



1                   A bill to be entitled  
2           An act relating to truck safety; amending s. 316.302,  
3           F.S.; revising provisions for exemption from specified  
4           notification requirements for commercial motor vehicles  
5           carrying hazardous materials; incorporating specified  
6           federal regulations; updating regulations and rules  
7           applicable to certain commercial motor vehicle owners and  
8           drivers; specifying ownership identification requirements  
9           for certain commercial motor carriers; providing penalties  
10          for violation of such requirements; providing for  
11          compliance reviews; deleting obsolete references; amending  
12          s. 316.3025, F.S.; correcting references; revising penalty  
13          provisions for specified violations; providing penalties  
14          for specified violations and noncompliance by certain  
15          commercial motor carriers; amending s. 316.3026, F.S.;  
16          providing the Office of Motor Carrier Compliance authority  
17          to issue out-of-service orders to certain commercial motor  
18          carriers; providing procedures; providing penalties for  
19          failure to comply; amending s. 316.515, F.S.; revising  
20          truck length limitations for described semitrailers under  
21          specified circumstances; amending s. 316.545, F.S.;  
22          providing that certain penalties shall be a lien on the  
23          vehicle; adding a cross reference; deleting specified  
24          receipt requirement; authorizing weight inspectors to  
25          detain described vehicles under specified circumstances;  
26          authorizing said inspectors to contact a law enforcement  
27          officer; amending s. 316.640, F.S.; revising provisions  
28          relating to law enforcement authority; repealing s.



29 316.3027, F.S., relating to identification required on  
 30 commercial motor vehicles; repealing s. 316.610(3), F.S.,  
 31 relating to inspection of vehicles; amending s. 316.1937,  
 32 F.S.; correcting a cross reference; providing an effective  
 33 date.

34

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

36

37 Section 1. Paragraph (b) of subsection (1), paragraphs  
 38 (a), (b), (c), (d), (e), (f), and (j) of subsection (2), and  
 39 subsection (5) of section 316.302, Florida Statutes, are amended  
 40 to read:

41 316.302 Commercial motor vehicles; safety regulations;  
 42 transporters and shippers of hazardous materials; enforcement.--

43 (1)

44 (b) Except as otherwise provided in this section, all  
 45 owners or drivers of commercial motor vehicles that are engaged  
 46 in intrastate commerce are subject to the rules and regulations  
 47 contained in 49 C.F.R. parts 382, 385, and 390-397, with the  
 48 exception of 49 C.F.R. s. 390.5 as it relates to the definition  
 49 of bus, as such rules and regulations existed on October 1, 2002  
 50 ~~2001~~.

51 (2)(a) A person who operates a commercial motor vehicle  
 52 solely in intrastate commerce not transporting any hazardous  
 53 material in amounts that require placarding pursuant to 49  
 54 C.F.R. part 172 need not comply with 49 C.F.R. ss. 391.11(b)(1)  
 55 and 395.3(a) and (b).



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

68 (c) A person who operates a commercial motor vehicle  
69 solely in intrastate commerce not transporting any hazardous  
70 material in amounts that require placarding pursuant to 49  
71 C.F.R. part 172 may not be on duty more than 72 hours in any  
72 period of 7 consecutive days, but carriers operating every day  
73 in a week may permit drivers to remain on duty for a total of  
74 not more than 84 hours in any period of 8 consecutive days;  
75 however, 24 consecutive hours off duty shall constitute the end  
76 of any such period of 7 or 8 consecutive days. This weekly limit  
77 does not apply to a person who operates a commercial motor  
78 vehicle solely within this state while transporting, during  
79 harvest periods, any unprocessed agricultural products that are  
80 subject to seasonal harvesting from place of harvest to the  
81 first place of processing or storage or from place of harvest  
82 directly to market. Upon request of the Department of  
83 Transportation, motor carriers shall furnish time records or



84 other written verification to that department so that the  
85 Department of Transportation can determine compliance with this  
86 subsection. These time records must be furnished to the  
87 Department of Transportation within 10 days after receipt of  
88 that department's request. Falsification of such information is  
89 subject to a civil penalty not to exceed \$100. The provisions of  
90 this paragraph do not apply to drivers of public utility  
91 vehicles or authorized emergency vehicles during periods of  
92 severe weather or other emergencies.

93 (d) A person who operates a commercial motor vehicle  
94 solely in intrastate commerce not transporting any hazardous  
95 material in amounts that require placarding pursuant to 49  
96 C.F.R. part 172 within a 200 air-mile radius of the location  
97 where the vehicle is based need not comply with 49 C.F.R. s.  
98 395.8, except that time records shall be maintained as  
99 prescribed in 49 C.F.R. s. 395.1(e)(5).

100 (e) A person who operates a commercial motor vehicle  
101 solely in intrastate commerce is exempt from subsection(1) while  
102 transporting agricultural products, including horticultural or  
103 forestry products, from farm or harvest place to the first place  
104 of processing or storage, or from farm or harvest place directly  
105 to market. However, such person must comply with 49 C.F.R. parts  
106 382, 392, and 393, and with 49 C.F.R. ss. 396.3(a)(1) and 396.9.  
107 A vehicle or combination of vehicles operated pursuant to this  
108 paragraph that has a gross vehicle weight of 26,001 pounds or  
109 more or has three or more axles on the power unit regardless of  
110 weight must display the name of the vehicle owner or motor  
111 carrier and the city or town where the vehicle is based on each



112 side of the power unit in letters that contrast with the  
113 background and are readable from a distance of 50 feet. A  
114 violation of this vehicle identification requirement may be  
115 assessed a penalty as provided in s. 316.3025(3)(a).

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

124 (j) A person who is otherwise qualified as a driver under  
125 49 C.F.R. part 391, and who operates a commercial motor vehicle  
126 in intrastate commerce only, and who does not transport  
127 hazardous materials in amounts that require placarding pursuant  
128 to 49 C.F.R. part 172, shall be exempt from the requirements of  
129 49 C.F.R. part 391, subpart E, ss. 391.41(b)(3) and 391.43(e),  
130 relating to diabetes.

131 (5) The Department of Transportation may adopt and revise  
132 rules to assure the safe operation of commercial motor vehicles.  
133 The Department of Transportation may enter into cooperative  
134 agreements as provided in 49 C.F.R. part 388. Department of  
135 Transportation personnel may conduct motor carrier and shipper  
136 compliance reviews ~~terminal audits only~~ for the purpose of  
137 determining compliance with this section ~~49 C.F.R. parts 171,~~  
138 ~~172, 173, 177, 178, 180, 382, 391, 393, 396, and 397; 49 C.F.R.~~  
139 ~~s. 395.1(e)(5);~~ and s. 627.7415.



140 Section 2. Section 316.3025, Florida Statutes, is amended  
141 to read:

142 316.3025 Penalties.--

143 (1) A commercial motor vehicle that is found to be  
144 operating in such an unsafe condition as to be declared out-of-  
145 service or a driver declared out-of-service or removed from  
146 driving status pursuant to the North American Standard Uniform  
147 Out-of-Service Criteria must be repaired or returned to driving  
148 status before being returned to service.

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

163 (3)(a) A civil penalty of \$50 may be assessed for a  
164 violation of the identification requirements of 49 C.F.R. s.  
165 390.21 or s. 316.302(2)(e).

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



- 167           1. Each violation of the North American Standard ~~Uniform~~  
 168 Driver Out-of-Service Criteria;
- 169           2. A violation of s. 316.302(2)(b) or (c); ~~or~~  
 170           3. A violation of 49 C.F.R. s. 392.60; or  
 171           4. Each vehicle declared out-of-service pursuant to the  
 172 North American Standard Vehicle Out-of-Service Criteria  
 173 resulting from an inspection of a commercial vehicle involved in  
 174 a crash.
- 175           (c) A civil penalty of \$250 may be assessed for:
- 176           1. A violation of the placarding requirements of 49 C.F.R.  
 177 parts 171-179;
- 178           2. A violation of the shipping paper requirements of 49  
 179 C.F.R. parts 171-179;
- 180           3. A violation of 49 C.F.R. s. 392.10;
- 181           4. A violation of 49 C.F.R. s. 397.5;
- 182           5. A violation of 49 C.F.R. s. 397.7;
- 183           6. A violation of 49 C.F.R. s. 397.13; or
- 184           7. A violation of 49 C.F.R. s. 397.15.
- 185           (d) A civil penalty of \$500 may be assessed for:
- 186           1. Each violation of the North American Standard Hazardous  
 187 Materials Out-of-Service Criteria.
- 188           2. Each violation of 49 C.F.R. s. 390.19, for failure of  
 189 an interstate or intrastate motor carrier to register.
- 190           3. Each violation of 49 C.F.R. s. 392.9a, for failure of  
 191 an interstate motor carrier to obtain operating authority.
- 192           4. Each violation of 49 C.F.R. s. 392.9a, for operating  
 193 beyond the scope of an interstate motor carrier's operating



194 authority ~~each violation of the North American Uniform Hazardous~~  
195 ~~Materials Out-of-Service Criteria.~~

196 (e) A civil penalty not to exceed \$5,000 in the aggregate  
197 may be assessed for violations found in the conduct of  
198 compliance reviews ~~terminal audits~~ pursuant to s. 316.302(5). A  
199 civil penalty not to exceed \$25,000 in the aggregate may be  
200 assessed for violations found in a followup compliance review  
201 conducted within a 24-month period. A civil penalty not to  
202 exceed \$25,000 in the aggregate may be assessed and the motor  
203 carrier may be enjoined pursuant to s. 316.3026 for violations  
204 found after a second followup compliance review is conducted  
205 within 12 months of the first followup compliance review. Motor  
206 carriers found to be operating without insurance required by s.  
207 627.7415 may be enjoined as provided in s. 316.3026.

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

213 (5)(4) Whenever any person or motor carrier as defined in  
214 chapter 320 violates the provisions of this section and becomes  
215 indebted to the state because of such violation and refuses to  
216 pay the appropriate penalty, in addition to the provisions of s.  
217 316.3026, such ~~the~~ penalty becomes a lien upon the property  
218 including the motor vehicles of such person or motor carrier and  
219 may be foreclosed by the state in a civil action in any court of  
220 this state. It shall be presumed that the owner of the motor





221 vehicle is liable for the sum, and the vehicle may be detained  
222 or impounded until the penalty is paid.

223 ~~(6)(5)(a) Any officer or agent collecting the penalties~~  
224 ~~imposed pursuant to this section shall give to the owner, motor~~  
225 ~~carrier, or driver of the vehicle an official receipt for all~~  
226 ~~penalties collected from him or her.~~ Only an officer or agent of  
227 the Department of Transportation is authorized to collect the  
228 penalty provided by this section. Such officer or agent shall  
229 cooperate with the owner or driver of the motor vehicle so as  
230 not to unduly delay the vehicle.

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

236 ~~(7)(6)~~ Any person aggrieved by the imposition of a civil  
237 penalty pursuant to this section may apply to the Commercial  
238 Motor Vehicle Review Board for a modification, cancellation, or  
239 revocation of the penalty. The Commercial Motor Vehicle Review  
240 Board may modify, cancel, revoke, or sustain such penalty.

241 Section 3. Section 316.3026, Florida Statutes, is amended  
242 to read:

243 316.3026 Unlawful operation of motor carriers ~~may be~~  
244 ~~enjoined.~~--

245 (1) The Office of Motor Carrier Compliance within the  
246 Department of Transportation may issue out-of-service orders to  
247 motor carriers as defined in s. 320.01(33) who have, after  
248 proper notice, failed to pay any penalty or fine assessed by the



249 department or its duly appointed agent against any owner or  
250 motor carrier for violations of law, for the refusal to submit  
251 to a compliance review and provide records pursuant to s.  
252 316.302(5) or s. 316.70, or for being in violation of safety  
253 regulations pursuant to s. 316.302 or insurance requirements  
254 pursuant to s. 627.7415. Such out-of-service orders shall have  
255 the effect of prohibiting the operations of any motor vehicles  
256 owned, leased, or otherwise operated by the motor carrier upon  
257 the roadways of this state, until such time as the violations  
258 have been corrected and any penalties have been paid. Out-of-  
259 service orders issued under this section must be approved by the  
260 Secretary of Transportation or his or her designee. An  
261 administrative hearing pursuant to s. 120.569 shall be afforded  
262 to motor carriers subject to such orders.

263 (2) Any motor carrier enjoined or prohibited from  
264 operating by an out-of-service order by this state, any other  
265 state, or the Federal Motor Carrier Safety Administration is  
266 prohibited from operating on the roadways of this state until  
267 such time as the motor carrier has been authorized to resume  
268 operations by the originating enforcement jurisdiction.  
269 Commercial motor vehicles owned or operated by any motor carrier  
270 prohibited from operation found on the roadways of this state  
271 shall be placed out of service by law enforcement officers of  
272 the Department of Transportation, and the motor carrier shall be  
273 assessed a \$10,000 civil penalty pursuant to 49 C.F.R. s.  
274 383.53, in addition to any other penalties imposed on the driver  
275 or other responsible person. Any person who knowingly drives,  
276 operates, or causes to be operated any commercial motor vehicle



277 in violation of an out-of-service order issued by the department  
278 in accordance with this section commits a felony of the third  
279 degree, punishable as provided in s. 775.082(3)(d). Any costs  
280 associated with the impoundment or storage of such vehicles are  
281 the responsibility of the motor carrier. Vehicle out-of-service  
282 orders may be rescinded when the department has received proof  
283 of authorization for the motor carrier to resume operation.

284 (3) In addition to the sanctions found in subsections (1)  
285 and (2), the Department of Transportation may petition the  
286 circuit courts of this state to enjoin any motor carrier from  
287 operating when it fails to comply with out-of-service orders  
288 issued by a competent authority within or outside of this state  
289 ~~Any motor carrier which operates a commercial motor vehicle upon~~  
290 ~~the highways of this state in violation of the provisions of~~  
291 ~~this chapter may be enjoined by the courts of this state from~~  
292 ~~any such violation. Such injunctive proceeding may be instituted~~  
293 ~~by the Department of Transportation.~~

294 Section 4. Paragraph (b) of subsection (3) of section  
295 316.515, Florida Statutes, is amended to read:

296 316.515 Maximum width, height, length.--

297 (3) LENGTH LIMITATION.--

298 (b) Semitrailers.--

299 1. A semitrailer operating in a truck tractor-semitrailer  
300 combination may not exceed 48 feet in extreme overall outside  
301 dimension, measured from the front of the unit to the rear of  
302 the unit and the load carried thereon, exclusive of safety and  
303 energy conservation devices approved by the department for use  
304 on vehicles using public roads, unless it complies with



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

322 |         2. A semitrailer which is more than 48 feet but not more  
323 | than 53 feet in extreme overall outside dimension, as measured  
324 | pursuant to subparagraph 1., may operate on public roads, except  
325 | roads on the State Highway System which are restricted by the  
326 | Department of Transportation or other roads restricted by local  
327 | authorities, if:

328 |         a. The distance between the kingpin or other peg which  
329 | locks into the fifth wheel of a truck tractor and the center of  
330 | the rear axle or rear group of axles does not exceed 41 feet or,  
331 | in the case of a semitrailer used exclusively or primarily to  
332 | transport vehicles in connection with motorsports competition



333 events, the distance does not exceed 46 feet from the kingpin to  
334 the center of the rear axles; and

335 b. It is equipped with a substantial rear-end underride  
336 protection device meeting the requirements of 49 C.F.R. s.  
337 393.86, "Rear End Protection."

338 Section 5. Subsections (5), (6), and (10) of section  
339 316.545, Florida Statutes, are amended to read:

340 316.545 Weight and load unlawful; special fuel and motor  
341 fuel tax enforcement; inspection; penalty; review.--

342 (5) Whenever any person violates the provisions of this  
343 chapter and becomes indebted to the state because of such  
344 violation in the amounts aforesaid and refuses to pay said  
345 penalty, in addition to the provisions of s. 316.3026, such  
346 penalty shall become a lien upon the motor vehicle, and the same  
347 may be foreclosed by the state in a court of equity. It shall be  
348 presumed that the owner of the motor vehicle is liable for the  
349 sum. Any person, firm, or corporation claiming an interest in  
350 the seized motor vehicle may, at any time after the lien of the  
351 state attaches to the motor vehicle, obtain possession of the  
352 seized vehicle by filing a good and sufficient forthcoming bond  
353 with the officer having possession of the vehicle, payable to  
354 the Governor of the state in twice the amount of the state's  
355 lien, with a corporate surety duly authorized to transact  
356 business in this state as surety, conditioned to have the motor  
357 vehicle or combination of vehicles forthcoming to abide the  
358 result of any suit for the foreclosure of such lien. It shall be  
359 presumed that the owner of the motor vehicle is liable for the  
360 penalty imposed under this section. Upon the posting of such



361 | bond with the officer making the seizure, the vehicle shall be  
362 | released and the bond shall be forwarded to the Department of  
363 | Transportation for safekeeping. The lien of the state against  
364 | the motor vehicle aforesaid shall be foreclosed in equity, and  
365 | the ordinary rules of court relative to proceedings in equity  
366 | shall control. If it appears that the seized vehicle has been  
367 | released to the defendant upon his or her forthcoming bond, the  
368 | state shall take judgment of foreclosure against the property  
369 | itself, and judgment against the defendant and the sureties on  
370 | the bond for the amount of the lien, including cost of  
371 | proceedings. After the rendition of the decree, the state may,  
372 | at its option, proceed to sue out execution against the  
373 | defendant and his or her sureties for the amount recovered as  
374 | aforesaid or direct the sale of the vehicle under foreclosure.

375 |       (6) Any officer or agent collecting the penalties herein  
376 | imposed shall ~~give to the owner or driver of the vehicle an~~  
377 | ~~official receipt for all penalties collected. Such officers or~~  
378 | ~~agents of the state departments shall~~ cooperate with the owners  
379 | or drivers of motor vehicles so as not to delay unduly the  
380 | vehicles. All penalties imposed and collected under this section  
381 | by any state agency having jurisdiction shall be paid to the  
382 | Treasurer, who shall credit the total amount thereof to the  
383 | State Transportation Trust Fund, which shall be used to repair  
384 | and maintain the roads of this state and to enforce this  
385 | section.

386 |       (10) The Department of Transportation may employ weight  
387 | inspectors to operate its fixed-scale facilities. Weight  
388 | inspectors on duty at a fixed-scale facility are authorized to



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

409 Section 6. Paragraph (a) of subsection (1) of section  
410 316.640, Florida Statutes, is amended to read:

411 316.640 Enforcement.--The enforcement of the traffic laws  
412 of this state is vested as follows:

413 (1) STATE.--

414 (a)1.a. The Division of Florida Highway Patrol of the  
415 Department of Highway Safety and Motor Vehicles, the Division of  
416 Law Enforcement of the Fish and Wildlife Conservation



417 Commission, the Division of Law Enforcement of the Department of  
418 Environmental Protection, and law enforcement officers of the  
419 Department of Transportation each have authority to enforce all  
420 of the traffic laws of this state on all the streets and  
421 highways thereof and elsewhere throughout the state wherever the  
422 public has a right to travel by motor vehicle. ~~The Division of  
423 the Florida Highway Patrol may employ as a traffic accident  
424 investigation officer any individual who successfully completes  
425 instruction in traffic accident investigation and court  
426 presentation through the Selective Traffic Enforcement Program  
427 as approved by the Criminal Justice Standards and Training  
428 Commission and funded through the National Highway Traffic  
429 Safety Administration or a similar program approved by the  
430 commission, but who does not necessarily meet the uniform  
431 minimum standards established by the commission for law  
432 enforcement officers or auxiliary law enforcement officers under  
433 chapter 943. Any such traffic accident investigation officer who  
434 makes an investigation at the scene of a traffic accident may  
435 issue traffic citations, based upon personal investigation, when  
436 he or she has reasonable and probable grounds to believe that a  
437 person who was involved in the accident committed an offense  
438 under this chapter, chapter 319, chapter 320, or chapter 322 in  
439 connection with the accident. This paragraph does not permit the  
440 carrying of firearms or other weapons, nor do such officers have  
441 arrest authority.~~

442 b. University police officers shall have authority to  
443 enforce all of the traffic laws of this state when such  
444 violations occur on or about any property or facilities that are





445 | under the guidance, supervision, regulation, or control of a  
446 | state university, a direct-support organization of such state  
447 | university, or any other organization controlled by the state  
448 | university or a direct-support organization of the state  
449 | university, except that traffic laws may be enforced off-campus  
450 | when hot pursuit originates on or adjacent to any such property  
451 | or facilities.

452 |       c. Community college police officers shall have the  
453 | authority to enforce all the traffic laws of this state only  
454 | when such violations occur on any property or facilities that  
455 | are under the guidance, supervision, regulation, or control of  
456 | the community college system.

457 |       d. Police officers employed by an airport authority shall  
458 | have the authority to enforce all of the traffic laws of this  
459 | state only when such violations occur on any property or  
460 | facilities that are owned or operated by an airport authority.

461 |       (I) An airport authority may employ as a parking  
462 | enforcement specialist any individual who successfully completes  
463 | a training program established and approved by the Criminal  
464 | Justice Standards and Training Commission for parking  
465 | enforcement specialists but who does not otherwise meet the  
466 | uniform minimum standards established by the commission for law  
467 | enforcement officers or auxiliary or part-time officers under s.  
468 | 943.12. Nothing in this sub-sub-subparagraph shall be construed  
469 | to permit the carrying of firearms or other weapons, nor shall  
470 | such parking enforcement specialist have arrest authority.

471 |       (II) A parking enforcement specialist employed by an  
472 | airport authority is authorized to enforce all state, county,



473 and municipal laws and ordinances governing parking only when  
474 such violations are on property or facilities owned or operated  
475 by the airport authority employing the specialist, by  
476 appropriate state, county, or municipal traffic citation.

477 e. The Office of Agricultural Law Enforcement of the  
478 Department of Agriculture and Consumer Services shall have the  
479 authority to enforce traffic laws of this state.

480 f. School safety officers shall have the authority to  
481 enforce all of the traffic laws of this state when such  
482 violations occur on or about any property or facilities which  
483 are under the guidance, supervision, regulation, or control of  
484 the district school board.

485 g. The Division of the Florida Highway Patrol may employ  
486 as a traffic accident investigation officer any individual who  
487 successfully completes instruction in traffic accident  
488 investigation and court presentation through the Selective  
489 Traffic Enforcement Program as approved by the Criminal Justice  
490 Standards and Training Commission and funded through the  
491 National Highway Traffic Safety Administration or a similar  
492 program approved by the commission, but who does not necessarily  
493 meet the uniform minimum standards established by the commission  
494 for law enforcement officers or auxiliary law enforcement  
495 officers under chapter 943. Any such traffic accident  
496 investigation officer who makes an investigation at the scene of  
497 a traffic accident may issue traffic citations, based upon  
498 personal investigation, when he or she has reasonable and  
499 probable grounds to believe that a person who was involved in  
500 the accident committed an offense under this chapter, chapter



501 319, chapter 320, or chapter 322 in connection with the  
 502 accident. This sub-subparagraph does not permit the carrying of  
 503 firearms or other weapons, nor do such officers have arrest  
 504 authority.

505 2. An agency of the state as described in subparagraph 1.  
 506 is prohibited from establishing a traffic citation quota. A  
 507 violation of this subparagraph is not subject to the penalties  
 508 provided in chapter 318.

509 3. Any disciplinary action taken or performance evaluation  
 510 conducted by an agency of the state as described in subparagraph  
 511 1. of a law enforcement officer's traffic enforcement activity  
 512 must be in accordance with written work-performance standards.  
 513 Such standards must be approved by the agency and any collective  
 514 bargaining unit representing such law enforcement officer. A  
 515 violation of this subparagraph is not subject to the penalties  
 516 provided in chapter 318.

517 Section 7. Section 316.3027, Florida Statutes, and  
 518 subsection (3) of section 316.610, Florida Statutes, are  
 519 repealed.

520 Section 8. Paragraph (b) of subsection (5) of section  
 521 316.1937, Florida Statutes, is amended to read:

522 316.1937 Ignition interlock devices, requiring; unlawful  
 523 acts.--

524 (5)

525 (b) Any person convicted of a violation of subsection(6)  
 526 who does not have a driver's license shall, in addition to any  
 527 other penalty provided by law, pay a fine of not less than \$250  
 528 or more than \$500 per each such violation. In the event that the



529 | person is unable to pay any such fine, the fine shall become a  
530 | lien against the motor vehicle used in violation of subsection  
531 | (6) and payment shall be made pursuant to s. 316.3025(5)~~(4)~~.

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