

1                                   A bill to be entitled  
 2           An act relating to motor vehicle racing penalties;  
 3           amending s. 316.191, F.S.; increasing the fine for  
 4           offenses of drag race, street takeover, stunt driving,  
 5           competition, contest, test, or exhibition; increasing  
 6           the criminal penalty and revising applicability of the  
 7           criminal penalty for second offenses of drag race,  
 8           street takeover, stunt driving, competition, contest,  
 9           test, or exhibition occurring within a specified time  
 10          period; increasing the fine for such violations;  
 11          providing penalties for impeding, obstructing, or  
 12          interfering with an emergency vehicle while  
 13          participating in a drag race, street takeover, stunt  
 14          driving, competition, contest, test, or exhibition;  
 15          increasing the penalty for third or subsequent  
 16          offenses of drag race, street takeover, stunt driving,  
 17          competition, contest, test, or exhibition occurring  
 18          within a specified time period; increasing the fine  
 19          for such violations; increasing the fine for acting as  
 20          a spectator at a drag race, street takeover, stunt  
 21          driving, competition, contest, test, or exhibition;  
 22          providing an effective date.

23  
 24   Be It Enacted by the Legislature of the State of Florida:  
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26 Section 1. Subsection (3), and paragraph (b) of subsection  
27 (4) of section 316.191, Florida Statutes, are amended, and  
28 subsection (2) and paragraph (a) of subsection (4) of that  
29 section are republished, to read:

30 316.191 Racing on highways, street takeovers, and stunt  
31 driving.—

32 (2) A person may not:

33 (a) Drive any motor vehicle in any street takeover, stunt  
34 driving, race, speed competition or contest, drag race or  
35 acceleration contest, test of physical endurance, or exhibition  
36 of speed or acceleration or for the purpose of making a speed  
37 record on any highway, roadway, or parking lot;

38 (b) In any manner participate in, coordinate through  
39 social media or otherwise, facilitate, or collect moneys at any  
40 location for any such race, drag race, street takeover, stunt  
41 driving, competition, contest, test, or exhibition;

42 (c) Knowingly ride as a passenger in any such race, drag  
43 race, street takeover, stunt driving, competition, contest,  
44 test, or exhibition;

45 (d) Purposefully cause the movement of traffic, including  
46 pedestrian traffic, to slow, stop, or be impeded in any way for  
47 any such race, drag race, street takeover, stunt driving,  
48 competition, contest, test, or exhibition;

49 (e) Operate a motor vehicle for the purpose of filming or  
50 recording the activities of participants in any such race, drag

51 race, street takeover, stunt driving, competition, contest,  
52 test, or exhibition. This paragraph does not apply to bona fide  
53 members of the news media; or

54 (f) Operate a motor vehicle carrying any amount of fuel  
55 for the purposes of fueling a motor vehicle involved in any such  
56 race, drag race, street takeover, stunt driving, competition,  
57 contest, test, or exhibition.

58 (3)(a) Any person who violates subsection (2) commits a  
59 misdemeanor of the first degree, punishable as provided in s.  
60 775.082 or s. 775.083. Any person who violates subsection (2)  
61 shall pay a fine of not less than \$1,500 ~~\$500~~ and not more than  
62 \$2,500 ~~\$1,000~~, and the department shall revoke the driver  
63 license of a person so convicted for 1 year. A hearing may be  
64 requested pursuant to s. 322.271.

65 (b) Any person who commits a second violation of  
66 subsection (2) within 1 year ~~5 years~~ after the date of a prior  
67 violation that resulted in a conviction for a violation of  
68 subsection (2) commits a felony of the third degree ~~misdemeanor~~  
69 ~~of the first degree~~, punishable as provided in s. 775.082, ~~or~~ s.  
70 775.083, or s. 775.084, and shall pay a fine of not less than  
71 \$5,000 ~~\$1,000~~ and not more than \$7,500 ~~\$3,000~~. The department  
72 shall also revoke the driver license of that person for 2 years.  
73 A hearing may be requested pursuant to s. 322.271.

74 (c) Any person who violates subsection (2) and, in the  
75 course of committing the offense, knowingly impedes, obstructs,

76 or interferes with an authorized emergency vehicle, as defined  
 77 in s. 316.003(1), that is on call and responding to an emergency  
 78 other than a violation of this section, commits a felony of the  
 79 third degree, punishable as provided in paragraph (3)(b).

80 (d) Any person who commits a second or subsequent  
 81 violation of paragraph (c) commits a felony of the second  
 82 degree, punishable as provided in s. 775.082, s. 775.083, or s.  
 83 775.084. The department shall also revoke the driver license of  
 84 that person for 4 years. A hearing may be requested pursuant to  
 85 s. 322.271.

86 (e) Any person who commits a third or subsequent violation  
 87 of subsection (2) within 5 years after the date of a prior  
 88 violation that resulted in a conviction for a violation of  
 89 subsection (2) commits a ~~felony misdemeanor~~ of the third ~~first~~  
 90 degree, punishable as provided in s. 775.082, ~~or~~ s. 775.083, or  
 91 s. 775.084, and shall pay a fine of not less than \$7,500 ~~\$2,000~~  
 92 and not more than \$10,000 ~~\$5,000~~. The department shall also  
 93 revoke the driver license of that person for 4 years. A hearing  
 94 may be requested pursuant to s. 322.271.

95 (f) ~~(d)~~ In any case charging a violation of subsection (2),  
 96 the court shall be provided a copy of the driving record of the  
 97 person charged and may obtain any records from any other source  
 98 to determine if one or more prior convictions of the person for  
 99 a violation of subsection (2) have occurred within ~~5 years~~ a  
 100 specified period before the charged offense.

PCS for HB 449

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101 (4) (a) A person may not be a spectator at any race, drag  
102 race, or street takeover prohibited under subsection (2).

103 (b) A person who violates paragraph (a) commits a  
104 noncriminal traffic infraction, punishable by a fine of \$250 ~~as~~  
105 ~~a moving violation as provided in chapter 318.~~

106 Section 2. This act shall take effect July 1, 2024.