

**10.6(a) DISCHARGING A FIREARM FROM A VEHICLE WITHIN 1,000 FEET
OF A PERSON**

§ 790.15(2), Fla. Stat.

To prove the crime of Discharging a Firearm from a Vehicle Within 1,000 Feet of a Person, the State must prove the following two elements beyond a reasonable doubt:

- 1. (Defendant) was an occupant of a vehicle.**
- 2. (Defendant) knowingly and willfully discharged a firearm from that vehicle within 1,000 feet of any person.**

§ 790.001, Fla. Stat.

A “firearm” is legally defined as any weapon, including a starter gun, which will, is designed to, or may readily be converted to expel a projectile by the action of an explosive; the frame or receiver of any such weapon; any firearm muffler or firearm silencer; any destructive device; or any machine gun. [The term “firearm” does not include an antique firearm unless the antique firearm is used in the commission of a crime.] See § 790.001, Fla. Stat., for the definitions of antique firearm and destructive device.

“Knowingly” means with full knowledge and intentionally.

“Willfully” means intentionally and purposely.

Lesser Included Offenses

No lesser included offenses have been identified for this offense.