



CHAMBER ACTION

The Committee on Transportation recommends the following:

Committee Substitute

Remove the entire bill and insert:

A bill to be entitled

An act relating to truck safety; amending s. 316.302, F.S.; revising provisions for exemption from specified notification requirements for commercial motor vehicles carrying hazardous materials; incorporating specified federal regulations; updating regulations and rules applicable to certain commercial motor vehicle owners and drivers; specifying ownership identification requirements for certain commercial motor carriers; providing penalties for violation of such requirements; providing for compliance reviews; deleting obsolete references; amending s. 316.3025, F.S.; correcting references; revising penalty provisions for specified violations; providing penalties for specified violations and noncompliance by certain commercial motor carriers; amending s. 316.3026, F.S.; providing the Office of Motor Carrier Compliance authority to issue out-of-service orders to certain commercial motor carriers; providing procedures; providing penalties for failure to comply; amending s. 316.515, F.S.; revising



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29 truck length limitations for described semitrailers under
30 specified circumstances; amending s. 316.545, F.S.;
31 providing that certain penalties shall be a lien on the
32 vehicle; adding a cross reference; deleting specified
33 receipt requirement; authorizing weight inspectors to
34 detain described vehicles under specified circumstances;
35 authorizing said inspectors to contact a law enforcement
36 officer; amending s. 316.640, F.S.; revising provisions
37 relating to law enforcement authority; repealing s.
38 316.3027, F.S., relating to identification required on
39 commercial motor vehicles; repealing s. 316.610(3), F.S.,
40 relating to inspection of vehicles; amending s. 316.1937,
41 F.S.; correcting a cross reference; providing an effective
42 date.

43

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

45

46 Section 1. Paragraph (b) of subsection (1), paragraphs
47 (a), (b), (c), (d), (e), (f), and (j) of subsection (2), and
48 subsection (5) of section 316.302, Florida Statutes, are amended
49 to read:

50 316.302 Commercial motor vehicles; safety regulations;
51 transporters and shippers of hazardous materials; enforcement.--

52 (1)

53 (b) Except as otherwise provided in this section, all
54 owners or drivers of commercial motor vehicles that are engaged
55 in intrastate commerce are subject to the rules and regulations
56 contained in 49 C.F.R. parts 382, 385, and 390-397, with the



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57 | exception of 49 C.F.R. s. 390.5 as it relates to the definition
58 | of bus, as such rules and regulations existed on October 1, 2002
59 | ~~2001~~.

60 | (2)(a) A person who operates a commercial motor vehicle
61 | solely in intrastate commerce not transporting any hazardous
62 | material in amounts that require placarding pursuant to 49
63 | C.F.R. part 172 need not comply with 49 C.F.R. ss. 391.11(b)(1)
64 | and 395.3(a) and (b).

65 | (b) A person who operates a commercial motor vehicle
66 | solely in intrastate commerce not transporting any hazardous
67 | material in amounts that require placarding pursuant to 49
68 | C.F.R. part 172 is exempt from 49 C.F.R. s. 395.3(a) and (b) and
69 | may, after 8 hours' rest, and following the required initial
70 | motor vehicle inspection, be permitted to drive any part of the
71 | first 15 on-duty hours in any 24-hour period, but may not be
72 | permitted to operate a commercial motor vehicle after that until
73 | the requirement of another 8 hours' rest has been fulfilled. The
74 | provisions of this paragraph do not apply to drivers of public
75 | utility vehicles or authorized emergency vehicles during periods
76 | of severe weather or other emergencies.

77 | (c) A person who operates a commercial motor vehicle
78 | solely in intrastate commerce not transporting any hazardous
79 | material in amounts that require placarding pursuant to 49
80 | C.F.R. part 172 may not be on duty more than 72 hours in any
81 | period of 7 consecutive days, but carriers operating every day
82 | in a week may permit drivers to remain on duty for a total of
83 | not more than 84 hours in any period of 8 consecutive days;
84 | however, 24 consecutive hours off duty shall constitute the end



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85 of any such period of 7 or 8 consecutive days. This weekly limit
86 does not apply to a person who operates a commercial motor
87 vehicle solely within this state while transporting, during
88 harvest periods, any unprocessed agricultural products that are
89 subject to seasonal harvesting from place of harvest to the
90 first place of processing or storage or from place of harvest
91 directly to market. Upon request of the Department of
92 Transportation, motor carriers shall furnish time records or
93 other written verification to that department so that the
94 Department of Transportation can determine compliance with this
95 subsection. These time records must be furnished to the
96 Department of Transportation within 10 days after receipt of
97 that department's request. Falsification of such information is
98 subject to a civil penalty not to exceed \$100. The provisions of
99 this paragraph do not apply to drivers of public utility
100 vehicles or authorized emergency vehicles during periods of
101 severe weather or other emergencies.

102 (d) A person who operates a commercial motor vehicle
103 solely in intrastate commerce not transporting any hazardous
104 material in amounts that require placarding pursuant to 49
105 C.F.R. part 172 within a 200 air-mile radius of the location
106 where the vehicle is based need not comply with 49 C.F.R. s.
107 395.8, except that time records shall be maintained as
108 prescribed in 49 C.F.R. s. 395.1(e)(5).

109 (e) A person who operates a commercial motor vehicle
110 solely in intrastate commerce is exempt from subsection(1) while
111 transporting agricultural products, including horticultural or
112 forestry products, from farm or harvest place to the first place



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113 of processing or storage, or from farm or harvest place directly
114 to market. However, such person must comply with 49 C.F.R. parts
115 382, 392, and 393, and with 49 C.F.R. ss. 396.3(a)(1) and 396.9.
116 A vehicle or combination of vehicles operated pursuant to this
117 paragraph that has a gross vehicle weight of 26,001 pounds or
118 more or has three or more axles on the power unit regardless of
119 weight must display the name of the vehicle owner or motor
120 carrier and the city or town where the vehicle is based on each
121 side of the power unit in letters that contrast with the
122 background and are readable from a distance of 50 feet. A
123 violation of this vehicle identification requirement may be
124 assessed a penalty as provided in s. 316.3025(3)(a).

125 (f) A person who operates a commercial motor vehicle
126 having a declared gross vehicle weight of less than 26,000
127 pounds solely in intrastate commerce and who is not transporting
128 hazardous materials in amounts that require placarding pursuant
129 to 49 C.F.R. part 172, or who is transporting petroleum products
130 as defined in s. 376.301(31), is exempt from subsection (1).
131 However, such person must comply with 49 C.F.R. parts 382, 392,
132 and 393, and with 49 C.F.R. ss. 396.3(a)(1) and 396.9.

133 (j) A person who is otherwise qualified as a driver under
134 49 C.F.R. part 391, and who operates a commercial motor vehicle
135 in intrastate commerce only, and who does not transport
136 hazardous materials in amounts that require placarding pursuant
137 to 49 C.F.R. part 172, shall be exempt from the requirements of
138 49 C.F.R. part 391, subpart E, ss. 391.41(b)(3) and 391.43(e),
139 relating to diabetes.



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140 (5) The Department of Transportation may adopt and revise
141 rules to assure the safe operation of commercial motor vehicles.
142 The Department of Transportation may enter into cooperative
143 agreements as provided in 49 C.F.R. part 388. Department of
144 Transportation personnel may conduct motor carrier and shipper
145 compliance reviews ~~terminal audits only~~ for the purpose of
146 determining compliance with this section ~~49 C.F.R. parts 171,~~
147 ~~172, 173, 177, 178, 180, 382, 391, 393, 396, and 397; 49 C.F.R.~~
148 ~~s. 395.1(e)(5);~~ and s. 627.7415.

149 Section 2. Section 316.3025, Florida Statutes, is amended
150 to read:

151 316.3025 Penalties.--

152 (1) A commercial motor vehicle that is found to be
153 operating in such an unsafe condition as to be declared out-of-
154 service or a driver declared out-of-service or removed from
155 driving status pursuant to the North American Standard ~~Uniform~~
156 Out-of-Service Criteria must be repaired or returned to driving
157 status before being returned to service.

158 (2) Any person who owns, operates, or causes or permits a
159 commercial motor vehicle that has been declared out-of-service
160 pursuant to the North American Standard ~~Uniform~~ Out-of-Service
161 Criteria to be driven before the completion of required repairs
162 is subject to the imposition of a penalty as provided in 49
163 C.F.R. s. 383.53, in addition to any other penalties imposed
164 against him or her. Any person who operates a commercial motor
165 vehicle while he or she is declared out-of-service or removed
166 from driving status pursuant to the North American Standard
167 ~~Uniform~~ Out-of-Service Criteria, or who causes or permits such



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168 out-of-service driver to operate a commercial motor vehicle, is
 169 subject to the imposition of a penalty as provided in 49 C.F.R.
 170 s. 383.53, in addition to any other penalties imposed against
 171 the person.

172 (3)(a) A civil penalty of \$50 may be assessed for a
 173 violation of the identification requirements of 49 C.F.R. s.
 174 390.21 or s. 316.302(2)(e).

175 (b) A civil penalty of \$100 may be assessed for:

176 1. Each violation of the North American Standard Uniform
 177 Driver Out-of-Service Criteria;

178 2. A violation of s. 316.302(2)(b) or (c); ~~or~~

179 3. A violation of 49 C.F.R. s. 392.60; or

180 4. Each vehicle declared out-of-service pursuant to the
 181 North American Standard Vehicle Out-of-Service Criteria
 182 resulting from an inspection of a commercial vehicle involved in
 183 a crash.

184 (c) A civil penalty of \$250 may be assessed for:

185 1. A violation of the placarding requirements of 49 C.F.R.
 186 parts 171-179;

187 2. A violation of the shipping paper requirements of 49
 188 C.F.R. parts 171-179;

189 3. A violation of 49 C.F.R. s. 392.10;

190 4. A violation of 49 C.F.R. s. 397.5;

191 5. A violation of 49 C.F.R. s. 397.7;

192 6. A violation of 49 C.F.R. s. 397.13; or

193 7. A violation of 49 C.F.R. s. 397.15.

194 (d) A civil penalty of \$500 may be assessed for:



195 1. Each violation of the North American Standard Hazardous
196 Materials Out-of-Service Criteria.

197 2. Each violation of 49 C.F.R. s. 390.19, for failure of
198 an interstate or intrastate motor carrier to register.

199 3. Each violation of 49 C.F.R. s. 392.9a, for failure of
200 an interstate motor carrier to obtain operating authority.

201 4. Each violation of 49 C.F.R. s. 392.9a, for operating
202 beyond the scope of an interstate motor carrier's operating
203 authority ~~each violation of the North American Uniform Hazardous~~
204 ~~Materials Out-of-Service Criteria.~~

205 (e) A civil penalty not to exceed \$5,000 in the aggregate
206 may be assessed for violations found in the conduct of
207 compliance reviews ~~terminal audits~~ pursuant to s. 316.302(5). A
208 civil penalty not to exceed \$25,000 in the aggregate may be
209 assessed for violations found in a followup compliance review
210 conducted within a 24-month period. A civil penalty not to
211 exceed \$25,000 in the aggregate may be assessed and the motor
212 carrier may be enjoined pursuant to s. 316.3026 for violations
213 found after a second followup compliance review is conducted
214 within 12 months of the first followup compliance review. Motor
215 carriers found to be operating without insurance required by s.
216 627.7415 may be enjoined as provided in s. 316.3026.

217 (4) A vehicle operated by an interstate motor carrier
218 found to be in violation of 49 C.F.R. s. 392.9a may be placed
219 out-of-service for the carrier's failure to obtain operating
220 authority or operating beyond the scope of its operating
221 authority.



222 (5)~~(4)~~ Whenever any person or motor carrier as defined in
 223 chapter 320 violates the provisions of this section and becomes
 224 indebted to the state because of such violation and refuses to
 225 pay the appropriate penalty, in addition to the provisions of s.
 226 316.3026, such ~~the~~ penalty becomes a lien upon the property
 227 including the motor vehicles of such person or motor carrier and
 228 may be foreclosed by the state in a civil action in any court of
 229 this state. It shall be presumed that the owner of the motor
 230 vehicle is liable for the sum, and the vehicle may be detained
 231 or impounded until the penalty is paid.

232 (6)~~(5)~~(a) ~~Any officer or agent collecting the penalties~~
 233 ~~imposed pursuant to this section shall give to the owner, motor~~
 234 ~~carrier, or driver of the vehicle an official receipt for all~~
 235 ~~penalties collected from him or her.~~ Only an officer or agent of
 236 the Department of Transportation is authorized to collect the
 237 penalty provided by this section. Such officer or agent shall
 238 cooperate with the owner or driver of the motor vehicle so as
 239 not to unduly delay the vehicle.

240 (b) All penalties imposed and collected under this section
 241 ~~by any state agency having jurisdiction~~ shall be paid to the
 242 Treasurer, who shall credit the total amount collected to the
 243 State Transportation Trust Fund for use in repairing and
 244 maintaining the roads of this state.

245 (7)~~(6)~~ Any person aggrieved by the imposition of a civil
 246 penalty pursuant to this section may apply to the Commercial
 247 Motor Vehicle Review Board for a modification, cancellation, or
 248 revocation of the penalty. The Commercial Motor Vehicle Review
 249 Board may modify, cancel, revoke, or sustain such penalty.



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250 Section 3. Section 316.3026, Florida Statutes, is amended
251 to read:

252 316.3026 Unlawful operation of motor carriers ~~may be~~
253 ~~enjoined.~~ --

254 (1) The Office of Motor Carrier Compliance within the
255 Department of Transportation may issue out-of-service orders to
256 motor carriers as defined in s. 320.01(33) who have, after
257 proper notice, failed to pay any penalty or fine assessed by the
258 department or its duly appointed agent against any owner or
259 motor carrier for violations of law, for the refusal to submit
260 to a compliance review and provide records pursuant to s.
261 316.302(5) or s. 316.70, or for being in violation of safety
262 regulations pursuant to s. 316.302 or insurance requirements
263 pursuant to s. 627.7415. Such out-of-service orders shall have
264 the effect of prohibiting the operations of any motor vehicles
265 owned, leased, or otherwise operated by the motor carrier upon
266 the roadways of this state, until such time as the violations
267 have been corrected and any penalties have been paid. Out-of-
268 service orders issued under this section must be approved by the
269 Secretary of Transportation or his or her designee. An
270 administrative hearing pursuant to s. 120.569 shall be afforded
271 to motor carriers subject to such orders.

272 (2) Any motor carrier enjoined or prohibited from
273 operating by an out-of-service order by this state, any other
274 state, or the Federal Motor Carrier Safety Administration is
275 prohibited from operating on the roadways of this state until
276 such time as the motor carrier has been authorized to resume
277 operations by the originating enforcement jurisdiction.



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278 Commercial motor vehicles owned or operated by any motor carrier
279 prohibited from operation found on the roadways of this state
280 shall be placed out of service by law enforcement officers of
281 the Department of Transportation, and the motor carrier shall be
282 assessed a \$10,000 civil penalty pursuant to 49 C.F.R. s.
283 383.53, in addition to any other penalties imposed on the driver
284 or other responsible person. Any person who knowingly drives,
285 operates, or causes to be operated any commercial motor vehicle
286 in violation of an out-of-service order issued by the department
287 in accordance with this section commits a felony of the third
288 degree, punishable as provided in s. 775.082(3)(d). Any costs
289 associated with the impoundment or storage of such vehicles are
290 the responsibility of the motor carrier. Vehicle out-of-service
291 orders may be rescinded when the department has received proof
292 of authorization for the motor carrier to resume operation.

293 (3) In addition to the sanctions found in subsections (1)
294 and (2), the Department of Transportation may petition the
295 circuit courts of this state to enjoin any motor carrier from
296 operating when it fails to comply with out-of-service orders
297 issued by a competent authority within or outside of this state
298 ~~Any motor carrier which operates a commercial motor vehicle upon~~
299 ~~the highways of this state in violation of the provisions of~~
300 ~~this chapter may be enjoined by the courts of this state from~~
301 ~~any such violation. Such injunctive proceeding may be instituted~~
302 ~~by the Department of Transportation.~~

303 Section 4. Paragraph (b) of subsection (3) of section
304 316.515, Florida Statutes, is amended to read:

305 316.515 Maximum width, height, length.--



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306 (3) LENGTH LIMITATION.--

307 (b) Semitrailers.--

308 1. A semitrailer operating in a truck tractor-semitrailer
309 combination may not exceed 48 feet in extreme overall outside
310 dimension, measured from the front of the unit to the rear of
311 the unit and the load carried thereon, exclusive of safety and
312 energy conservation devices approved by the department for use
313 on vehicles using public roads, unless it complies with
314 subparagraph 2. A semitrailer which exceeds 48 feet in length
315 and is used to transport divisible loads may operate in this
316 state only if issued a permit under s. 316.550 and if such
317 trailer meets the requirements of this chapter relating to
318 vehicle equipment and safety. Except for highways on the tandem
319 trailer truck highway network, public roads deemed unsafe for
320 longer semitrailer vehicles or those roads on which such longer
321 vehicles are determined not to be in the interest of public
322 convenience shall, in conformance with s. 316.006, be restricted
323 by the Department of Transportation or by the local authority to
324 use by semitrailers not exceeding a length of 48 feet, inclusive
325 of the load carried thereon but exclusive of safety and energy
326 conservation devices approved by the department for use on
327 vehicles using public roads. Truck tractor-semitrailer
328 combinations shall be afforded reasonable access to terminals;
329 facilities for food, fuel, repairs, and rest; and points of
330 loading and unloading.

331 2. A semitrailer which is more than 48 feet but not more
332 than 53 feet in extreme overall outside dimension, as measured
333 pursuant to subparagraph 1., may operate on public roads, except



334 roads on the State Highway System which are restricted by the
 335 Department of Transportation or other roads restricted by local
 336 authorities, if:

337 a. The distance between the kingpin or other peg which
 338 locks into the fifth wheel of a truck tractor and the center of
 339 the rear axle or rear group of axles does not exceed 41 feet or,
 340 in the case of a semitrailer used exclusively or primarily to
 341 transport vehicles in connection with motorsports competition
 342 events, the distance does not exceed 46 feet from the kingpin to
 343 the center of the rear axles; and

344 b. It is equipped with a substantial rear-end underride
 345 protection device meeting the requirements of 49 C.F.R. s.
 346 393.86, "Rear End Protection."

347 Section 5. Subsections (5), (6), and (10) of section
 348 316.545, Florida Statutes, are amended to read:

349 316.545 Weight and load unlawful; special fuel and motor
 350 fuel tax enforcement; inspection; penalty; review.--

351 (5) Whenever any person violates the provisions of this
 352 chapter and becomes indebted to the state because of such
 353 violation in the amounts aforesaid and refuses to pay said
 354 penalty, in addition to the provisions of s. 316.3026, such
 355 penalty shall become a lien upon the motor vehicle, and the same
 356 may be foreclosed by the state in a court of equity. It shall be
 357 presumed that the owner of the motor vehicle is liable for the
 358 sum. Any person, firm, or corporation claiming an interest in
 359 the seized motor vehicle may, at any time after the lien of the
 360 state attaches to the motor vehicle, obtain possession of the
 361 seized vehicle by filing a good and sufficient forthcoming bond



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362 with the officer having possession of the vehicle, payable to
363 the Governor of the state in twice the amount of the state's
364 lien, with a corporate surety duly authorized to transact
365 business in this state as surety, conditioned to have the motor
366 vehicle or combination of vehicles forthcoming to abide the
367 result of any suit for the foreclosure of such lien. It shall be
368 presumed that the owner of the motor vehicle is liable for the
369 penalty imposed under this section. Upon the posting of such
370 bond with the officer making the seizure, the vehicle shall be
371 released and the bond shall be forwarded to the Department of
372 Transportation for safekeeping. The lien of the state against
373 the motor vehicle aforesaid shall be foreclosed in equity, and
374 the ordinary rules of court relative to proceedings in equity
375 shall control. If it appears that the seized vehicle has been
376 released to the defendant upon his or her forthcoming bond, the
377 state shall take judgment of foreclosure against the property
378 itself, and judgment against the defendant and the sureties on
379 the bond for the amount of the lien, including cost of
380 proceedings. After the rendition of the decree, the state may,
381 at its option, proceed to sue out execution against the
382 defendant and his or her sureties for the amount recovered as
383 aforesaid or direct the sale of the vehicle under foreclosure.

384 (6) Any officer or agent collecting the penalties herein
385 imposed shall ~~give to the owner or driver of the vehicle an~~
386 ~~official receipt for all penalties collected. Such officers or~~
387 ~~agents of the state departments shall~~ cooperate with the owners
388 or drivers of motor vehicles so as not to delay unduly the
389 vehicles. All penalties imposed and collected under this section



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390 by any state agency having jurisdiction shall be paid to the
391 Treasurer, who shall credit the total amount thereof to the
392 State Transportation Trust Fund, which shall be used to repair
393 and maintain the roads of this state and to enforce this
394 section.

395 (10) The Department of Transportation may employ weight
396 inspectors to operate its fixed-scale facilities. Weight
397 inspectors on duty at a fixed-scale facility are authorized to
398 enforce the laws governing commercial motor vehicle weight,
399 registration, size, and load and to assess and collect civil
400 penalties for violations of said laws. A weight inspector may
401 detain a commercial motor vehicle that has an obvious safety
402 defect critical to the continued safe operation of the vehicle,
403 or which is operating in violation of an out-of-service order as
404 reported on the Federal Safety and Fitness Electronic Records
405 database. The weight inspector may immediately summon a law
406 enforcement officer of the Department of Transportation, or
407 another law enforcement officer authorized under s. 316.640 to
408 enforce the traffic laws of this state, to take appropriate
409 enforcement action. The vehicle shall be released if the defect
410 is repaired prior to the arrival of a law enforcement officer.
411 Weight inspectors shall not be classified as law enforcement
412 officers subject to certification requirements of chapter 943,
413 and are not authorized to carry weapons or make arrests. Any
414 person who obstructs, opposes, or resists a weight inspector in
415 the performance of the duties herein prescribed shall be guilty
416 of an offense as described in subsection(1) for obstructing,
417 opposing, or resisting a law enforcement officer.



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418 Section 6. Paragraph (a) of subsection (1) of section
419 316.640, Florida Statutes, is amended to read:

420 316.640 Enforcement.--The enforcement of the traffic laws
421 of this state is vested as follows:

422 (1) STATE.--

423 (a)1.a. The Division of Florida Highway Patrol of the
424 Department of Highway Safety and Motor Vehicles, the Division of
425 Law Enforcement of the Fish and Wildlife Conservation
426 Commission, the Division of Law Enforcement of the Department of
427 Environmental Protection, and law enforcement officers of the
428 Department of Transportation each have authority to enforce all
429 of the traffic laws of this state on all the streets and
430 highways thereof and elsewhere throughout the state wherever the
431 public has a right to travel by motor vehicle. ~~The Division of
432 the Florida Highway Patrol may employ as a traffic accident
433 investigation officer any individual who successfully completes
434 instruction in traffic accident investigation and court
435 presentation through the Selective Traffic Enforcement Program
436 as approved by the Criminal Justice Standards and Training
437 Commission and funded through the National Highway Traffic
438 Safety Administration or a similar program approved by the
439 commission, but who does not necessarily meet the uniform
440 minimum standards established by the commission for law
441 enforcement officers or auxiliary law enforcement officers under
442 chapter 943. Any such traffic accident investigation officer who
443 makes an investigation at the scene of a traffic accident may
444 issue traffic citations, based upon personal investigation, when
445 he or she has reasonable and probable grounds to believe that a~~



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446 ~~person who was involved in the accident committed an offense~~
447 ~~under this chapter, chapter 319, chapter 320, or chapter 322 in~~
448 ~~connection with the accident. This paragraph does not permit the~~
449 ~~carrying of firearms or other weapons, nor do such officers have~~
450 ~~arrest authority.~~

451 b. University police officers shall have authority to
452 enforce all of the traffic laws of this state when such
453 violations occur on or about any property or facilities that are
454 under the guidance, supervision, regulation, or control of a
455 state university, a direct-support organization of such state
456 university, or any other organization controlled by the state
457 university or a direct-support organization of the state
458 university, except that traffic laws may be enforced off-campus
459 when hot pursuit originates on or adjacent to any such property
460 or facilities.

461 c. Community college police officers shall have the
462 authority to enforce all the traffic laws of this state only
463 when such violations occur on any property or facilities that
464 are under the guidance, supervision, regulation, or control of
465 the community college system.

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

470 (I) An airport authority may employ as a parking
471 enforcement specialist any individual who successfully completes
472 a training program established and approved by the Criminal
473 Justice Standards and Training Commission for parking



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474 enforcement specialists but who does not otherwise meet the
475 uniform minimum standards established by the commission for law
476 enforcement officers or auxiliary or part-time officers under s.
477 943.12. Nothing in this sub-sub-subparagraph shall be construed
478 to permit the carrying of firearms or other weapons, nor shall
479 such parking enforcement specialist have arrest authority.

480 (II) A parking enforcement specialist employed by an
481 airport authority is authorized to enforce all state, county,
482 and municipal laws and ordinances governing parking only when
483 such violations are on property or facilities owned or operated
484 by the airport authority employing the specialist, by
485 appropriate state, county, or municipal traffic citation.

486 e. The Office of Agricultural Law Enforcement of the
487 Department of Agriculture and Consumer Services shall have the
488 authority to enforce traffic laws of this state.

489 f. School safety officers shall have the authority to
490 enforce all of the traffic laws of this state when such
491 violations occur on or about any property or facilities which
492 are under the guidance, supervision, regulation, or control of
493 the district school board.

494 g. The Division of the Florida Highway Patrol may employ
495 as a traffic accident investigation officer any individual who
496 successfully completes instruction in traffic accident
497 investigation and court presentation through the Selective
498 Traffic Enforcement Program as approved by the Criminal Justice
499 Standards and Training Commission and funded through the
500 National Highway Traffic Safety Administration or a similar
501 program approved by the commission, but who does not necessarily



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502 meet the uniform minimum standards established by the commission
503 for law enforcement officers or auxiliary law enforcement
504 officers under chapter 943. Any such traffic accident
505 investigation officer who makes an investigation at the scene of
506 a traffic accident may issue traffic citations, based upon
507 personal investigation, when he or she has reasonable and
508 probable grounds to believe that a person who was involved in
509 the accident committed an offense under this chapter, chapter
510 319, chapter 320, or chapter 322 in connection with the
511 accident. This sub-subparagraph does not permit the carrying of
512 firearms or other weapons, nor do such officers have arrest
513 authority.

514 2. An agency of the state as described in subparagraph 1.
515 is prohibited from establishing a traffic citation quota. A
516 violation of this subparagraph is not subject to the penalties
517 provided in chapter 318.

518 3. Any disciplinary action taken or performance evaluation
519 conducted by an agency of the state as described in subparagraph
520 1. of a law enforcement officer's traffic enforcement activity
521 must be in accordance with written work-performance standards.
522 Such standards must be approved by the agency and any collective
523 bargaining unit representing such law enforcement officer. A
524 violation of this subparagraph is not subject to the penalties
525 provided in chapter 318.

526 Section 7. Section 316.3027, Florida Statutes, and
527 subsection (3) of section 316.610, Florida Statutes, are
528 repealed.



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529 Section 8. Paragraph (b) of subsection (5) of section
530 316.1937, Florida Statutes, is amended to read:

531 316.1937 Ignition interlock devices, requiring; unlawful
532 acts.--

533 (5)

534 (b) Any person convicted of a violation of subsection(6)
535 who does not have a driver's license shall, in addition to any
536 other penalty provided by law, pay a fine of not less than \$250
537 or more than \$500 per each such violation. In the event that the
538 person is unable to pay any such fine, the fine shall become a
539 lien against the motor vehicle used in violation of subsection
540 (6) and payment shall be made pursuant to s. 316.3025(5)~~(4)~~.

541 Section 9. This act shall take effect upon becoming a law.