

Amendment No. (for drafter's use only)

CHAMBER ACTION

Senate

House

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1 Representative(s) [Slosberg](#) offered the following:

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3 **Amendment (with title amendment)**

4 Between line(s) 76 and 77, insert:

5 Section 2. Subsections (4) and (8) of section 316.614,  
6 Florida Statutes, are amended, present subsection (9) of that  
7 section is redesignated as subsection (10), and a new subsection  
8 (9) is added to that section, to read:

9 316.614 Safety belt usage.--

10 (4) It is unlawful for any person:

11 (a) To operate a motor vehicle in this state unless each  
12 passenger and the operator of the vehicle under the age of 18  
13 years is restrained by a safety belt or by a child restraint  
14 device pursuant to s. 316.613, if applicable; or

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15 (b) To operate a motor vehicle in this state unless the  
16 person is restrained by a safety belt.

17 (8) Any person who violates the provisions of this section  
18 commits a nonmoving violation, punishable as provided in chapter  
19 318. However, except for violations of s. 316.613 and paragraph  
20 (4)(a), enforcement of this section by state or local law  
21 enforcement agencies must be accomplished only as a secondary  
22 action when a driver of a motor vehicle has been detained for a  
23 suspected violation of another section of this chapter, chapter  
24 320, or chapter 322.

25 (9) By January 1, 2006, each law enforcement agency in  
26 this state shall adopt departmental policies to prohibit the  
27 practice of racial profiling. When a law enforcement officer  
28 issues a citation for a violation of this section, the law  
29 enforcement officer must record the race and ethnicity of the  
30 violator. All law enforcement agencies must maintain such  
31 information and forward the information to the department in a  
32 form and manner determined by the department. The department  
33 shall collect this information by jurisdiction and annually  
34 report the data to the Governor, the President of the Senate,  
35 and the Speaker of the House of Representatives. The report must  
36 show separate statewide totals for the state's county sheriffs  
37 and municipal law enforcement agencies, state law enforcement  
38 agencies, and state university law enforcement agencies.

39  
40 ===== T I T L E A M E N D M E N T =====

41 Remove line(s) 17-18 and insert:

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42 a pickup truck or flatbed truck; amending s. 316.614, F.S.;

43 revising provisions relating to safety belt usage; requiring the

44 Department of Highway Safety and Motor Vehicles to develop a

45 policy to prohibit the practice of racial profiling; providing

46 an effective date.

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