

1                                   A bill to be entitled  
2           An act relating to the Department of  
3           Corrections; amending s. 944.31, F.S.;  
4           authorizing the Secretary of Corrections to  
5           designate persons in the Office of the  
6           Inspector General as law enforcement officers  
7           to conduct criminal investigations occurring on  
8           property under the jurisdiction of the  
9           department; such persons must be certified and  
10          possess minimum experience; requiring a  
11          memorandum of understanding between the  
12          department and the Department of Law  
13          Enforcement relating to predicate events;  
14          authorizing law enforcement officers to make  
15          warrantless arrests; providing that arrested  
16          persons must be surrendered to the county  
17          detention facility; amending s. 943.12, F.S.;  
18          revising the powers and duties of the  
19          commission relating to certification of  
20          training schools and instructors; amending s.  
21          943.13, F.S.; allowing employee physicals to be  
22          performed by physician assistants; amending s.  
23          943.131, F.S.; providing alternative  
24          requirements for certain applicants who seek  
25          exemptions from the basic-recruit training  
26          program; amending s. 943.135, F.S.; eliminating  
27          a requirement that the department provide  
28          remediation programs for officers who cannot  
29          comply with continuing education requirements  
30          because of learning disabilities; amending s.  
31          943.1395, F.S.; limiting the circumstances

1 under which officers may be registered and hold  
2 concurrent certification; amending s. 943.14,  
3 F.S.; deleting a requirement for commission  
4 approval of certain courses; providing for  
5 staff to approve certain diplomas or  
6 certificates; eliminating an exemption from  
7 section requirements for certain training  
8 schools and programs; amending s. 943.17, F.S.;  
9 requiring the commission to establish a  
10 specialized training program; amending s.  
11 943.173, F.S.; conforming provisions amending  
12 s. 943.175, F.S.; eliminating provisions  
13 governing specialized training programs;  
14 amending s. 943.22, F.S.; redefining the term  
15 "accredited college"; amending s. 943.25, F.S.;  
16 prohibiting the assessment of certain costs  
17 against officers or agencies for courses  
18 offered by criminal justice training schools;  
19 amending s. 316.640, F.S.; specifying the  
20 training requirement for certain persons  
21 employed as traffic accident or crash  
22 investigation officers or traffic infraction  
23 enforcement officers; providing an effective  
24 date.

25  
26 Be It Enacted by the Legislature of the State of Florida:

27  
28 Section 1. Section 944.31, Florida Statutes, is  
29 amended to read:

30 944.31 Inspector general; inspectors; power and  
31 duties.--The inspector general shall be responsible for prison

1 inspection and investigation, internal affairs investigations,  
2 and management reviews. The office of the inspector general  
3 shall be charged with the duty of inspecting the penal and  
4 correctional systems of the state. The office of the inspector  
5 general shall inspect each prison ~~correctional institution~~ or  
6 any place in which state prisoners are housed, worked, or kept  
7 within the state, with reference to its physical conditions,  
8 cleanliness, sanitation, safety, and comfort; the quality and  
9 supply of all bedding; the quality, quantity, and diversity of  
10 food served and the manner in which it is served; the number  
11 and condition of the prisoners confined therein; and the  
12 general conditions of each prison ~~institution~~. The office of  
13 inspector general shall see that all the rules and regulations  
14 issued by the department are strictly observed and followed by  
15 all persons connected with the correctional systems of the  
16 state. The office of the inspector general shall coordinate  
17 and supervise the work of inspectors throughout the state. The  
18 inspector general and inspectors may enter any place where  
19 prisoners in this state are kept and shall be immediately  
20 admitted to such place as they desire and may consult and  
21 confer with any prisoner privately and without molestation.  
22 The inspector general and inspectors shall be responsible for  
23 criminal and administrative investigation of matters relating  
24 to the Department of Corrections. The secretary shall have the  
25 authority to designate persons within the Office of the  
26 Inspector General as law enforcement officers to conduct any  
27 criminal investigation that occurs on property owned or leased  
28 by the department or matters over which the department has  
29 jurisdiction. Persons designated as law enforcement officers  
30 must be certified pursuant to s. 943.1395, and must have a  
31 minimum of 3 years experience as an inspector general

1 investigator or as a law enforcement officer. The department  
2 shall maintain a memorandum of understanding with the  
3 Department of Law Enforcement for the notification of an  
4 investigation of mutually agreed upon predicate events that  
5 shall include, but not be limited to, suspicious deaths and  
6 major organized criminal activity. During ~~in such~~  
7 investigations, the inspector general and inspectors may  
8 consult and confer with any prisoner or staff member privately  
9 and without molestation and persons designated as law  
10 enforcement officers under this section shall have the  
11 authority to conduct warrantless arrests of ~~detain~~ any person  
12 for violations of the felony, criminal laws of the state  
13 prescribed in chapters 944 and 893. Persons designated as law  
14 enforcement officers under this section may make arrests  
15 pursuant to a warrant, including offenders who have escaped or  
16 absconded from custody. ~~Such detention shall be made only on~~  
17 properties owned or leased by the department, and The arrested  
18 ~~detained~~ person shall be surrendered without delay to the  
19 detention facility ~~sheriff~~ of the county in which the arrest  
20 ~~detention~~ is made, with a formal complaint subsequently made  
21 against her or him in accordance with law.

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

24 943.12 Powers, duties, and functions of the  
25 commission.--The commission shall:

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

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

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

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

5           (5) Establish uniform minimum training standards for  
6 the training of officers in the various criminal justice  
7 disciplines.

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

16           (7) Conduct official inquiries or require criminal  
17 justice training schools to conduct official inquiries of  
18 ~~Authorize the issuance of certificates for~~ criminal justice  
19 training instructors who are certified by the commission  
20 ~~schools.~~

21           (8) Establish minimum curricular requirements for  
22 criminal justice training schools.

23           (9) ~~Authorize the issuance of certificates for~~  
24 ~~instructors.~~

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

30           (10)~~(11)~~ With the approval of the head of the  
31 department, make and enter into such contracts and agreements

1 with other agencies, organizations, associations,  
2 corporations, individuals, or federal agencies as the  
3 commission determines are necessary, expedient, or incidental  
4 to the performance of its duties or the execution of its  
5 powers.

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

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

15 (13)~~(14)~~ Issue final orders which include findings of  
16 fact and conclusions of law and which constitute final agency  
17 action for the purpose of chapter 120.

18 (14)~~(15)~~ Enforce compliance with provisions of this  
19 chapter through injunctive relief and civil fines.

20 (15)~~(16)~~ Make recommendations concerning any matter  
21 within the purview of this chapter.

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

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

1 establish standards for acceptable performance for each  
2 officer certification examination.

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

5 943.13 Officers' minimum qualifications for employment  
6 or appointment.--On or after October 1, 1984, any person  
7 employed or appointed as a full-time, part-time, or auxiliary  
8 law enforcement officer or correctional officer; on or after  
9 October 1, 1986, any person employed as a full-time,  
10 part-time, or auxiliary correctional probation officer; and on  
11 or after October 1, 1986, any person employed as a full-time,  
12 part-time, or auxiliary correctional officer by a private  
13 entity under contract to the Department of Corrections, to a  
14 county commission, or to the Correctional Privatization  
15 Commission shall:

16 (6) Have passed a physical examination by a licensed  
17 physician or physician assistant, based on specifications  
18 established by the commission.

19 Section 4. Section 943.131, Florida Statutes, is  
20 amended to read:

21 943.131 Temporary employment or appointment; minimum  
22 basic recruit training exemption.--

23 (1)(a) An employing agency may temporarily employ or  
24 appoint a person who complies with the qualifications for  
25 employment in s. 943.13(1)-(8), but has not fulfilled the  
26 requirements of s. 943.13(9) and (10), if a critical need  
27 exists to employ or appoint the person and such person is or  
28 will be enrolled in the next approved basic recruit training  
29 program available in the geographic area or that no assigned  
30 state training program for state officers is available within  
31 a reasonable time. The employing agency must maintain

1 documentation which demonstrates that a critical need exists  
2 to employ a person pursuant to this section. Prior to the  
3 employment or appointment of any person other than a  
4 correctional probation officer under this subsection, the  
5 person shall comply with the firearms provisions established  
6 pursuant to s. 943.17(1)(a). Any person temporarily employed  
7 or appointed as an officer under this subsection must attend  
8 the first training program offered in the geographic area, or  
9 the first assigned state training program for a state officer,  
10 subsequent to his or her employment or appointment. Further,  
11 upon successful completion of the basic recruit training  
12 program, any person temporarily employed or appointed as an  
13 officer must fulfill the requirements of s. 943.13(10) within  
14 180 consecutive days.

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

- 24 1. Successfully completes the basic recruit training  
25 program and achieves an acceptable score on the officer  
26 certification examination;
- 27 2. Fails or withdraws from a ~~any course of the~~ basic  
28 recruit training program;
- 29 3. Fails to achieve an acceptable score on the officer  
30 certification examination within 180 consecutive days after  
31



1 the successful completion of the basic recruit training  
2 program; or

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

5 (c) No person temporarily employed or appointed under  
6 the provisions of this subsection may perform the duties of an  
7 officer unless he or she is adequately supervised by another  
8 officer of the same discipline. The supervising officer must  
9 be in full compliance with the provisions of s. 943.13 and  
10 must be employed or appointed by the employing agency.

11 (2) If an applicant seeks an exemption from completing  
12 a commission-approved basic recruit training program, the  
13 employing agency must verify that the applicant has  
14 successfully completed a comparable basic recruit training  
15 program for the discipline in which the applicant is seeking  
16 certification in another state or for the Federal Government.  
17 Further, the employing agency must verify that the applicant  
18 has served as a full-time sworn officer in another state or  
19 for the Federal Government for at least one year. When the  
20 employing agency obtains written documentation regarding the  
21 applicant's criminal justice experience, the documentation  
22 must be submitted to the commission. The commission shall  
23 adopt rules that establish criteria and procedures to  
24 determine if the applicant is exempt from completing the  
25 commission-approved basic recruit training program and, upon  
26 making a determination, shall notify the employing agency. An  
27 ~~if the~~ applicant who is exempt from completing the  
28 ~~commission-approved basic recruit training program, the~~  
29 ~~applicant~~ must demonstrate proficiency in the high-liability  
30 areas, as defined by commission rule, and must complete the  
31 requirements of s. 943.13(10) within 180 days after receiving

1 an exemption. If the proficiencies and requirements of s.  
2 943.13(10) are not met within the 180 days, the applicant must  
3 complete a commission-approved basic recruit training program  
4 ~~complete training, as required by the commission by rule, in~~  
5 ~~areas which include, but are not limited to, defensive~~  
6 ~~driving, defensive tactics, firearms training, and first~~  
7 ~~responder training.~~ Except as provided in subsection (1),  
8 before the employing agency may employ or appoint the  
9 applicant as an officer, the applicant must meet the minimum  
10 qualifications described in s. 943.13(1)-(8), and must fulfill  
11 the requirements of s. 943.13(10).

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

14 943.135 Requirements for continued employment.--

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

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

1 (b) A procedure for reactivation of the certification  
2 of an officer who is not in compliance with this section. ~~7 and~~

3 ~~(c) A remediation program supervised by the training~~  
4 ~~center director within the geographic area for any officer who~~  
5 ~~is attempting to comply with the provisions of this subsection~~  
6 ~~and in whom learning disabilities are identified. The officer~~  
7 ~~shall be assigned nonofficer duties, without loss of employee~~  
8 ~~benefits, and the program shall not exceed 90 days.~~

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

11 943.1395 Certification for employment or appointment;  
12 concurrent certification; reemployment or reappointment;  
13 inactive status; revocation; suspension; investigation.--

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

21 Section 7. Section 943.14, Florida Statutes, is  
22 amended to read:

23 943.14 Commission-certified criminal justice training  
24 schools; certificates and diplomas; exemptions; injunctive  
25 relief; fines.--

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

1           (2) Any certificate or diploma issued by any criminal  
2 justice training school which relates to completion,  
3 graduation, or attendance in criminal justice training or  
4 educational subjects, or related matters, must be approved by  
5 the commission staff in the department's Criminal Justice  
6 Professionalism Program.

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

10          (4) Prior to the issuance of a certificate of  
11 compliance, or as a condition of continuing certification, all  
12 records of any criminal justice training school that relate to  
13 training and all financial and personnel records of the school  
14 shall be made available to the commission upon request.

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

22          ~~(6) Criminal justice training schools and courses~~  
23 ~~which are licensed and operated in accordance with the rules~~  
24 ~~of the State Board of Education and the rules of the~~  
25 ~~commission are exempt from the requirements of subsections~~  
26 ~~(1)-(5). However, any school which instructs approved~~  
27 ~~commission courses must meet the requirements of subsections~~  
28 ~~(1)-(5).~~

29          (6)(7)(a) Commission-approved correctional probation  
30 courses and subjects which are taught by Florida 4-year  
31 accredited colleges and universities are exempt from

1 subsections (1)-(6)~~(1)-(5)~~ except for such documentation  
2 which may be required by the commission. The commission  
3 retains control over the content of courses and subjects  
4 covered by this subsection as specified in s. 943.17(1)(a).  
5 Florida 4-year accredited colleges and universities must  
6 obtain approval from the commission prior to offering  
7 correctional probation courses. Florida 4-year accredited  
8 colleges and universities offering the Correctional Probation  
9 Training Program shall teach the learning objectives specified  
10 by the commission. The administration of the commission's  
11 Correctional Probation Training Program within a Florida  
12 4-year accredited college or university shall fall within the  
13 institution's established guidelines for course delivery and  
14 student attendance. The Florida 4-year accredited college or  
15 university shall provide to the commission and to the student  
16 proof of successful completion of all the approved objectives  
17 required by the commission for the academic courses approved  
18 for the Correctional Probation Training Program. The  
19 commission-certified training school administering the  
20 commission-required correctional probation high-liability  
21 training shall provide to the commission and to the student  
22 proof of successful completion of all approved objectives.

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

29 (7)~~(8)~~ Each criminal justice training school that  
30 offers law enforcement, correctional, or correctional  
31 probation officer basic recruit training, or selection center

1 that provides applicant screening for criminal justice  
2 training schools, shall conduct a criminal history background  
3 check of an applicant prior to entrance into the basic recruit  
4 class. A complete set of fingerprints must be taken by an  
5 authorized criminal justice agency or by an employee of the  
6 criminal justice training school or selection center who is  
7 trained to take fingerprints. The criminal justice training  
8 school or selection center shall submit the fingerprints to  
9 the Florida Department of Law Enforcement for a statewide  
10 criminal history check, and forward the fingerprints to the  
11 Federal Bureau of Investigation for a national criminal  
12 history check. Applicants found through fingerprint processing  
13 to have pled guilty to or been convicted of a crime which  
14 would render the applicant unable to meet the minimum  
15 qualifications for employment as an officer as specified in s.  
16 943.13(4) shall be removed from the pool of qualified  
17 candidates by the criminal justice training school or  
18 selection center.

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

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

1 Training Trust Fund. The commission may impose a civil fine  
2 upon any criminal justice training school or person who  
3 violates subsection (2), subsection (3), or subsection (4), or  
4 any rule adopted pursuant thereto, of up to \$1,000 for each  
5 violation, which fine shall be paid into the Criminal Justice  
6 Standards and Training Trust Fund.

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

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

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

28         (1) The commission shall:

29         (a) Design, implement, maintain, evaluate, ~~and~~ revise  
30 or adopt a basic recruit training program for the purpose of  
31

1 providing minimum employment training qualifications for all  
2 officers to be employed or appointed in each discipline.

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

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

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

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

23 943.173 Examinations; administration; materials not  
24 public records; disposal of materials.--

25 (2) Each advanced and career development course  
26 examination ~~adopted by the commission~~ shall be administered at  
27 a certified criminal justice training school under the  
28 supervision of the training center director.

29 Section 10. Section 943.175, Florida Statutes, is  
30 amended to read:

31 943.175 Inservice ~~and specialized~~ training.--



1 (1) Inservice training programs, consisting of courses  
2 established, implemented, and evaluated by an employing  
3 agency, are the responsibility of the employing agency.

4 Inservice ~~Specialized~~ training programs, consisting of courses  
5 established, implemented, and evaluated by a criminal justice  
6 training school, are the responsibility of the criminal  
7 justice training school. Inservice ~~and specialized~~ training  
8 programs or courses need not be approved by the commission.

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

16 (2)~~(3)~~ Inservice ~~or specialized~~ training courses or  
17 programs shall not be part of the programs or courses  
18 established by the commission pursuant to s. 943.17, nor shall  
19 they be used to qualify an officer for salary incentive  
20 payment provided under s. 943.22.

21 Section 11. Paragraph (a) of subsection (1) of section  
22 943.22, Florida Statutes, is amended to read:

23 943.22 Salary incentive program for full-time  
24 officers.--

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

26 (a) "Accredited college, university, or community  
27 college" means a college, university, or community college  
28 which has been accredited by the Southern Association of  
29 Colleges and Schools or, another regional accrediting agency,  
30 ~~or the American Association of Collegiate Registrars and~~  
31 ~~Admissions Officers.~~

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

3           943.25 Criminal justice trust funds; source of funds;  
4 use of funds.--

5           (6) ~~No~~ Training, room, or board cost may not be  
6 assessed against any officer or employing agency for any  
7 advanced and specialized training course funded from the  
8 Criminal Justice Standards and Training Trust Fund and offered  
9 through a criminal justice training school certified by the  
10 commission. Such expenses shall be paid from the trust fund  
11 and are not reimbursable by the officer. Travel costs to and  
12 from the training site are the responsibility of the trainee  
13 or employing agency. Any compensation, including, but not  
14 limited to, salaries and benefits, paid to any person during  
15 the period of training shall be fixed and determined by the  
16 employing agency; and such compensation shall be paid directly  
17 to the person.

18           (a) The commission shall develop a policy of  
19 reciprocal payment for training officers from regions other  
20 than the region providing the training.

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

26           Section 13. Section 316.640, Florida Statutes, is  
27 amended to read:

28           316.640 Enforcement.--The enforcement of the traffic  
29 laws of this state is vested as follows:

30           (1) STATE.--

31

1           (a)1.a. The Division of Florida Highway Patrol of the  
2 Department of Highway Safety and Motor Vehicles, the Division  
3 of Law Enforcement of the Fish and Wildlife Conservation  
4 Commission, the Division of Law Enforcement of the Department  
5 of Environmental Protection, and law enforcement officers of  
6 the Department of Transportation each have authority to  
7 enforce all of the traffic laws of this state on all the  
8 streets and highways thereof and elsewhere throughout the  
9 state wherever the public has a right to travel by motor  
10 vehicle. The Division of the Florida Highway Patrol may employ  
11 as a traffic accident investigation officer any individual who  
12 successfully completes ~~at least 200 hours of~~ instruction in  
13 traffic accident investigation and court presentation through  
14 the Selective Traffic Enforcement Program as approved by the  
15 Criminal Justice Standards and Training Commission and funded  
16 through the National Highway Traffic Safety Administration or  
17 a similar program approved by the commission, but who does not  
18 necessarily meet the uniform minimum standards established by  
19 the commission for law enforcement officers or auxiliary law  
20 enforcement officers under chapter 943. Any such traffic  
21 accident investigation officer who makes an investigation at  
22 the scene of a traffic accident may issue traffic citations,  
23 based upon personal investigation, when he or she has  
24 reasonable and probable grounds to believe that a person who  
25 was involved in the accident committed an offense under this  
26 chapter, chapter 319, chapter 320, or chapter 322 in  
27 connection with the accident. This paragraph does not permit  
28 the carrying of firearms or other weapons, nor do such  
29 officers have arrest authority other than for the issuance of  
30 a traffic citation as authorized in this paragraph.  
31

1           b. University police officers shall have authority to  
2 enforce all of the traffic laws of this state when such  
3 violations occur on or about any property or facilities that  
4 are under the guidance, supervision, regulation, or control of  
5 the State University System, except that traffic laws may be  
6 enforced off-campus when hot pursuit originates on-campus.

7           c. Community college police officers shall have the  
8 authority to enforce all the traffic laws of this state only  
9 when such violations occur on any property or facilities that  
10 are under the guidance, supervision, regulation, or control of  
11 the community college system.

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

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

27           (II) A parking enforcement specialist employed by an  
28 airport authority is authorized to enforce all state, county,  
29 and municipal laws and ordinances governing parking only when  
30 such violations are on property or facilities owned or  
31

1 operated by the airport authority employing the specialist, by  
2 appropriate state, county, or municipal traffic citation.

3 e. The Office of Agricultural Law Enforcement of the  
4 Department of Agriculture and Consumer Services shall have the  
5 authority to enforce traffic laws of this state only as  
6 authorized by the provisions of chapter 570. However, nothing  
7 in this section shall expand the authority of the Office of  
8 Agricultural Law Enforcement at its agricultural inspection  
9 stations to issue any traffic tickets except those traffic  
10 tickets for vehicles illegally passing the inspection station.

11 f. School safety officers shall have the authority to  
12 enforce all of the traffic laws of this state when such  
13 violations occur on or about any property or facilities which  
14 are under the guidance, supervision, regulation, or control of  
15 the district school board.

16 2. An agency of the state as described in subparagraph  
17 1. is prohibited from establishing a traffic citation quota. A  
18 violation of this subparagraph is not subject to the penalties  
19 provided in chapter 318.

20 3. Any disciplinary action taken or performance  
21 evaluation conducted by an agency of the state as described in  
22 subparagraph 1. of a law enforcement officer's traffic  
23 enforcement activity must be in accordance with written  
24 work-performance standards. Such standards must be approved by  
25 the agency and any collective bargaining unit representing  
26 such law enforcement officer. A violation of this subparagraph  
27 is not subject to the penalties provided in chapter 318.

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

31

1           2.a. The Department of Transportation shall develop  
2 training and qualifications standards for toll enforcement  
3 officers whose sole authority is to enforce the payment of  
4 tolls pursuant to s. 316.1001. Nothing in this subparagraph  
5 shall be construed to permit the carrying of firearms or other  
6 weapons, nor shall a toll enforcement officer have arrest  
7 authority.

8           b. For the purpose of enforcing s. 316.1001,  
9 governmental entities, as defined in s. 334.03, which own or  
10 operate a toll facility may employ independent contractors or  
11 designate employees as toll enforcement officers; however, any  
12 such toll enforcement officer must successfully meet the  
13 training and qualifications standards for toll enforcement  
14 officers established by the Department of Transportation.

15           (2) COUNTIES.--

16           (a) The sheriff's office of each of the several  
17 counties of this state shall enforce all of the traffic laws  
18 of this state on all the streets and highways thereof and  
19 elsewhere throughout the county wherever the public has the  
20 right to travel by motor vehicle. In addition, the sheriff's  
21 office may be required by the county to enforce the traffic  
22 laws of this state on any private or limited access road or  
23 roads over which the county has jurisdiction pursuant to a  
24 written agreement entered into under s. 316.006(3)(b).

25           (b) The sheriff's office of each county may employ as  
26 a traffic crash investigation officer any individual who  
27 successfully completes ~~at least 200 hours of~~ instruction in  
28 traffic crash investigation and court presentation through the  
29 Selective Traffic Enforcement Program (STEP) as approved by  
30 the Criminal Justice Standards and Training Commission and  
31 funded through the National Highway Traffic Safety

1 Administration (NHTSA) or a similar program approved by the  
2 commission, but who does not necessarily otherwise meet the  
3 uniform minimum standards established by the commission for  
4 law enforcement officers or auxiliary law enforcement officers  
5 under chapter 943. Any such traffic crash investigation  
6 officer who makes an investigation at the scene of a traffic  
7 crash may issue traffic citations when, based upon personal  
8 investigation, he or she has reasonable and probable grounds  
9 to believe that a person who was involved has committed an  
10 offense under this chapter in connection with the crash. This  
11 paragraph does not permit the carrying of firearms or other  
12 weapons, nor do such officers have arrest authority other than  
13 for the issuance of a traffic citation as authorized in this  
14 paragraph.

15 (c) The sheriff's office of each of the several  
16 counties of this state may employ as a parking enforcement  
17 specialist any individual who successfully completes a  
18 training program established and approved by the Criminal  
19 Justice Standards and Training Commission for parking  
20 enforcement specialists, but who does not necessarily  
21 otherwise meet the uniform minimum standards established by  
22 the commission for law enforcement officers or auxiliary or  
23 part-time officers under s. 943.12.

24 1. A parking enforcement specialist employed by the  
25 sheriff's office of each of the several counties of this state  
26 is authorized to enforce all state and county laws,  
27 ordinances, regulations, and official signs governing parking  
28 within the unincorporated areas of the county by appropriate  
29 state or county citation and may issue such citations for  
30 parking in violation of signs erected pursuant to s.  
31 316.006(3) at parking areas located on property owned or

1 leased by a county, whether or not such areas are within the  
2 boundaries of a chartered municipality.

3 2. A parking enforcement specialist employed pursuant  
4 to this subsection shall not carry firearms or other weapons  
5 or have arrest authority.

6 (3) MUNICIPALITIES.--

7 (a) The police department of each chartered  
8 municipality shall enforce the traffic laws of this state on  
9 all the streets and highways thereof and elsewhere throughout  
10 the municipality wherever the public has the right to travel  
11 by motor vehicle. In addition, the police department may be  
12 required by a municipality to enforce the traffic laws of this  
13 state on any private or limited access road or roads over  
14 which the municipality has jurisdiction pursuant to a written  
15 agreement entered into under s. 316.006(2)(b). However,  
16 nothing in this chapter shall affect any law, general,  
17 special, or otherwise, in effect on January 1, 1972, relating  
18 to "hot pursuit" without the boundaries of the municipality.

19 (b) The police department of a chartered municipality  
20 may employ as a traffic crash investigation officer any  
21 individual who successfully completes ~~at least 200 hours of~~  
22 instruction in traffic crash investigation and court  
23 presentation through the Selective Traffic Enforcement Program  
24 (STEP) as approved by the Criminal Justice Standards and  
25 Training Commission and funded through the National Highway  
26 Traffic Safety Administration (NHTSA) or a similar program  
27 approved by the commission, but who does not otherwise meet  
28 the uniform minimum standards established by the commission  
29 for law enforcement officers or auxiliary law enforcement  
30 officers under chapter 943. Any such traffic crash  
31 investigation officer who makes an investigation at the scene



1 of a traffic crash is authorized to issue traffic citations  
2 when, based upon personal investigation, he or she has  
3 reasonable and probable grounds to believe that a person  
4 involved has committed an offense under the provisions of this  
5 chapter in connection with the crash. Nothing in this  
6 paragraph shall be construed to permit the carrying of  
7 firearms or other weapons, nor shall such officers have arrest  
8 authority other than for the issuance of a traffic citation as  
9 authorized above.

10 (c)1. A chartered municipality or its authorized  
11 agency or instrumentality may employ as a parking enforcement  
12 specialist any individual who successfully completes a  
13 training program established and approved by the Criminal  
14 Justice Standards and Training Commission for parking  
15 enforcement specialists, but who does not otherwise meet the  
16 uniform minimum standards established by the commission for  
17 law enforcement officers or auxiliary or part-time officers  
18 under s. 943.12.

19 2. A parking enforcement specialist employed by a  
20 chartered municipality or its authorized agency or  
21 instrumentality is authorized to enforce all state, county,  
22 and municipal laws and ordinances governing parking within the  
23 boundaries of the municipality employing the specialist, by  
24 appropriate state, county, or municipal traffic citation.  
25 Nothing in this paragraph shall be construed to permit the  
26 carrying of firearms or other weapons, nor shall such a  
27 parking enforcement specialist have arrest authority.

28 (4)(a) Any sheriff's department, or any police  
29 department of a municipality, may employ as a traffic control  
30 officer any individual who successfully completes at least 8  
31 hours of instruction in traffic control procedures through a

1 program approved by the Division of Criminal Justice Standards  
2 and Training of the Department of Law Enforcement, or through  
3 a similar program offered by the local sheriff's department or  
4 police department, but who does not necessarily otherwise meet  
5 the uniform minimum standards established by the Criminal  
6 Justice Standards and Training Commission for law enforcement  
7 officers or auxiliary law enforcement officers under s.  
8 943.13. A traffic control officer employed pursuant to this  
9 subsection may direct traffic or operate a traffic control  
10 device only at a fixed location and only upon the direction of  
11 a fully qualified law enforcement officer; however, it is not  
12 necessary that the traffic control officer's duties be  
13 performed under the immediate supervision of a fully qualified  
14 law enforcement officer.

15 (b) In the case of a special event or activity in  
16 relation to which a nongovernmental entity is paying for  
17 traffic control on public streets, highways, or roads, traffic  
18 control officers may be employed to perform such traffic  
19 control responsibilities only when off-duty, full-time law  
20 enforcement officers, as defined in s. 943.10(1), are  
21 unavailable to perform those responsibilities. However, this  
22 paragraph may not be construed to limit the use of traffic  
23 infraction enforcement officers for traffic enforcement  
24 purposes.

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

28 (5)(a) Any sheriff's department or police department  
29 of a municipality may employ, as a traffic infraction  
30 enforcement officer, any individual who successfully completes  
31 ~~at least 200 hours of~~ instruction in traffic enforcement

1 procedures and court presentation through the Selective  
2 Traffic Enforcement Program as approved by the Division of  
3 Criminal Justice Standards and Training of the Department of  
4 Law Enforcement, or through a similar program, but who does  
5 not necessarily otherwise meet the uniform minimum standards  
6 established by the Criminal Justice Standards and Training  
7 Commission for law enforcement officers or auxiliary law  
8 enforcement officers under s. 943.13. Any such traffic  
9 infraction enforcement officer who observes the commission of  
10 a traffic infraction or, in the case of a parking infraction,  
11 who observes an illegally parked vehicle may issue a traffic  
12 citation for the infraction when, based upon personal  
13 investigation, he or she has reasonable and probable grounds  
14 to believe that an offense has been committed which  
15 constitutes a noncriminal traffic infraction as defined in s.  
16 318.14.

17 (b) The traffic enforcement officer shall be employed  
18 in relationship to a selective traffic enforcement program at  
19 a fixed location or as part of a crash investigation team at  
20 the scene of a vehicle crash or in other types of traffic  
21 infraction enforcement under the direction of a fully  
22 qualified law enforcement officer; however, it is not  
23 necessary that the traffic infraction enforcement officer's  
24 duties be performed under the immediate supervision of a fully  
25 qualified law enforcement officer.

26 (c) This subsection does not permit the carrying of  
27 firearms or other weapons, nor do traffic infraction  
28 enforcement officers have arrest authority other than the  
29 authority to issue a traffic citation as provided in this  
30 subsection.

31

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

11           (7) CONSTRUCTION OF CHAPTER 87-88, LAWS OF  
12 FLORIDA.--For purposes of traffic control and enforcement,  
13 nothing in chapter 87-88, Laws of Florida, shall be construed  
14 to classify any road which has been dedicated or impliedly  
15 dedicated for public use, and which has been constructed and  
16 is open to the use of the public for vehicular traffic, as a  
17 private road or driveway.

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

23           Section 14. This act shall take effect July 1, 2001.  
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