

HB 0065

2004

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A bill to be entitled
 An act relating to highway safety; amending s. 316.075, F.S.; requiring hearing for specified violations of traffic control signal devices resulting in a crash; amending s. 318.14, F.S.; providing penalties for certain traffic infractions requiring a mandatory hearing; amending s. 318.18, F.S.; providing penalty for specified violation of traffic control signal devices; providing for distribution of moneys collected; amending s. 318.19, F.S.; requiring hearing for certain violations resulting in a crash; amending s. 318.21, F.S.; providing for distribution of specified civil penalties by county courts; amending s. 322.0261, F.S.; requiring driver improvement course for a second violation of specified provisions within a specified time period; providing penalty for failure to complete said course within a specified time period; amending s. 322.27, F.S.; assigning point value for conviction of specified violation of traffic control signal device; providing an effective date.

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

Section 1. Subsection (4) of section 316.075, Florida Statutes, is amended to read:

316.075 Traffic control signal devices.--

(1) Except for automatic warning signal lights installed or to be installed at railroad crossings, whenever traffic, including municipal traffic, is controlled by traffic control

HB 0065

2004

30 signals exhibiting different colored lights, or colored lighted
 31 arrows, successively one at a time or in combination, only the
 32 colors green, red, and yellow shall be used, except for special
 33 pedestrian signals carrying a word legend, and the lights shall
 34 indicate and apply to drivers of vehicles and pedestrians as
 35 follows:

36 (a) *Green indication.*--

37 1. Vehicular traffic facing a circular green signal may
 38 proceed cautiously straight through or turn right or left unless
 39 a sign at such place prohibits either such turn. But vehicular
 40 traffic, including vehicles turning right or left, shall yield
 41 the right-of-way to other vehicles and to pedestrians lawfully
 42 within the intersection or an adjacent crosswalk at the time
 43 such signal is exhibited.

44 2. Vehicular traffic facing a green arrow signal, shown
 45 alone or in combination with another indication, as directed by
 46 the manual, may cautiously enter the intersection only to make
 47 the movement indicated by such arrow, or such other movement as
 48 is permitted by other indications shown at the same time, except
 49 the driver of any vehicle may U-turn, so as to proceed in the
 50 opposite direction unless such movement is prohibited by posted
 51 traffic control signs. Such vehicular traffic shall yield the
 52 right-of-way to pedestrians lawfully within an adjacent
 53 crosswalk and to other traffic lawfully using the intersection.

54 3. Unless otherwise directed by a pedestrian control
 55 signal as provided in s. 316.0755, pedestrians facing any green
 56 signal, except when the sole green signal is a turn arrow, may
 57 proceed across the roadway within any marked or unmarked
 58 crosswalk.

HB 0065

2004

59 (b) *Steady yellow indication.*--

60 1. Vehicular traffic facing a steady yellow signal is
 61 thereby warned that the related green movement is being
 62 terminated or that a red indication will be exhibited
 63 immediately thereafter when vehicular traffic shall not enter
 64 the intersection.

65 2. Pedestrians facing a steady yellow signal, unless
 66 otherwise directed by a pedestrian control signal as provided in
 67 s. 316.0755, are thereby advised that there is insufficient time
 68 to cross the roadway before a red indication is shown and no
 69 pedestrian shall start to cross the roadway.

70 (c) *Steady red indication.*--

71 1. Vehicular traffic facing a steady red signal shall stop
 72 before entering the crosswalk on the near side of the
 73 intersection or, if none, then before entering the intersection
 74 and shall remain standing until a green indication is shown;
 75 however:

76 a. The driver of a vehicle which is stopped at a clearly
 77 marked stop line, but if none, before entering the crosswalk on
 78 the near side of the intersection, or, if none then at the point
 79 nearest the intersecting roadway where the driver has a view of
 80 approaching traffic on the intersecting roadway before entering
 81 the intersection in obedience to a steady red signal may make a
 82 right turn, but shall yield the right-of-way to pedestrians and
 83 other traffic proceeding as directed by the signal at the
 84 intersection, except that municipal and county authorities may
 85 prohibit any such right turn against a steady red signal at any
 86 intersection, which prohibition shall be effective when a sign

HB 0065

2004

87 giving notice thereof is erected in a location visible to
88 traffic approaching the intersection.

89 b. The driver of a vehicle on a one-way street that
90 intersects another one-way street on which traffic moves to the
91 left shall stop in obedience to a steady red signal, but may
92 then make a left turn into the one-way street, but shall yield
93 the right-of-way to pedestrians and other traffic proceeding as
94 directed by the signal at the intersection, except that
95 municipal and county authorities may prohibit any such left turn
96 as described, which prohibition shall be effective when a sign
97 giving notice thereof is attached to the traffic control signal
98 device at the intersection.

99 2. Unless otherwise directed by a pedestrian control
100 signal as provided in s. 316.0755, pedestrians facing a steady
101 red signal shall not enter the roadway.

102 (4)(a) A violation of this section is a noncriminal
103 traffic infraction, punishable pursuant to chapter 318 as either
104 a pedestrian violation or, if the infraction resulted from the
105 operation of a vehicle, as a moving violation.

106 (b) A person committing a violation of subparagraph
107 (1)(c)1. resulting in a crash is subject to a mandatory hearing
108 under the provisions of s. 318.19.

109 Section 2. Subsection (5) of section 318.14, Florida
110 Statutes, is amended to read:

111 318.14 Noncriminal traffic infractions; exception;
112 procedures.--

113 (5) Any person electing to appear before the designated
114 official or who is required so to appear shall be deemed to have
115 waived his or her right to the civil penalty provisions of s.

HB 0065

2004

116 318.18. The official, after a hearing, shall make a
 117 determination as to whether an infraction has been committed. If
 118 the commission of an infraction has been proven, the official
 119 may impose a civil penalty not to exceed \$500, except that in
 120 cases involving unlawful speed in a school zone or, involving
 121 unlawful speed in a construction zone, ~~or involving a death~~, the
 122 civil penalty may not exceed \$1,000; or require attendance at a
 123 driver improvement school, or both. If the person is required to
 124 appear before the designated official pursuant to s. 318.19(1)
 125 and is found to have committed the infraction, the designated
 126 official shall impose a civil penalty of \$1,000 in addition to
 127 any other penalties and the person's driver license shall be
 128 suspended for 6 months. If the person is required to appear
 129 before the designated official pursuant to s. 318.19(2) and is
 130 found to have committed the infraction, the designated official
 131 shall impose a civil penalty of \$500 in addition to any other
 132 penalties and the person's driver license shall be suspended for
 133 3 months. If the person is required to appear before the
 134 designated official pursuant to s. 318.19(3) and is found to
 135 have committed the infraction, the designated official shall
 136 impose a civil penalty of \$200 in addition to any other
 137 penalties and the person's driver license shall be suspended for
 138 30 days. If the official determines that no infraction has been
 139 committed, no costs or penalties shall be imposed and any costs
 140 or penalties that have been paid shall be returned. Moneys
 141 received from the mandatory civil penalties imposed pursuant to
 142 this subsection upon persons required to appear before a
 143 designated official pursuant to s. 318.19(1), (2), or (3) shall

HB 0065

2004

144 be remitted to the Department of Revenue for deposit into the
 145 General Revenue Fund.

146 Section 3. Subsection (13) is added to section 318.18,
 147 Florida Statutes, to read:

148 318.18 Amount of civil penalties.--The penalties required
 149 for a noncriminal disposition pursuant to s. 318.14 are as
 150 follows:

151 (13) One hundred twenty-five dollars for a violation of s.
 152 316.075(1)(c)1., which shall be remitted to the Department of
 153 Revenue for deposit into the General Revenue Fund.

154 Section 4. Section 318.19, Florida Statutes, is amended to
 155 read:

156 318.19 Infractions requiring a mandatory hearing.--Any
 157 person cited for the infractions listed in this section shall
 158 not have the provisions of s. 318.14(2), (4), and (9) available
 159 to him or her but must appear before the designated official at
 160 the time and location of the scheduled hearing:

161 (1) Any infraction which results in a crash that causes
 162 the death of another;

163 (2) Any infraction which results in a crash that causes
 164 "serious bodily injury" of another as defined in s. 316.1933(1);

165 (3) Any infraction which results in a crash that causes
 166 any bodily injury other than "serious bodily injury" defined in
 167 s. 316.1933(1);

168 (4)~~(3)~~ Any infraction of s. 316.172(1)(b); ~~or~~

169 (5)~~(4)~~ Any infraction of s. 316.520(1) or (2); or

170 (6) Any infraction of s. 316.075(1)(c)1. resulting in a
 171 crash.

HB 0065

2004

172 Section 5. Subsection (13) is added to section 318.21,
 173 Florida Statutes, to read:

174 318.21 Disposition of civil penalties by county
 175 courts.--All civil penalties received by a county court pursuant
 176 to the provisions of this chapter shall be distributed and paid
 177 monthly as follows:

178 (13)(a) All moneys received from the mandatory civil
 179 penalties imposed pursuant to s. 318.14(5) upon persons required
 180 to appear before a designated official pursuant to s. 318.19(1),
 181 (2), or (3) shall be remitted to the Department of Revenue for
 182 deposit into the General Revenue Fund.

183 (b) All moneys received from the civil penalties imposed
 184 pursuant to s. 318.18(13) shall be remitted to the Department of
 185 Revenue for deposit into the General Revenue Fund.

186 Section 6. Section 322.0261, Florida Statutes, is amended
 187 to read:

188 322.0261 ~~Mandatory~~ Driver improvement course; requirement
 189 to maintain driving privileges; failure to complete; department
 190 approval of course ~~certain crashes~~.--

191 (1) The department shall screen crash reports received
 192 under s. 316.066 or s. 324.051 to identify crashes involving the
 193 following:

194 (a) A crash involving death or a bodily injury requiring
 195 transport to a medical facility; or

196 (b) A second crash by the same operator within the
 197 previous 2-year period involving property damage in an apparent
 198 amount of at least \$500.

199 (2) With respect to an operator convicted of, or who
 200 pleaded nolo contendere to, a traffic offense giving rise to a

HB 0065

2004

201 crash identified pursuant to subsection (1), the department
 202 shall require that the operator, in addition to other applicable
 203 penalties, attend a department-approved ~~departmentally approved~~
 204 driver improvement course in order to maintain driving
 205 privileges. If the operator fails to complete the course within
 206 90 days of receiving notice from the department, the operator's
 207 driver's license shall be canceled by the department until the
 208 course is successfully completed.

209 (3) The department shall identify any operator convicted
 210 of, or who pleaded nolo contendere to, a second violation of s.
 211 316.075(1)(c)1., which violation occurred within 12 months after
 212 the first violation, and shall require that operator, in
 213 addition to other applicable penalties, to attend a department-
 214 approved driver improvement course in order to maintain driving
 215 privileges. If the operator fails to complete the course within
 216 90 days after receiving notice from the department, the
 217 operator's driver license shall be canceled by the department
 218 until the course is successfully completed.

219 (4)(3) In determining whether to approve a driver
 220 improvement course for the purposes of this section, the
 221 department shall consider course content designed to promote
 222 safety, driver awareness, crash avoidance techniques, and other
 223 factors or criteria to improve driver performance from a safety
 224 viewpoint.

225 Section 7. Paragraph (d) of subsection (3) of section
 226 322.27, Florida Statutes, is amended to read:

227 322.27 Authority of department to suspend or revoke
 228 license.--

HB 0065

2004

229 (3) There is established a point system for evaluation of
 230 convictions of violations of motor vehicle laws or ordinances,
 231 and violations of applicable provisions of s. 403.413(6)(b) when
 232 such violations involve the use of motor vehicles, for the
 233 determination of the continuing qualification of any person to
 234 operate a motor vehicle. The department is authorized to suspend
 235 the license of any person upon showing of its records or other
 236 good and sufficient evidence that the licensee has been
 237 convicted of violation of motor vehicle laws or ordinances, or
 238 applicable provisions of s. 403.413(6)(b), amounting to 12 or
 239 more points as determined by the point system. The suspension
 240 shall be for a period of not more than 1 year.

241 (d) The point system shall have as its basic element a
 242 graduated scale of points assigning relative values to
 243 convictions of the following violations:

- 244 1. Reckless driving, willful and wanton--4 points.
- 245 2. Leaving the scene of a crash resulting in property
 246 damage of more than \$50--6 points.
- 247 3. Unlawful speed resulting in a crash--6 points.
- 248 4. Passing a stopped school bus--4 points.
- 249 5. Unlawful speed:
 - 250 a. Not in excess of 15 miles per hour of lawful or posted
 251 speed--3 points.
 - 252 b. In excess of 15 miles per hour of lawful or posted
 253 speed--4 points.
- 254 6. A violation of a traffic control signal device as
 255 provided in s. 316.075(1)(c)1.--4 points.
- 256 ~~7.6.~~ All other moving violations (including parking on a
 257 highway outside the limits of a municipality)--3 points.

HB 0065

2004

258 However, no points shall be imposed for a violation of s.
259 316.0741 or s. 316.2065(12).

260 ~~8.7.~~ Any moving violation covered above, excluding
261 unlawful speed, resulting in a crash--4 points.

262 ~~9.8.~~ Any conviction under s. 403.413(5)(b)--3 points.

263 Section 8. This act shall take effect upon becoming a law.