 90 days, a fine ranging from a minimum \$25 to a maximum of \$500, or both.
- Upon a second or subsequent conviction, imprisonment for a period up to six months, a fine ranging from a minimum of \$50 to a maximum of \$1,000, or both.<sup>11</sup>

Florida courts have held that excessive speed, by itself, does not constitute reckless driving, which requires “competent, substantial evidence that circumstances in addition to [...] speeding showed that [a defendant] was acting ‘with a conscious and intentional indifference to consequences and with knowledge that damage [was] likely to be done to persons or property.’”<sup>12</sup>

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<sup>10</sup> S. [316.192\(1\), F.S.](#)

<sup>11</sup> S. [316.192\(2\), F.S.](#)

<sup>12</sup> *Harris v. State*, 318 So. 3d 645, 649 (Fla. 2nd DCA 2021) (citations omitted).