

By Senator Crist

12-1207-04

See HB

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A bill to be entitled
An act relating to traffic control signals;
amending s. 316.003, F.S.; defining "traffic
signal preemption transmitter"; amending s.
316.0775, F.S.; prohibiting use or possession
of such transmitter; providing for exceptions;
providing penalties; providing for application
as a criminal violation; providing an effective
date.

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

Section 1. Subsection (84) is added to section
316.003, Florida Statutes, to read:

316.003 Definitions.--The following words and phrases,
when used in this chapter, shall have the meanings
respectively ascribed to them in this section, except where
the context otherwise requires:

(84) TRAFFIC SIGNAL PREEMPTION TRANSMITTER.--Any
device capable of transmitting optical or radio signals to
activate any mechanism installed on or near an official
traffic control signal which alters the operation of the
traffic control signal. The term "traffic signal preemption
transmitter" includes any electronic transmission device
capable of changing, altering, or otherwise interfering with
the normal operation of any official traffic control signal.

Section 2. Section 316.0775, Florida Statutes, is
amended to read:

316.0775 Interference with official traffic control
signals or devices or railroad signs or signals.--

1 (1) No person shall, without lawful authority, attempt
2 to or in fact alter, deface, injure, knock down, or remove any
3 official traffic control device or any railroad sign or
4 signal, or any inscription, shield, or insignia thereon, or
5 any other part thereof. Any person who violates this
6 subsection commits the offense of criminal mischief, a
7 ~~violation of this section is a criminal violation pursuant to~~
8 ~~s. 318.17 and shall be punishable as set forth in s. 806.13~~
9 ~~related to criminal mischief and graffiti, beginning on or~~
10 ~~after July 1, 2000.~~

11 (2) No person shall use or have in his or her
12 possession any traffic signal preemption transmitter. This
13 subsection shall not apply to any person operating an
14 authorized emergency vehicle as defined in s. 322.01, road
15 construction and maintenance personnel, employees of the
16 Department of Transportation, or any other lawfully authorized
17 persons when use of the device is in the performance of their
18 normal duties. Any person who violates this subsection commits
19 a felony of the third degree, punishable as provided in s.
20 775.082, s. 775.083, or s. 775.084.

21 (3) A violation of this section is a criminal
22 violation pursuant to s. 318.17.

23 Section 3. This act shall take effect October 1, 2004.
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