

CHAPTER 2015-181

Committee Substitute for House Bill No. 3531

An act for the relief of Sharon Robinson, individually, as guardian of Mark Robinson, and as personal representative of the Estate of Matthew Robinson; authorizing and directing the Central Florida Regional Transportation Authority to make an appropriation from funds of the authority not otherwise appropriated to compensate her and her son for the death of Matthew Robinson and for injuries and damages they sustained as a result of the negligence of the authority as operator of Lynx buses; providing that the amount already paid by the authority and the appropriation satisfy all present and future claims related to the negligent act; providing a limitation on the payment of fees and costs; providing an effective date.

WHEREAS, on November 4, 2010, Matthew Robinson, 10, and Mark Robinson, 12, both children of Sharon Robinson, were crossing the street at the intersection of Columbia Avenue and Dyer Street in Kissimmee, and

WHEREAS, Matthew Robinson and Mark Robinson were struck by the front bike rack of a Lynx bus while in the crosswalk and dragged underneath the bus when the driver of the bus failed to yield to pedestrians in the crosswalk, and

WHEREAS, while the bus was still moving, Mark Robinson was able to crawl out to safety, but Matthew Robinson's belt loop was caught in the undercarriage of the bus, and

WHEREAS, Matthew Robinson was dragged underneath the bus until the rear tire crushed his head, and

WHEREAS, Matthew Robinson was pronounced dead at the scene, and

WHEREAS, Mark Robinson was transported to the hospital via ambulance and diagnosed with a stress fracture of the vertebrae with spondylolisthesis, and

WHEREAS, Mark Robinson wore a brace until he recovered from his physical injuries, but has permanent injury due to the spondylolisthesis, and

WHEREAS, Mark Robinson's medical bills total \$27,137.90, and

WHEREAS, Sharon Robinson and Mark Robinson both suffer from posttraumatic stress disorder, and Ms. Robinson suffers from symptoms placing her in the range of severe depression, and

WHEREAS, the driver of the bus that struck Matthew Robinson and Mark Robinson had been previously involved in six preventable accidents, and

WHEREAS, the driver was found guilty of violating s. 316.075, Florida Statutes, and was terminated by Lynx for violation of safety policies and procedures after a finding that the accident was preventable, and

WHEREAS, Sharon Robinson, individually, as guardian of Mark Robinson, and as personal representative of the Estate of Matthew Robinson, filed a lawsuit against Central Florida Regional Transportation Authority, which operates Lynx, in the Ninth Judicial Circuit in Osceola County, and

WHEREAS, before trial, the respondent admitted liability, and the parties reached a settlement agreement totaling \$3.2 million, of which the Central Florida Regional Transportation Authority has paid \$200,000 under the statutory limits of liability set forth in s. 768.28, Florida Statutes, and

WHEREAS, the Central Florida Regional Transportation Authority fully supports the passage of this claim bill for the unpaid portion of the settlement amount, NOW, THEREFORE,

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

Section 1. The facts stated in the preamble to this act are found and declared to be true.

Section 2. The Central Florida Regional Transportation Authority is authorized and directed to appropriate from funds of the authority not otherwise appropriated and to draw a warrant, payable to Sharon Robinson, individually, as guardian of Mark Robinson, and as personal representative for the Estate of Matthew Robinson, for the total amount of \$3 million as compensation for injuries and damages sustained as a result of the negligence of an employee of the Central Florida Regional Transportation Authority.

Section 3. The warrant shall be drawn to Sharon and Mark Robinson's attorneys to be placed in The Florida Bar Interest on Trust Accounts (IOTA) program for the benefit of Sharon Robinson, as the personal representative of the Estate of Matthew Robinson, for a reduced statutory fee after attorney fees and costs pursuant to s. 733.617(2), Florida Statutes, in the amount of 3 percent of the first \$1 million and 2.5 percent of the remainder, reducing the fee to \$58,529.34. The payment to Sharon Robinson, as mother individually, will be 37.5 percent of the remainder or \$821,838.99; to Warren Robinson, as father individually, 2.8 percent of the remainder or \$61,250.00; and for Mark Robinson in the amount of 59.7 percent of the remainder or \$1,308,481.67, to be placed in a trust account, guardianship, or structure to provide income, protect from wasteful dissipation, and provide protection of the assets for the benefit of Mark Robinson; for a total in the sum of \$3 million. The Central Florida Regional Transportation Authority is directed to pay the same out of funds not otherwise appropriated. The remainder of the total shall be paid to reimburse for taxable costs and fees. Lobbying and attorney fees shall be prorated and may not exceed 25 percent.

Section 4. The amount paid by the Central Florida Regional Transportation Authority pursuant to s. 768.28, Florida Statutes, and the amount awarded under this act are intended to provide the sole compensation for all present and future claims arising out of the factual situation described in the preamble to this act which resulted in the death of Matthew Robinson and the injuries and damages sustained by Mark and Sharon Robinson. The total amount paid for attorney fees, lobbying fees, costs, and other similar expenses relating to this claim may not exceed 25 percent of the amount awarded under this act.

Section 5. This act shall take effect upon becoming a law.

Approved by the Governor June 11, 2015.

Filed in Office Secretary of State June 11, 2015.