

By Senator Braynon

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1                                   A bill to be entitled  
2       An act relating to uniform traffic control; amending  
3       s. 316.003, F.S.; defining the term "school bus  
4       traffic infraction detector"; amending s. 316.008,  
5       F.S.; authorizing school districts to deploy school  
6       bus traffic infraction detectors under certain  
7       circumstances; creating s. 316.0084, F.S.; providing  
8       for use of school bus traffic infraction detectors to  
9       enforce specified provisions requiring a person  
10      driving a vehicle to stop when approaching a school  
11      bus displaying a stop signal; authorizing the  
12      Department of Highway Safety and Motor Vehicles, a  
13      county, or a municipality to authorize a traffic  
14      infraction enforcement officer to issue and enforce a  
15      citation for a violation of such provisions; requiring  
16      notification to be sent to the registered owner of the  
17      motor vehicle involved in the violation; providing  
18      requirements for the notification; providing for  
19      collection of penalties; providing for distribution of  
20      penalties collected; providing procedures for  
21      issuance, disposition, and enforcement of citations;  
22      providing for exemptions; providing that certain  
23      evidence is admissible for enforcement; providing  
24      penalties for submission of a false affidavit;  
25      providing that the act does not preclude the issuance  
26      of citations by law enforcement officers; requiring  
27      reports from participating school districts to the  
28      department; requiring the department to make reports  
29      to the Governor and Legislature; creating s.

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30 316.07457, F.S.; requiring school bus traffic  
31 infraction detectors to meet specifications  
32 established by the department; creating s. 316.0777,  
33 F.S.; providing for the placement and installation of  
34 detectors on school buses when permitted by and under  
35 the specifications of the department; amending s.  
36 316.640, F.S.; providing for authority of traffic  
37 enforcement officers appointed by the state or a  
38 police department or sheriff's department to enforce  
39 specified provisions; amending s. 316.650, F.S.;  
40 requiring a traffic enforcement officer to provide to  
41 the court a replica of the citation data by electronic  
42 transmission under certain conditions; amending s.  
43 318.14, F.S.; providing an exception from provisions  
44 requiring a person cited for an infraction for failing  
45 to stop upon approaching any school bus that displays  
46 a stop signal to sign and accept a citation indicating  
47 a promise to appear; amending s. 318.18, F.S.;  
48 increasing certain fines; providing for penalties for  
49 infractions enforced by a traffic infraction  
50 enforcement officer; providing for distribution of  
51 fines; allowing the clerk of court to dismiss certain  
52 cases upon receiving documentation that the uniform  
53 traffic citation was issued in error; creating s.  
54 321.51, F.S.; authorizing the Department of Highway  
55 Safety and Motor Vehicles to use school bus traffic  
56 infraction detectors under certain circumstances;  
57 amending s. 322.27, F.S.; providing that no points may  
58 be assessed against the driver's license for

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59           infractions enforced by a traffic infraction  
60           enforcement officer; providing that infractions  
61           enforced by a traffic infraction enforcement officer  
62           may not be used for purposes of setting motor vehicle  
63           insurance rates; providing for severability; providing  
64           an effective date.

65

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

67

68           Section 1. Subsection (89) is added to section 316.003,  
69   Florida Statutes, to read:

70           316.003 Definitions.—The following words and phrases, when  
71           used in this chapter, shall have the meanings respectively  
72           ascribed to them in this section, except where the context  
73           otherwise requires:

74           (89) SCHOOL BUS TRAFFIC INFRACTION DETECTOR.—A vehicle  
75           sensor installed to work in conjunction with a school bus and a  
76           camera or cameras synchronized to automatically record two or  
77           more sequenced photographic or electronic images or streaming  
78           video of a motor vehicle at the time the vehicle passes a school  
79           bus in violation of s. 316.172(1) (a) or (b). Any notification  
80           under s. 316.0084(1) (b) or traffic citation issued by the use of  
81           a school bus traffic infraction detector must include a  
82           photograph, video feed, or other recorded image showing both the  
83           license tag of the offending vehicle and the school bus stop  
84           signal being violated.

85           Section 2. Subsection (9) is added to section 316.008,  
86   Florida Statutes, to read:

87           316.008 Powers of local authorities.—

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88 (9) A school district may deploy school bus traffic  
89 infraction detectors on its school buses for purposes of  
90 enforcing s. 316.172(1) (a) or (b) when a driver fails to stop  
91 upon approaching any school bus that displays a stop signal. A  
92 school district deploying school bus traffic infraction  
93 detectors must coordinate the issuing of traffic citations with  
94 the Florida Highway Patrol, the local sheriff's office, the  
95 local police department, the local school board, if applicable,  
96 or other entity having the authority and jurisdiction to enforce  
97 the traffic laws of this state and within the particular school  
98 district as provided in ss. 316.006 and 316.640.

99 Section 3. Section 316.0084, Florida Statutes, is created  
100 to read:

101 316.0084 School Bus Safety Program; administration;  
102 report.-

103 (1) (a) For purposes of administering this section, the  
104 department, a county, or a municipality may authorize a traffic  
105 infraction enforcement officer under s. 316.640 to issue a  
106 traffic citation for a violation of s. 316.172(1) (a) or (b).  
107 This paragraph does not prohibit a review of information from a  
108 traffic infraction detector by an authorized employee or agent  
109 of the department, a county, or a municipality before issuance  
110 of the traffic citation by the traffic infraction enforcement  
111 officer. This paragraph does not prohibit the department, a  
112 county, or a municipality from issuing notification as provided  
113 in paragraph (b) to the registered owner of the motor vehicle  
114 involved in the violation of s. 316.172(1) (a) or (b).

115 (b)1.a. Within 10 days after a violation, notification  
116 shall be sent to the registered owner of the motor vehicle

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117 involved in the violation specifying the remedies available  
118 under s. 318.14 and that the violator must pay the penalty of  
119 \$265 to the department, county, or municipality, or furnish an  
120 affidavit in accordance with paragraph (d), within 30 days  
121 following the date of the notification in order to avoid court  
122 fees, costs, and the issuance of a traffic citation. The  
123 notification shall be sent by first-class mail.

124 b. The notification under this paragraph must inform the  
125 owner that he or she has the right to review the photographic or  
126 electronic images or the streaming video evidence that  
127 constitutes a rebuttable presumption against the owner of the  
128 vehicle. The notice must state the time and place or Internet  
129 location where the evidence may be examined and observed.

130 2. Penalty amounts collected by the department, a county,  
131 or a municipality under this section, less the amount retained  
132 by the department, county, or municipality pursuant to  
133 subparagraph 3., shall be remitted to the Department of Revenue  
134 each week by means of electronic funds transfer. In addition to  
135 the payment, summary detail of the penalty amounts remitted  
136 shall be reported to the Department of Revenue.

137 3. A penalty amount of \$265 shall be assessed for a  
138 violation of s. 316.172(1)(a) or (b) when a driver has failed to  
139 stop upon approaching any school bus that displays a stop  
140 signal. Of that amount, \$170 shall be remitted to the school  
141 district in which the violation occurred, \$65 shall be deposited  
142 into the Emergency Medical Services Trust Fund of the Department  
143 of Health to be used as provided in s. 395.4036, \$15 shall be  
144 remitted to the department, and \$15 shall be retained by the  
145 county or municipality issuing the notice or citation or

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146 retained by the department if the department issued the notice  
147 or citation.

148 (c)1.a. If payment has not been received within 30 days  
149 after notification under subparagraph (b)1., a traffic citation  
150 shall be issued by mailing the traffic citation by certified  
151 mail to the address of the registered owner of the motor vehicle  
152 involved in the violation.

153 b. Delivery of the traffic citation constitutes  
154 notification under this paragraph.

155 c. In the case of joint ownership of a motor vehicle, the  
156 traffic citation shall be mailed to the first name appearing on  
157 the registration, unless the first name appearing on the  
158 registration is a business organization, in which case the  
159 second name appearing on the registration may be used.

160 d. The traffic citation shall be mailed to the registered  
161 owner of the motor vehicle involved in the violation no later  
162 than 45 days after the date of the violation.

163 2. The citation under this paragraph must include a notice  
164 that the owner has the right to review, in person or remotely,  
165 the photographic or electronic images or the streaming video  
166 evidence that constitutes a rebuttable presumption against the  
167 owner of the vehicle. The notice must state the time and place  
168 or Internet location where the evidence may be examined and  
169 observed.

170 (d)1. The owner of the motor vehicle involved in the  
171 violation is responsible and liable for paying the uniform  
172 traffic citation issued for a violation of s. 316.172(1)(a) or  
173 (b), unless the owner can establish that:

174 a. The motor vehicle passed the bus at the direction of a

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175 law enforcement officer;

176 b. The motor vehicle was, at the time of the violation, in  
177 the care, custody, or control of another person; or

178 c. A uniform traffic citation was issued by a law  
179 enforcement officer to the driver of the motor vehicle for the  
180 alleged violation of s. 316.172(1)(a) or (b).

181 2. In order to establish such facts, the owner of the motor  
182 vehicle shall, within 30 days after the date of issuance of the  
183 traffic citation, furnish to the appropriate governmental entity  
184 an affidavit setting forth detailed information supporting an  
185 exemption as provided in this paragraph.

186 a. An affidavit supporting an exemption under sub-  
187 paragraph 1.b. must include the name, address, date of birth,  
188 and, if known, the driver's license number of the person who  
189 leased, rented, or otherwise had care, custody, or control of  
190 the motor vehicle at the time of the alleged violation. If the  
191 vehicle was stolen at the time of the alleged offense, the  
192 affidavit must include the police report indicating that the  
193 vehicle was stolen.

194 b. If a traffic citation for a violation of s.  
195 316.172(1)(a) or (b) was issued at the location of the violation  
196 by a law enforcement officer, the affidavit must include the  
197 serial number of the uniform traffic citation.

198 3. Upon receipt of an affidavit supporting an exemption  
199 under sub-subparagraph 1.b., the person designated as having  
200 care, custody, and control of the motor vehicle at the time of  
201 the violation may be issued a traffic citation for a violation  
202 of s. 316.172(1)(a) or (b) when the driver failed to stop upon  
203 approaching any school bus that displays a stop signal. The

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204 affidavit is admissible in a proceeding pursuant to this section  
205 for the purpose of providing proof that the person identified in  
206 the affidavit was in actual care, custody, or control of the  
207 motor vehicle. The owner of a leased vehicle for which a traffic  
208 citation is issued for a violation of s. 316.172(1)(a) or (b) is  
209 not responsible for paying the traffic citation and is not  
210 required to submit an affidavit as specified in this subsection  
211 if the motor vehicle involved in the violation is registered in  
212 the name of the lessee of such motor vehicle.

213 4. The submission of a false affidavit is a misdemeanor of  
214 the second degree, punishable as provided in s. 775.082 or s.  
215 775.083.

216 (e) The photographic or electronic images or streaming  
217 video attached to or referenced in the traffic citation is  
218 evidence that a violation of s. 316.172(1)(a) or (b) has  
219 occurred and is admissible in any proceeding to enforce this  
220 section and raises a rebuttable presumption that the motor  
221 vehicle named in the report or shown in the photographic or  
222 electronic images or streaming video evidence was used in  
223 violation of s. 316.172(1)(a) or (b).

224 (2) This section supplements the enforcement of s.  
225 316.172(1)(a) and (b) and does not prohibit a law enforcement  
226 officer from issuing a traffic citation for a violation of s.  
227 316.172(1)(a) or (b).

228 (3)(a) Each school district that deploys a school bus  
229 traffic infraction detector shall submit a report by October 1,  
230 2014, and annually thereafter, to the department which details  
231 the results of using the school bus traffic infraction detector  
232 and the procedures for enforcement for the preceding state

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233 fiscal year. The information submitted by counties and  
234 municipalities must include statistical data and information  
235 required by the department to complete the report required under  
236 paragraph (b).

237 (b) On or before December 31, 2014, and annually  
238 thereafter, the department shall provide a summary report to the  
239 Governor, the President of the Senate, and the Speaker of the  
240 House of Representatives regarding the use and operation of  
241 traffic infraction detectors under this section, along with the  
242 department's recommendations and recommendations for any  
243 necessary legislation. The summary report must include a review  
244 of the information submitted to the department by counties and  
245 municipalities and must describe the enhancement of the traffic  
246 safety and enforcement programs.

247 Section 4. Section 316.07457, Florida Statutes, is created  
248 to read:

249 316.07457 Implementation.—Any school bus traffic infraction  
250 detector deployed by a school district on one or more of the  
251 buses in its fleet must meet specifications established by the  
252 department and must be tested at regular intervals according to  
253 specifications prescribed by the department. The department  
254 shall establish such specifications by December 31, 2012.

255 Section 5. Section 316.0777, Florida Statutes, is created  
256 to read:

257 316.0777 School bus traffic infraction detectors; placement  
258 and installation.—School bus traffic infraction detectors are  
259 allowed on the school buses of school districts when permitted  
260 by the department and under placement and installation  
261 specifications developed by the department.

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262 Section 6. Paragraph (b) of subsection (1) and subsection  
263 (5) of section 316.640, Florida Statutes, are amended to read:  
264 316.640 Enforcement.—The enforcement of the traffic laws of  
265 this state is vested as follows:

266 (1) STATE.—

267 (b)1. The Department of Transportation has authority to  
268 enforce on all the streets and highways of this state all laws  
269 applicable within its authority.

270 2.a. The Department of Transportation shall develop  
271 training and qualifications standards for toll enforcement  
272 officers whose sole authority is to enforce the payment of tolls  
273 pursuant to s. 316.1001. ~~Nothing in This subparagraph does not~~  
274 ~~authorize a toll enforcement officer to carry a firearm shall be~~  
275 ~~construed to permit the carrying of firearms or other weapons~~  
276 ~~and does not authorize, nor shall a toll enforcement officer to~~  
277 ~~make arrests have arrest authority.~~

278 b. For the purpose of enforcing s. 316.1001, governmental  
279 entities, as defined in s. 334.03, which own or operate a toll  
280 facility may employ independent contractors or designate  
281 employees as toll enforcement officers; however, any such toll  
282 enforcement officer must successfully meet the training and  
283 qualifications standards for toll enforcement officers  
284 established by the Department of Transportation.

285 3. For the purpose of enforcing s. 316.0083 or s. 316.0084,  
286 the department may designate employees as traffic infraction  
287 enforcement officers. A traffic infraction enforcement officer  
288 must successfully complete instruction in traffic enforcement  
289 procedures and court presentation through the Selective Traffic  
290 Enforcement Program as approved by the Division of Criminal

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291 Justice Standards and Training of the Department of Law  
292 Enforcement, or through a similar program, but may not  
293 necessarily otherwise meet the uniform minimum standards  
294 established by the Criminal Justice Standards and Training  
295 Commission for law enforcement officers or auxiliary law  
296 enforcement officers under s. 943.13. This subparagraph does not  
297 authorize the carrying of firearms or other weapons by a traffic  
298 infraction enforcement officer and does not authorize a traffic  
299 infraction enforcement officer to make arrests. The department's  
300 traffic infraction enforcement officers must be physically  
301 located in the state.

302 (5) (a) Any sheriff's department or police department of a  
303 municipality may employ, as a traffic infraction enforcement  
304 officer, any individual who successfully completes instruction  
305 in traffic enforcement procedures and court presentation through  
306 the Selective Traffic Enforcement Program as approved by the  
307 Division of Criminal Justice Standards and Training of the  
308 Department of Law Enforcement, or through a similar program, but  
309 who does not necessarily otherwise meet the uniform minimum  
310 standards established by the Criminal Justice Standards and  
311 Training Commission for law enforcement officers or auxiliary  
312 law enforcement officers under s. 943.13. Any such traffic  
313 infraction enforcement officer who observes the commission of a  
314 traffic infraction or, in the case of a parking infraction, who  
315 observes an illegally parked vehicle may issue a traffic  
316 citation for the infraction when, based upon personal  
317 investigation, he or she has reasonable and probable grounds to  
318 believe that an offense has been committed which constitutes a  
319 noncriminal traffic infraction as defined in s. 318.14. In

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320 addition, any such traffic infraction enforcement officer may  
321 issue a traffic citation under s. 316.0083 or s. 316.0084. For  
322 purposes of enforcing s. 316.0083 or s. 316.0084, any sheriff's  
323 department or police department of a municipality may designate  
324 employees as traffic infraction enforcement officers. The  
325 traffic infraction enforcement officers must be physically  
326 located in the county of the respective sheriff's or police  
327 department.

328 (b) The traffic infraction enforcement officer shall be  
329 employed in relationship to a selective traffic enforcement  
330 program at a fixed location or as part of a crash investigation  
331 team at the scene of a vehicle crash or in other types of  
332 traffic infraction enforcement under the direction of a fully  
333 qualified law enforcement officer; however, it is not necessary  
334 that the traffic infraction enforcement officer's duties be  
335 performed under the immediate supervision of a fully qualified  
336 law enforcement officer.

337 (c) This subsection does not permit the carrying of  
338 firearms or other weapons, nor do traffic infraction enforcement  
339 officers have arrest authority other than the authority to issue  
340 a traffic citation as provided in this subsection.

341 Section 7. Subsection (3) of section 316.650, Florida  
342 Statutes, is amended to read:

343 316.650 Traffic citations.—

344 (3) (a) Except for a traffic citation issued pursuant to s.  
345 316.1001, ~~or~~ s. 316.0083, or s. 316.0084, each traffic  
346 enforcement officer, upon issuing a traffic citation to an  
347 alleged violator of any provision of the motor vehicle laws of  
348 this state or of any traffic ordinance of any municipality or

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349 town, shall deposit the original traffic citation or, in the  
350 case of a traffic enforcement agency that has an automated  
351 citation issuance system, the chief administrative officer shall  
352 provide by an electronic transmission a replica of the citation  
353 data to a court having jurisdiction over the alleged offense or  
354 with its traffic violations bureau within 5 days after issuance  
355 to the violator.

356 (b) If a traffic citation is issued pursuant to s.  
357 316.1001, a traffic enforcement officer may deposit the original  
358 traffic citation or, in the case of a traffic enforcement agency  
359 that has an automated citation system, may provide by an  
360 electronic transmission a replica of the citation data to a  
361 court having jurisdiction over the alleged offense or with its  
362 traffic violations bureau within 45 days after the date of  
363 issuance of the citation to the violator. If the person cited  
364 for the violation of s. 316.1001 makes the election provided by  
365 s. 318.14(12) and pays the \$25 fine, or such other amount as  
366 imposed by the governmental entity owning the applicable toll  
367 facility, plus the amount of the unpaid toll that is shown on  
368 the traffic citation directly to the governmental entity that  
369 issued the citation, or on whose behalf the citation was issued,  
370 in accordance with s. 318.14(12), the traffic citation will not  
371 be submitted to the court, the disposition will be reported to  
372 the department by the governmental entity that issued the  
373 citation, or on whose behalf the citation was issued, and no  
374 points will be assessed against the person's driver's license.

375 (c) If a traffic citation is issued under s. 316.0083 or s.  
376 316.0084, the traffic infraction enforcement officer shall  
377 provide by electronic transmission a replica of the traffic

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378 citation data to the court having jurisdiction over the alleged  
379 offense or its traffic violations bureau within 5 days after the  
380 date of issuance of the traffic citation to the violator.

381 Section 8. Subsection (2) of section 318.14, Florida  
382 Statutes, is amended to read:

383 318.14 Noncriminal traffic infractions; exception;  
384 procedures.—

385 (2) Except as provided in ss. 316.1001(2), ~~and~~ 316.0083,  
386 and 316.0084, any person cited for a violation requiring a  
387 mandatory hearing listed in s. 318.19 or any other criminal  
388 traffic violation listed in chapter 316 must sign and accept a  
389 citation indicating a promise to appear. The officer may  
390 indicate on the traffic citation the time and location of the  
391 scheduled hearing and must indicate the applicable civil penalty  
392 established in s. 318.18. For all other infractions under this  
393 section, except for infractions under s. 316.1001, the officer  
394 must certify by electronic, electronic facsimile, or written  
395 signature that the citation was delivered to the person cited.  
396 This certification is prima facie evidence that the person cited  
397 was served with the citation.

398 Section 9. Subsection (5) of section 318.18, Florida  
399 Statutes, is amended to read:

400 318.18 Amount of penalties.—The penalties required for a  
401 noncriminal disposition pursuant to s. 318.14 or a criminal  
402 offense listed in s. 318.17 are as follows:

403 (5) (a) Two ~~One~~ hundred dollars for a violation of s.  
404 316.172(1)(a), failure to stop for a school bus. If, at a  
405 hearing, the alleged offender is found to have committed this  
406 offense, the court shall impose a minimum civil penalty of \$200

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407 ~~\$100~~. In addition to this penalty, for a second or subsequent  
408 offense within a period of 5 years, the department shall suspend  
409 the driver's license of the person for not less than 90 days and  
410 not more than 6 months.

411 (b) Two hundred dollars for a violation of s.  
412 316.172(1)(b), passing a school bus on the side that children  
413 enter and exit when the school bus displays a stop signal. If,  
414 at a hearing, the alleged offender is found to have committed  
415 this offense, the court shall impose a minimum civil penalty of  
416 \$200. In addition to this penalty, for a second or subsequent  
417 offense within a period of 5 years, the department shall suspend  
418 the driver's license of the person for not less than 180 days  
419 and not more than 1 year.

420 (c) In addition to the penalty under paragraph (a) or  
421 paragraph (b), \$65 for a violation of s. 316.172(1)(a) or (b).  
422 If the alleged offender is found to have committed the offense,  
423 the court shall impose the civil penalty under paragraph (a) or  
424 paragraph (b) plus an additional \$65. As provided in s.  
425 316.0084(1)(b)3., the additional \$65 collected under this  
426 paragraph shall be remitted to the Department of Revenue for  
427 deposit into the Emergency Medical Services Trust Fund of the  
428 Department of Health to be used as provided in s. 395.4036.

429 (d) The \$265 collected under paragraphs (a), (b), and (c)  
430 shall be distributed as provided in s. 316.0084(1)(b)3.

431 (e) If a person who is cited for a violation of s.  
432 316.172(1)(a) or (b), as enforced by a traffic infraction  
433 enforcement officer under s. 316.0084, presents documentation  
434 from the appropriate governmental entity that the traffic  
435 citation was in error, the clerk of court may dismiss the case,

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436 and may not impose a charge for this service.

437 Section 10. Section 321.51, Florida Statutes, is created to  
438 read:

439 321.51 Authorization to use school bus traffic infraction  
440 detectors.—When permitted by the Department of Transportation,  
441 the Department of Highway Safety and Motor Vehicles may, under  
442 s. 316.0084, use images from school bus traffic infraction  
443 detectors to enforce s. 316.172(1)(a) or (b) when a driver fails  
444 to stop upon approaching any school bus that displays a stop  
445 signal on state roads, as defined in chapter 316, which are  
446 under the original jurisdiction of the Department of  
447 Transportation.

448 Section 11. Paragraph (d) of subsection (3) of section  
449 322.27, Florida Statutes, is amended to read:

450 322.27 Authority of department to suspend or revoke  
451 license.—

452 (3) There is established a point system for evaluation of  
453 convictions of violations of motor vehicle laws or ordinances,  
454 and violations of applicable provisions of s. 403.413(6)(b) when  
455 such violations involve the use of motor vehicles, for the  
456 determination of the continuing qualification of any person to  
457 operate a motor vehicle. The department is authorized to suspend  
458 the license of any person upon showing of its records or other  
459 good and sufficient evidence that the licensee has been  
460 convicted of violation of motor vehicle laws or ordinances, or  
461 applicable provisions of s. 403.413(6)(b), amounting to 12 or  
462 more points as determined by the point system. The suspension  
463 shall be for a period of not more than 1 year.

464 (d) The point system shall have as its basic element a

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465 graduated scale of points assigning relative values to  
466 convictions of the following violations:

- 467 1. Reckless driving, willful and wanton—4 points.
- 468 2. Leaving the scene of a crash resulting in property  
469 damage of more than \$50—6 points.
- 470 3. Unlawful speed resulting in a crash—6 points.
- 471 4. Passing a stopped school bus—4 points.
- 472 5. Unlawful speed:
  - 473 a. Not in excess of 15 miles per hour of lawful or posted  
474 speed—3 points.
  - 475 b. In excess of 15 miles per hour of lawful or posted  
476 speed—4 points.
- 477 6. A violation of a traffic control signal device as  
478 provided in s. 316.074(1) or s. 316.075(1)(c)1.—4 points.  
479 However, no points shall be imposed for a violation of s.  
480 316.074(1) or s. 316.075(1)(c)1. when a driver has failed to  
481 stop at a traffic signal and when enforced by a traffic  
482 infraction enforcement officer. In addition, a violation of s.  
483 316.074(1) or s. 316.075(1)(c)1. when a driver has failed to  
484 stop at a traffic signal and when enforced by a traffic  
485 infraction enforcement officer may not be used for purposes of  
486 setting motor vehicle insurance rates. Furthermore, no points  
487 shall be imposed for a violation of s. 316.172(1)(a) or (b) when  
488 a driver has failed to stop upon approaching any school bus that  
489 displays a stop signal and when enforced by a traffic infraction  
490 enforcement officer. In addition, a violation of s.  
491 316.172(1)(a) or (b) when a driver has failed to stop upon  
492 approaching any school bus that displays a stop signal and when  
493 enforced by a traffic infraction enforcement officer may not be

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494 used for purposes of setting motor vehicle insurance rates.

495 7. All other moving violations (including parking on a  
496 highway outside the limits of a municipality)—3 points. However,  
497 no points shall be imposed for a violation of s. 316.0741 or s.  
498 316.2065(12); and points shall be imposed for a violation of s.  
499 316.1001 only when imposed by the court after a hearing pursuant  
500 to s. 318.14(5).

501 8. Any moving violation covered above, excluding unlawful  
502 speed, resulting in a crash—4 points.

503 9. Any conviction under s. 403.413(6)(b)—3 points.

504 10. Any conviction under s. 316.0775(2)—4 points.

505 Section 12. If any provision of this act or its application  
506 to any person or circumstance is held invalid, the invalidity  
507 does not affect other provisions or applications of this act  
508 which can be given effect without the invalid provision or  
509 application, and to this end the provisions of this act are  
510 severable.

511 Section 13. This act shall take effect July 1, 2012.