

Bill No. CS for SB's 1708 & 1626

Amendment No. Barcode 961310

<u>Senate</u>	CHAMBER ACTION	<u>House</u>
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11 Senator Bronson moved the following amendment to amendment
 12 (224440):

Senate Amendment (with title amendment)

On page 3, between lines 10 and 11,

insert:

Section 2. Section 943.12, Florida Statutes, is amended to read:

943.12 Powers, duties, and functions of the commission.--The commission shall:

(1) ~~Adopt~~ Promulgate rules for the administration of ss. 943.085-943.255 pursuant to chapter 120.

(2) Be responsible for the execution, administration, implementation, and evaluation of its powers, duties, and functions under ss. 943.085-943.255, including any rules promulgated or policies established hereunder.

(3) Certify, and revoke the certification of, officers, instructors, and criminal justice training schools.

(4) Establish uniform minimum employment standards for the various criminal justice disciplines.

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1 (5) Establish uniform minimum training standards for
2 the training of officers in the various criminal justice
3 disciplines.

4 (6) Consult and cooperate with municipalities or the
5 state or any political subdivision of the state and with
6 universities, colleges, community colleges, and other
7 educational institutions concerning the development of
8 criminal justice training schools and programs or courses of
9 instruction, including, but not necessarily limited to,
10 education and training in the areas of criminal justice
11 administration and all allied and supporting disciplines.

12 (7) Conduct official inquiries or require criminal
13 justice training schools to conduct official inquiries of
14 ~~Authorize the issuance of certificates for criminal justice~~
15 ~~training instructors who are certified by the commission~~
16 ~~schools.~~

17 (8) Establish minimum curricular requirements for
18 criminal justice training schools.

19 (9) ~~Authorize the issuance of certificates for~~
20 ~~instructors.~~

21 (9)~~(10)~~ Make, publish, or encourage studies on any
22 aspect of criminal justice education and training or
23 recruitment, including the development of defensible and
24 job-related psychological, selection, and performance
25 evaluation tests.

26 (10)~~(11)~~ With the approval of the head of the
27 department, make and enter into such contracts and agreements
28 with other agencies, organizations, associations,
29 corporations, individuals, or federal agencies as the
30 commission determines are necessary, expedient, or incidental
31 to the performance of its duties or the execution of its

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1 powers.

2 (11)~~(12)~~ Provide to each commission member and, upon
3 request, to any sheriff, chief of police, state law
4 enforcement or correctional agency chief administrator, or
5 training center director or to any other concerned citizen
6 minutes of commission meetings and notices and agendas of
7 commission meetings.

8 (12)~~(13)~~ Establish a central repository of records for
9 the proper administration of its duties, powers, and
10 functions.

11 (13)~~(14)~~ Issue final orders which include findings of
12 fact and conclusions of law and which constitute final agency
13 action for the purpose of chapter 120.

14 (14)~~(15)~~ Enforce compliance with provisions of this
15 chapter through injunctive relief and civil fines.

16 (15)~~(16)~~ Make recommendations concerning any matter
17 within the purview of this chapter.

18 (16)~~(17)~~ ~~Adopt~~ ~~Promulgate~~ rules for the certification
19 and discipline of officers who engage in those specialized
20 areas found to present a high risk of harm to the officer or
21 the public at large and which would in turn increase the
22 potential liability of an employing agency.

23 (17)~~(18)~~ Implement, administer, maintain, and revise a
24 job-related officer certification examination for each
25 criminal justice discipline. The commission shall, by rule,
26 establish procedures for the administration of the officer
27 certification examinations. Further, the commission shall
28 establish standards for acceptable performance for each
29 officer certification examination.

30 Section 3. Subsection (6) of section 943.13, Florida
31 Statutes, is amended to read:

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1 person shall comply with the firearms provisions established
2 pursuant to s. 943.17(1)(a). Any person temporarily employed
3 or appointed as an officer under this subsection must attend
4 the first training program offered in the geographic area, or
5 the first assigned state training program for a state officer,
6 subsequent to his or her employment or appointment. Further,
7 upon successful completion of the basic recruit training
8 program, any person temporarily employed or appointed as an
9 officer must fulfill the requirements of s. 943.13(10) within
10 180 consecutive days.

11 (b) In no case may the person be temporarily employed
12 or appointed for more than 180 consecutive days, and such
13 temporary employment or appointment is not renewable by the
14 employing agency or transferable to another employing agency.
15 However, a person who is temporarily employed or appointed and
16 is attending the first training program offered in the
17 geographic area, or has been assigned to a state training
18 program, may continue to be temporarily employed or appointed
19 until the person:

20 1. Successfully completes the basic recruit training
21 program and achieves an acceptable score on the officer
22 certification examination;

23 2. Fails or withdraws from a ~~any course of the~~ basic
24 recruit training program;

25 3. Fails to achieve an acceptable score on the officer
26 certification examination within 180 consecutive days after
27 the successful completion of the basic recruit training
28 program; or

29 4. Is separated from employment or appointment by the
30 employing agency.

31 (c) No person temporarily employed or appointed under

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1 the provisions of this subsection may perform the duties of an
2 officer unless he or she is adequately supervised by another
3 officer of the same discipline. The supervising officer must
4 be in full compliance with the provisions of s. 943.13 and
5 must be employed or appointed by the employing agency.

6 (2) If an applicant seeks an exemption from completing
7 a commission-approved basic recruit training program, the
8 employing agency must verify that the applicant has
9 successfully completed a comparable basic recruit training
10 program for the discipline in which the applicant is seeking
11 certification in another state or for the Federal Government.
12 Further, the employing agency must verify that the applicant
13 has served as a full-time sworn officer in another state or
14 for the Federal Government for at least one year. When the
15 employing agency obtains written documentation regarding the
16 applicant's criminal justice experience, the documentation
17 must be submitted to the commission. The commission shall
18 adopt rules that establish criteria and procedures to
19 determine if the applicant is exempt from completing the
20 commission-approved basic recruit training program and, upon
21 making a determination, shall notify the employing agency. An
22 ~~if the~~ applicant who is exempt from completing the
23 ~~commission-approved basic recruit training program, the~~
24 ~~applicant~~ must demonstrate proficiency in the high-liability
25 areas, as defined by commission rule, and must complete the
26 requirements of s. 943.13(10) within 180 days after receiving
27 an exemption. If the proficiencies and requirements of s.
28 943.13(10) are not met within the 180 days, the applicant must
29 complete a commission-approved basic recruit training program
30 ~~complete training, as required by the commission by rule, in~~
31 ~~areas which include, but are not limited to, defensive~~

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1 ~~driving, defensive tactics, firearms training, and first~~
2 ~~responder training.~~ Except as provided in subsection (1),
3 before the employing agency may employ or appoint the
4 applicant as an officer, the applicant must meet the minimum
5 qualifications described in s. 943.13(1)-(8), and must fulfill
6 the requirements of s. 943.13(10).

7 Section 5. Subsection (1) of section 943.135, Florida
8 Statutes, is amended to read:

9 943.135 Requirements for continued employment.--

10 (1) The commission shall, by rule, adopt a program
11 that requires all officers, as a condition of continued
12 employment or appointment as officers, to receive periodic
13 commission-approved continuing training or education. Such
14 continuing training or education shall be required at the rate
15 of 40 hours every 4 years. No officer shall be denied a
16 reasonable opportunity by the employing agency to comply with
17 this section. The employing agency must document that the
18 continuing training or education is job-related and consistent
19 with the needs of the employing agency. The employing agency
20 must maintain and submit, or electronically transmit, the
21 documentation to the commission, in a format approved by the
22 commission. The rule shall also provide:

23 (a) Assistance to an employing agency in identifying
24 each affected officer, the date of his or her employment or
25 appointment, and his or her most recent date for successful
26 completion of continuing training or education; and

27 (b) A procedure for reactivation of the certification
28 of an officer who is not in compliance with this section. ~~and~~

29 ~~(c) A remediation program supervised by the training~~
30 ~~center director within the geographic area for any officer who~~
31 ~~is attempting to comply with the provisions of this subsection~~

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1 ~~and in whom learning disabilities are identified. The officer~~
2 ~~shall be assigned nonofficer duties, without loss of employee~~
3 ~~benefits, and the program shall not exceed 90 days.~~

4 Section 6. Subsection (2) of section 943.1395, Florida
5 Statutes, is amended to read:

6 943.1395 Certification for employment or appointment;
7 concurrent certification; reemployment or reappointment;
8 inactive status; revocation; suspension; investigation.--

9 (2) An officer who is certified in one discipline and
10 who complies with s. 943.13 in another discipline shall hold
11 concurrent certification and may be assigned in either
12 discipline within his or her employing agency. However, the
13 officer may be registered and hold concurrent certification
14 only if the employing agency has authority to employ multiple
15 disciplines.

16 Section 7. Section 943.14, Florida Statutes, is
17 amended to read:

18 943.14 Commission-certified criminal justice training
19 schools; certificates and diplomas; exemptions; injunctive
20 relief; fines.--

21 (1) Each criminal justice training school approved by
22 the commission shall obtain from the commission a certificate
23 of compliance, with rules of the commission, signed by the
24 chair of the commission. ~~Any training or educational courses~~
25 ~~which are taught in any criminal justice training school must~~
26 ~~first be approved in writing by the commission.~~

27 (2) Any certificate or diploma issued by any criminal
28 justice training school which relates to completion,
29 graduation, or attendance in criminal justice training or
30 educational subjects, or related matters, must be approved by
31 the commission staff in the department's Criminal Justice

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1 Professionalism Program.

2 (3) The commission shall establish, by rule,
3 procedures for the certification and discipline of all
4 instructors in any criminal justice training school.

5 (4) Prior to the issuance of a certificate of
6 compliance, or as a condition of continuing certification, all
7 records of any criminal justice training school that relate to
8 training and all financial and personnel records of the school
9 shall be made available to the commission upon request.

10 (5) No private criminal justice training school may
11 include within its name the word "commission," "bureau," or
12 "division" together with the word "Florida" or "state," the
13 name of any county or municipality, or any misleading
14 derivative thereof which might be construed to represent a
15 government agency or an entity authorized by a government
16 agency.

17 ~~(6) Criminal justice training schools and courses~~
18 ~~which are licensed and operated in accordance with the rules~~
19 ~~of the State Board of Education and the rules of the~~
20 ~~commission are exempt from the requirements of subsections~~
21 ~~(1)-(5). However, any school which instructs approved~~
22 ~~commission courses must meet the requirements of subsections~~
23 ~~(1)-(5).~~

24 (6)(7)(a) Commission-approved correctional probation
25 courses and subjects which are taught by Florida 4-year
26 accredited colleges and universities are exempt from
27 subsections (1)-(6)(1)-(5) except for such documentation
28 which may be required by the commission. The commission
29 retains control over the content of courses and subjects
30 covered by this subsection as specified in s. 943.17(1)(a).
31 Florida 4-year accredited colleges and universities must

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1 obtain approval from the commission prior to offering
2 correctional probation courses. Florida 4-year accredited
3 colleges and universities offering the Correctional Probation
4 Training Program shall teach the learning objectives specified
5 by the commission. The administration of the commission's
6 Correctional Probation Training Program within a Florida
7 4-year accredited college or university shall fall within the
8 institution's established guidelines for course delivery and
9 student attendance. The Florida 4-year accredited college or
10 university shall provide to the commission and to the student
11 proof of successful completion of all the approved objectives
12 required by the commission for the academic courses approved
13 for the Correctional Probation Training Program. The
14 commission-certified training school administering the
15 commission-required correctional probation high-liability
16 training shall provide to the commission and to the student
17 proof of successful completion of all approved objectives.

18 (b) All other criminal justice sciences or
19 administration courses or subjects which are a part of the
20 curriculum of any accredited college, university, community
21 college, or vocational-technical center of this state, and all
22 full-time instructors of such institutions, are exempt from
23 the provisions of subsections (1)-(5).

24 (7)~~(8)~~ Each criminal justice training school that
25 offers law enforcement, correctional, or correctional
26 probation officer basic recruit training, or selection center
27 that provides applicant screening for criminal justice
28 training schools, shall conduct a criminal history background
29 check of an applicant prior to entrance into the basic recruit
30 class. A complete set of fingerprints must be taken by an
31 authorized criminal justice agency or by an employee of the

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1 criminal justice training school or selection center who is
2 trained to take fingerprints. The criminal justice training
3 school or selection center shall submit the fingerprints to
4 the Florida Department of Law Enforcement for a statewide
5 criminal history check, and forward the fingerprints to the
6 Federal Bureau of Investigation for a national criminal
7 history check. Applicants found through fingerprint processing
8 to have pled guilty to or been convicted of a crime which
9 would render the applicant unable to meet the minimum
10 qualifications for employment as an officer as specified in s.
11 943.13(4) shall be removed from the pool of qualified
12 candidates by the criminal justice training school or
13 selection center.

14 (8)~~(9)~~(a) If a criminal justice training school or
15 person violates this section, or any rule adopted pursuant
16 hereto, the Department of Legal Affairs, at the request of the
17 chair of the commission, shall apply to the circuit court in
18 the county in which the violation or violations occurred for
19 injunctive relief prohibiting the criminal justice training
20 school or person from operating contrary to this section.

21 (b)1. In addition to any injunctive relief available
22 under paragraph (a), the commission may impose a civil fine
23 upon any criminal justice training school or person who
24 violates subsection (1) or subsection (5), or any rule adopted
25 pursuant thereto, of up to \$10,000 for each violation, which
26 fine shall be paid into the Criminal Justice Standards and
27 Training Trust Fund. The commission may impose a civil fine
28 upon any criminal justice training school or person who
29 violates subsection (2), subsection (3), or subsection (4), or
30 any rule adopted pursuant thereto, of up to \$1,000 for each
31 violation, which fine shall be paid into the Criminal Justice

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1 Standards and Training Trust Fund.

2 2. A proceeding under this paragraph shall comply with
3 the provisions of chapter 120, and the final order of the
4 commission constitutes final agency action for the purposes of
5 chapter 120. When the commission imposes a civil fine and the
6 fine is not paid within a reasonable time, the Department of
7 Legal Affairs, at the request of the chair of the commission,
8 shall bring a civil action under the provisions of s. 120.69
9 to recover the fine. The commission and the Department of
10 Legal Affairs are not required to post any bond in any
11 proceeding herein.

12 Section 8. Subsection (1) of section 943.17, Florida
13 Statutes, is amended to read:

14 943.17 Basic recruit, advanced, and career development
15 training programs; participation; cost; evaluation.--The
16 commission shall, by rule, design, implement, maintain,
17 evaluate, and revise entry requirements, job-related
18 curricula, and performance standards for basic recruit,
19 advanced, and career development training programs and
20 courses. The rules shall include, but are not limited to, a
21 methodology to assess relevance of the subject matter to the
22 job, student performance, and instructor competency.

23 (1) The commission shall:

24 (a) Design, implement, maintain, evaluate, ~~and~~ revise
25 or adopt a basic recruit training program for the purpose of
26 providing minimum employment training qualifications for all
27 officers to be employed or appointed in each discipline.

28 (b) Design, implement, maintain, evaluate, ~~and~~ revise
29 or adopt an advanced training program which is limited to
30 those courses enhancing an officer's knowledge, skills, and
31 abilities for the job he or she performs.

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1 (c) Design, implement, maintain, evaluate, ~~and~~ revise
 2 or adopt a career development training program which is
 3 limited to those courses related to promotion to a higher rank
 4 or position. Career development courses will not be eligible
 5 for funding as provided in s. 943.25(9).

6 (d) Design, implement, maintain, evaluate, or adopt a
 7 specialized training program, consisting of identified goals
 8 and objectives that enhance an officer's ability to perform
 9 the duties of his or her job.~~For any existing or newly~~
 10 ~~established course, adopt an examination and assessment~~
 11 ~~instrument that is job-related and measures an officer's~~
 12 ~~acquisition of knowledge, skills, and abilities. An~~
 13 ~~acceptable level of measurable student performance shall also~~
 14 ~~be developed for each course.~~

15 Section 9. Subsection (2) of section 943.173, Florida
 16 Statutes, is amended to read:

17 943.173 Examinations; administration; materials not
 18 public records; disposal of materials.--

19 (2) Each advanced and career development course
 20 examination ~~adopted by the commission~~ shall be administered at
 21 a certified criminal justice training school under the
 22 supervision of the training center director.

23 Section 10. Section 943.175, Florida Statutes, is
 24 amended to read:

25 943.175 Inservice ~~and specialized~~ training.--

26 (1) Inservice training programs, consisting of courses
 27 established, implemented, and evaluated by an employing
 28 agency, are the responsibility of the employing agency.
 29 Inservice ~~Specialized~~ training programs, consisting of courses
 30 established, implemented, and evaluated by a criminal justice
 31 training school, are the responsibility of the criminal

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1 justice training school. Inservice ~~and specialized~~ training
2 programs or courses need not be approved by the commission.

3 ~~(2) The commission shall, by rule, establish~~
4 ~~procedures and criteria whereby an employing agency or~~
5 ~~criminal justice training school seeking commission approval~~
6 ~~of a specialized training program or course must submit the~~
7 ~~program or course to the commission for evaluation. The~~
8 ~~procedures and criteria shall include, but are not limited to,~~
9 ~~a demonstration of job relevance and quality of instruction.~~

10 ~~(2)(3)~~ Inservice ~~or specialized~~ training courses or
11 programs shall not be part of the programs or courses
12 established by the commission pursuant to s. 943.17, nor shall
13 they be used to qualify an officer for salary incentive
14 payment provided under s. 943.22.

15 Section 11. Paragraph (a) of subsection (1) of section
16 943.22, Florida Statutes, is amended to read:

17 943.22 Salary incentive program for full-time
18 officers.--

19 (1) For the purpose of this section, the term:

20 (a) "Accredited college, university, or community
21 college" means a college, university, or community college
22 which has been accredited by the Southern Association of
23 Colleges and Schools ~~or another regional accrediting agency,~~
24 ~~or the American Association of Collegiate Registrars and~~
25 ~~Admissions Officers.~~

26 Section 12. Subsection (6) of section 943.25, Florida
27 Statutes, is amended to read:

28 943.25 Criminal justice trust funds; source of funds;
29 use of funds.--

30 (6) ~~No~~ Training, room, or board cost may not be
31 assessed against any officer or employing agency for any

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1 advanced and specialized training course funded from the
2 Criminal Justice Standards and Training Trust Fund and offered
3 through a criminal justice training school certified by the
4 commission. Such expenses shall be paid from the trust fund
5 and are not reimbursable by the officer. Travel costs to and
6 from the training site are the responsibility of the trainee
7 or employing agency. Any compensation, including, but not
8 limited to, salaries and benefits, paid to any person during
9 the period of training shall be fixed and determined by the
10 employing agency; and such compensation shall be paid directly
11 to the person.

12 (a) The commission shall develop a policy of
13 reciprocal payment for training officers from regions other
14 than the region providing the training.

15 (b) An officer who is not employed or appointed by an
16 employing agency of this state may attend a course funded by
17 the trust fund, provided the officer is required to pay to the
18 criminal justice training school all training costs incurred
19 for her or his attendance.

20 Section 13. Section 316.640, Florida Statutes, is
21 amended to read:

22 316.640 Enforcement.--The enforcement of the traffic
23 laws of this state is vested as follows:

24 (1) STATE.--

25 (a)1.a. The Division of Florida Highway Patrol of the
26 Department of Highway Safety and Motor Vehicles, the Division
27 of Law Enforcement of the Fish and Wildlife Conservation
28 Commission, the Division of Law Enforcement of the Department
29 of Environmental Protection, and law enforcement officers of
30 the Department of Transportation each have authority to
31 enforce all of the traffic laws of this state on all the

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1 streets and highways thereof and elsewhere throughout the
2 state wherever the public has a right to travel by motor
3 vehicle. The Division of the Florida Highway Patrol may employ
4 as a traffic accident investigation officer any individual who
5 successfully completes ~~at least 200 hours of~~ instruction in
6 traffic accident investigation and court presentation through
7 the Selective Traffic Enforcement Program as approved by the
8 Criminal Justice Standards and Training Commission and funded
9 through the National Highway Traffic Safety Administration or
10 a similar program approved by the commission, but who does not
11 necessarily meet the uniform minimum standards established by
12 the commission for law enforcement officers or auxiliary law
13 enforcement officers under chapter 943. Any such traffic
14 accident investigation officer who makes an investigation at
15 the scene of a traffic accident may issue traffic citations,
16 based upon personal investigation, when he or she has
17 reasonable and probable grounds to believe that a person who
18 was involved in the accident committed an offense under this
19 chapter, chapter 319, chapter 320, or chapter 322 in
20 connection with the accident. This paragraph does not permit
21 the carrying of firearms or other weapons, nor do such
22 officers have arrest authority other than for the issuance of
23 a traffic citation as authorized in this paragraph.

24 b. University police officers shall have authority to
25 enforce all of the traffic laws of this state when such
26 violations occur on or about any property or facilities that
27 are under the guidance, supervision, regulation, or control of
28 the State University System, except that traffic laws may be
29 enforced off-campus when hot pursuit originates on-campus.

30 c. Community college police officers shall have the
31 authority to enforce all the traffic laws of this state only

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1 when such violations occur on any property or facilities that
2 are under the guidance, supervision, regulation, or control of
3 the community college system.

4 d. Police officers employed by an airport authority
5 shall have the authority to enforce all of the traffic laws of
6 this state only when such violations occur on any property or
7 facilities that are owned or operated by an airport authority.

8 (I) An airport authority may employ as a parking
9 enforcement specialist any individual who successfully
10 completes a training program established and approved by the
11 Criminal Justice Standards and Training Commission for parking
12 enforcement specialists but who does not otherwise meet the
13 uniform minimum standards established by the commission for
14 law enforcement officers or auxiliary or part-time officers
15 under s. 943.12. Nothing in this sub-sub-subparagraph shall be
16 construed to permit the carrying of firearms or other weapons,
17 nor shall such parking enforcement specialist have arrest
18 authority.

19 (II) A parking enforcement specialist employed by an
20 airport authority is authorized to enforce all state, county,
21 and municipal laws and ordinances governing parking only when
22 such violations are on property or facilities owned or
23 operated by the airport authority employing the specialist, by
24 appropriate state, county, or municipal traffic citation.

25 e. The Office of Agricultural Law Enforcement of the
26 Department of Agriculture and Consumer Services shall have the
27 authority to enforce traffic laws of this state only as
28 authorized by the provisions of chapter 570. However, nothing
29 in this section shall expand the authority of the Office of
30 Agricultural Law Enforcement at its agricultural inspection
31 stations to issue any traffic tickets except those traffic

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1 tickets for vehicles illegally passing the inspection station.

2 f. School safety officers shall have the authority to
3 enforce all of the traffic laws of this state when such
4 violations occur on or about any property or facilities which
5 are under the guidance, supervision, regulation, or control of
6 the district school board.

7 2. An agency of the state as described in subparagraph
8 1. is prohibited from establishing a traffic citation quota. A
9 violation of this subparagraph is not subject to the penalties
10 provided in chapter 318.

11 3. Any disciplinary action taken or performance
12 evaluation conducted by an agency of the state as described in
13 subparagraph 1. of a law enforcement officer's traffic
14 enforcement activity must be in accordance with written
15 work-performance standards. Such standards must be approved by
16 the agency and any collective bargaining unit representing
17 such law enforcement officer. A violation of this subparagraph
18 is not subject to the penalties provided in chapter 318.

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

22 2.a. The Department of Transportation shall develop
23 training and qualifications standards for toll enforcement
24 officers whose sole authority is to enforce the payment of
25 tolls pursuant to s. 316.1001. Nothing in this subparagraph
26 shall be construed to permit the carrying of firearms or other
27 weapons, nor shall a toll enforcement officer have arrest
28 authority.

29 b. For the purpose of enforcing s. 316.1001,
30 governmental entities, as defined in s. 334.03, which own or
31 operate a toll facility may employ independent contractors or

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1 designate employees as toll enforcement officers; however, any
2 such toll enforcement officer must successfully meet the
3 training and qualifications standards for toll enforcement
4 officers established by the Department of Transportation.

5 (2) COUNTIES.--

6 (a) The sheriff's office of each of the several
7 counties of this state shall enforce all of the traffic laws
8 of this state on all the streets and highways thereof and
9 elsewhere throughout the county wherever the public has the
10 right to travel by motor vehicle. In addition, the sheriff's
11 office may be required by the county to enforce the traffic
12 laws of this state on any private or limited access road or
13 roads over which the county has jurisdiction pursuant to a
14 written agreement entered into under s. 316.006(3)(b).

15 (b) The sheriff's office of each county may employ as
16 a traffic crash investigation officer any individual who
17 successfully completes ~~at least 200 hours of~~ instruction in
18 traffic crash investigation and court presentation through the
19 Selective Traffic Enforcement Program (STEP) as approved by
20 the Criminal Justice Standards and Training Commission and
21 funded through the National Highway Traffic Safety
22 Administration (NHTSA) or a similar program approved by the
23 commission, but who does not necessarily otherwise meet the
24 uniform minimum standards established by the commission for
25 law enforcement officers or auxiliary law enforcement officers
26 under chapter 943. Any such traffic crash investigation
27 officer who makes an investigation at the scene of a traffic
28 crash may issue traffic citations when, based upon personal
29 investigation, he or she has reasonable and probable grounds
30 to believe that a person who was involved has committed an
31 offense under this chapter in connection with the crash. This

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1 paragraph does not permit the carrying of firearms or other
2 weapons, nor do such officers have arrest authority other than
3 for the issuance of a traffic citation as authorized in this
4 paragraph.

5 (c) The sheriff's office of each of the several
6 counties of this state may employ as a parking enforcement
7 specialist any individual who successfully completes a
8 training program established and approved by the Criminal
9 Justice Standards and Training Commission for parking
10 enforcement specialists, but who does not necessarily
11 otherwise meet the uniform minimum standards established by
12 the commission for law enforcement officers or auxiliary or
13 part-time officers under s. 943.12.

14 1. A parking enforcement specialist employed by the
15 sheriff's office of each of the several counties of this state
16 is authorized to enforce all state and county laws,
17 ordinances, regulations, and official signs governing parking
18 within the unincorporated areas of the county by appropriate
19 state or county citation and may issue such citations for
20 parking in violation of signs erected pursuant to s.
21 316.006(3) at parking areas located on property owned or
22 leased by a county, whether or not such areas are within the
23 boundaries of a chartered municipality.

24 2. A parking enforcement specialist employed pursuant
25 to this subsection shall not carry firearms or other weapons
26 or have arrest authority.

27 (3) MUNICIPALITIES.--

28 (a) The police department of each chartered
29 municipality shall enforce the traffic laws of this state on
30 all the streets and highways thereof and elsewhere throughout
31 the municipality wherever the public has the right to travel

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1 by motor vehicle. In addition, the police department may be
2 required by a municipality to enforce the traffic laws of this
3 state on any private or limited access road or roads over
4 which the municipality has jurisdiction pursuant to a written
5 agreement entered into under s. 316.006(2)(b). However,
6 nothing in this chapter shall affect any law, general,
7 special, or otherwise, in effect on January 1, 1972, relating
8 to "hot pursuit" without the boundaries of the municipality.

9 (b) The police department of a chartered municipality
10 may employ as a traffic crash investigation officer any
11 individual who successfully completes ~~at least 200 hours of~~
12 instruction in traffic crash investigation and court
13 presentation through the Selective Traffic Enforcement Program
14 (STEP) as approved by the Criminal Justice Standards and
15 Training Commission and funded through the National Highway
16 Traffic Safety Administration (NHTSA) or a similar program
17 approved by the commission, but who does not otherwise meet
18 the uniform minimum standards established by the commission
19 for law enforcement officers or auxiliary law enforcement
20 officers under chapter 943. Any such traffic crash
21 investigation officer who makes an investigation at the scene
22 of a traffic crash is authorized to issue traffic citations
23 when, based upon personal investigation, he or she has
24 reasonable and probable grounds to believe that a person
25 involved has committed an offense under the provisions of this
26 chapter in connection with the crash. Nothing in this
27 paragraph shall be construed to permit the carrying of
28 firearms or other weapons, nor shall such officers have arrest
29 authority other than for the issuance of a traffic citation as
30 authorized above.

31 (c)1. A chartered municipality or its authorized

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1 agency or instrumentality may employ as a parking enforcement
2 specialist any individual who successfully completes a
3 training program established and approved by the Criminal
4 Justice Standards and Training Commission for parking
5 enforcement specialists, but who does not otherwise meet the
6 uniform minimum standards established by the commission for
7 law enforcement officers or auxiliary or part-time officers
8 under s. 943.12.

9 2. A parking enforcement specialist employed by a
10 chartered municipality or its authorized agency or
11 instrumentality is authorized to enforce all state, county,
12 and municipal laws and ordinances governing parking within the
13 boundaries of the municipality employing the specialist, by
14 appropriate state, county, or municipal traffic citation.
15 Nothing in this paragraph shall be construed to permit the
16 carrying of firearms or other weapons, nor shall such a
17 parking enforcement specialist have arrest authority.

18 (4)(a) Any sheriff's department, or any police
19 department of a municipality, may employ as a traffic control
20 officer any individual who successfully completes at least 8
21 hours of instruction in traffic control procedures through a
22 program approved by the Division of Criminal Justice Standards
23 and Training of the Department of Law Enforcement, or through
24 a similar program offered by the local sheriff's department or
25 police department, but who does not necessarily otherwise meet
26 the uniform minimum standards established by the Criminal
27 Justice Standards and Training Commission for law enforcement
28 officers or auxiliary law enforcement officers under s.
29 943.13. A traffic control officer employed pursuant to this
30 subsection may direct traffic or operate a traffic control
31 device only at a fixed location and only upon the direction of

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1 a fully qualified law enforcement officer; however, it is not
2 necessary that the traffic control officer's duties be
3 performed under the immediate supervision of a fully qualified
4 law enforcement officer.

5 (b) In the case of a special event or activity in
6 relation to which a nongovernmental entity is paying for
7 traffic control on public streets, highways, or roads, traffic
8 control officers may be employed to perform such traffic
9 control responsibilities only when off-duty, full-time law
10 enforcement officers, as defined in s. 943.10(1), are
11 unavailable to perform those responsibilities. However, this
12 paragraph may not be construed to limit the use of traffic
13 infraction enforcement officers for traffic enforcement
14 purposes.

15 (c) This subsection does not permit the carrying of
16 firearms or other weapons, nor do traffic control officers
17 have arrest authority.

18 (5)(a) Any sheriff's department or police department
19 of a municipality may employ, as a traffic infraction
20 enforcement officer, any individual who successfully completes
21 ~~at least 200 hours of~~ instruction in traffic enforcement
22 procedures and court presentation through the Selective
23 Traffic Enforcement Program as approved by the Division of
24 Criminal Justice Standards and Training of the Department of
25 Law Enforcement, or through a similar program, but who does
26 not necessarily otherwise meet the uniform minimum standards
27 established by the Criminal Justice Standards and Training
28 Commission for law enforcement officers or auxiliary law
29 enforcement officers under s. 943.13. Any such traffic
30 infraction enforcement officer who observes the commission of
31 a traffic infraction or, in the case of a parking infraction,

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1 who observes an illegally parked vehicle may issue a traffic
2 citation for the infraction when, based upon personal
3 investigation, he or she has reasonable and probable grounds
4 to believe that an offense has been committed which
5 constitutes a noncriminal traffic infraction as defined in s.
6 318.14.

7 (b) The traffic enforcement officer shall be employed
8 in relationship to a selective traffic enforcement program at
9 a fixed location or as part of a crash investigation team at
10 the scene of a vehicle crash or in other types of traffic
11 infraction enforcement under the direction of a fully
12 qualified law enforcement officer; however, it is not
13 necessary that the traffic infraction enforcement officer's
14 duties be performed under the immediate supervision of a fully
15 qualified law enforcement officer.

16 (c) This subsection does not permit the carrying of
17 firearms or other weapons, nor do traffic infraction
18 enforcement officers have arrest authority other than the
19 authority to issue a traffic citation as provided in this
20 subsection.

21 (6) MOBILE HOME PARK RECREATION
22 DISTRICTS.--Notwithstanding subsection (2) or subsection (3),
23 the sheriff's office of each of the several counties of this
24 state and the police department of each chartered municipality
25 have authority, but are not required, to enforce the traffic
26 laws of this state on any way or place used for vehicular
27 traffic on a controlled access basis within a mobile home park
28 recreation district which has been created under s. 418.30 and
29 the recreational facilities of which district are open to the
30 general public.

31 (7) CONSTRUCTION OF CHAPTER 87-88, LAWS OF

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1 FLORIDA.--For purposes of traffic control and enforcement,
2 nothing in chapter 87-88, Laws of Florida, shall be construed
3 to classify any road which has been dedicated or impliedly
4 dedicated for public use, and which has been constructed and
5 is open to the use of the public for vehicular traffic, as a
6 private road or driveway.

7 (8) TRAFFIC ENFORCEMENT AGENCY.--Any agency or
8 governmental entity designated in subsection (1), subsection
9 (2), or subsection (3), including a university, a community
10 college, a school board, or an airport authority, is a traffic
11 enforcement agency for purposes of s. 316.650.

12

13 (Redesignate subsequent sections.)

14

15

16 ===== T I T L E A M E N D M E N T =====

17 And the title is amended as follows:

18 On page 4, line 4, after the semicolon,

19

20 insert:

21 amending s. 943.12, F.S.; revising the powers
22 and duties of the commission relating to
23 certification of training schools and
24 instructors; amending s. 943.13, F.S.; allowing
25 employee physicals to be performed by physician
26 assistants; amending s. 943.131, F.S.;
27 providing alternative requirements for certain
28 applicants who seek exemptions from the
29 basic-recruit training program; amending s.
30 943.135, F.S.; eliminating a requirement that
31 the department provide remediation programs for

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1 officers who cannot comply with continuing
2 education requirements because of learning
3 disabilities; amending s. 943.1395, F.S.;
4 limiting the circumstances under which officers
5 may be registered and hold concurrent
6 certification; amending s. 943.14, F.S.;
7 deleting a requirement for commission approval
8 of certain courses; providing for staff to
9 approve certain diplomas or certificates;
10 eliminating an exemption from section
11 requirements for certain training schools and
12 programs; amending s. 943.17, F.S.; requiring
13 the commission to establish a specialized
14 training program; amending s. 943.173, F.S.;
15 conforming provisions amending s. 943.175,
16 F.S.; eliminating provisions governing
17 specialized training programs; amending s.
18 943.22, F.S.; redefining the term "accredited
19 college"; amending s. 943.25, F.S.; prohibiting
20 the assessment of certain costs against
21 officers or agencies for courses offered by
22 criminal justice training schools; amending s.
23 316.640, F.S.; specifying the training
24 requirement for certain persons employed as
25 traffic accident or crash investigation
26 officers or traffic infraction enforcement
27 officers;

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