

By Senator Klein

28-203-02

See HB

1                                   A bill to be entitled  
2           An act relating to traffic control and safety  
3           programs; amending s. 318.21, F.S.; authorizing  
4           municipalities and counties to impose a  
5           surcharge on civil penalties for traffic  
6           infractions to fund traffic control and safety  
7           programs; prohibiting the levying of said  
8           surcharge on traffic infractions occurring on  
9           interstate highways; requiring a referendum;  
10          requiring the proceeds from such surcharge to  
11          be deposited in a qualified public depository;  
12          providing for use of such funds; providing for  
13          applicability; requiring reports; providing an  
14          effective date.

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

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18           Section 1. Subsection (12) is added to section 318.21,  
19 Florida Statutes, as amended by section 11 of chapter  
20 2001-122, Laws of Florida, to read:

21           318.21 Disposition of civil penalties by county  
22 courts.--All civil penalties received by a county court  
23 pursuant to the provisions of this chapter shall be  
24 distributed and paid monthly as follows:

25           (12)(a) A municipality or county may, by majority vote  
26 of the governing board of the municipality or county, impose a  
27 surcharge of not more than \$5 on the amount of civil penalties  
28 required under s. 318.18 for traffic infractions for the  
29 purposes of funding residential traffic calming programs,  
30 crossing guards in school zones, and police monitoring in  
31 school zones. The surcharge may not be levied on traffic

1 infractions occurring on interstate highways. The surcharge  
2 must be approved by a majority of the qualified electors  
3 within the jurisdiction of the municipality or county voting  
4 in a duly held referendum.

5 (b) The proceeds of this surcharge shall be used only  
6 for the purposes specified in this subsection and shall be  
7 deposited in a separate fund established with a qualified  
8 public depository as defined in s. 280.02.

9 (c) This subsection shall apply only to counties with  
10 a population of 1 million or more and municipalities within  
11 such counties.

12 (d) A municipality or county that imposes such  
13 surcharge shall submit a report to the Department of Highway  
14 Safety and Motor Vehicles by November 1 of each year showing  
15 the amount of moneys collected and used in the previous fiscal  
16 year to fund the traffic control and safety programs specified  
17 in paragraph (a).

18 (e) The Department of Highway Safety and Motor  
19 Vehicles shall compile all statistics relating to the  
20 municipal and county traffic control and safety programs and  
21 submit a report summarizing the efficacy of such programs to  
22 the President of the Senate and the Speaker of the House of  
23 Representatives by December 15 of each year.

24 Section 2. This act shall take effect upon becoming a  
25 law.

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LEGISLATIVE SUMMARY

Authorizes municipalities and counties to impose a surcharge on civil penalties for traffic infractions to fund traffic control and safety programs. Prohibits the levying of said surcharge on traffic infractions occurring on interstate highways. Requires a referendum. Requires the proceeds from such surcharge to be deposited in a qualified public depository. Provides for use of such funds. Provides for applicability. Requires reports.