

HB 0537

2004

1 A bill to be entitled
 2 An act relating to traffic control signals; amending s.
 3 316.003, F.S.; defining "traffic signal preemption
 4 transmitter"; amending s. 316.0775, F.S.; prohibiting use
 5 or possession of such transmitter; providing for
 6 exceptions; providing penalties; providing for application
 7 as a criminal violation; providing an effective date.

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

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

13 316.003 Definitions.--The following words and phrases,
 14 when used in this chapter, shall have the meanings respectively
 15 ascribed to them in this section, except where the context
 16 otherwise requires:

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

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

27 316.0775 Interference with official traffic control
 28 signals or devices or railroad signs or signals.--

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29 (1) No person shall, without lawful authority, attempt to
 30 or in fact alter, deface, injure, knock down, or remove any
 31 official traffic control device or any railroad sign or signal,
 32 or any inscription, shield, or insignia thereon, or any other
 33 part thereof. Any person who violates this subsection commits
 34 the offense of criminal mischief, A violation of this section is
 35 a criminal violation pursuant to s. 318.17 and shall be
 36 punishable as set forth in s. 806.13 related to criminal
 37 mischief and graffiti, beginning on or after July 1, 2000.

38 (2) No person shall use or have in his or her possession
 39 any traffic signal preemption transmitter. This subsection shall
 40 not apply to any person operating an authorized emergency
 41 vehicle as defined in s. 322.01, road construction and
 42 maintenance personnel, employees of the Department of
 43 Transportation, or any other lawfully authorized persons when
 44 use of the device is in the performance of their normal duties.
 45 Any person who violates this subsection commits a felony of the
 46 third degree, punishable as provided in s. 775.082, s. 775.083,
 47 or s. 775.084.

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

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