

1 A bill to be entitled
 2 An act relating to traffic stops; creating s. 316.642,
 3 F.S.; requiring certain data to be collected from each
 4 traffic stop and reported to the Department of
 5 Transportation; requiring an annual report; providing for
 6 a task force to be created if the Governor determines that
 7 there is evidence of racial profiling; providing for
 8 recommendations; providing for rulemaking; amending s.
 9 316.614, F.S.; deleting duplicative provisions; providing
 10 an effective date.

11
 12 Be It Enacted by the Legislature of the State of Florida:

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 14 Section 1. Section 316.642, Florida Statutes, is created
 15 to read:

16 316.642 Traffic stops; data; reporting; task force.--

17 (1) Each officer of a traffic enforcement agency, as
 18 provided in s. 316.640(8), who stops an operator shall,
 19 regardless of whether a traffic citation is issued or an arrest
 20 is made as a result of the stop, record the name, address,
 21 gender, and race of the operator and record whether the stop
 22 involved a search and whether a citation was issued or an arrest
 23 resulted. Each agency must maintain such information and forward
 24 it to the Department of Transportation in a form and manner
 25 determined by the department. The Department of Transportation
 26 shall analyze the data and annually make a report to the
 27 Governor, the President of the Senate, the Speaker of the House
 28 of Representatives, the Senate Minority Leader, and the House

29 Minority Leader. The report must show separate statewide totals
 30 for the state's county sheriffs and municipal law enforcement
 31 agencies, state law enforcement agencies, and state university
 32 law enforcement agencies.

33 (2) If the Governor determines that this data indicates
 34 evidence of racial profiling by law enforcement officers, the
 35 Governor shall appoint a task force reflective of Florida's
 36 diverse population to review the data and recommend any
 37 appropriate changes to traffic enforcement agency policies and
 38 procedures or any other remedies.

39 (3) The Department of Transportation has authority to
 40 adopt rules pursuant to ss. 120.536(1) and 120.54 to implement
 41 the provisions of this section conferring duties upon it.

42 Section 2. Subsection (9) of section 316.614, Florida
 43 Statutes, is amended to read:

44 316.614 Safety belt usage.--

45 ~~(9) By January 1, 2006, Each law enforcement agency in~~
 46 ~~this state shall adopt departmental policies to prohibit the~~
 47 ~~practice of racial profiling. When a law enforcement officer~~
 48 ~~issues a citation for a violation of this section, the law~~
 49 ~~enforcement officer must record the race and ethnicity of the~~
 50 ~~violation. All law enforcement agencies must maintain such~~
 51 ~~information and forward the information to the department in a~~
 52 ~~form and manner determined by the department. The department~~
 53 ~~shall collect this information by jurisdiction and annually~~
 54 ~~report the data to the Governor, the President of the Senate,~~
 55 ~~and the Speaker of the House of Representatives. The report must~~
 56 ~~show separate statewide totals for the state's county sheriffs~~

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57 | ~~and municipal law enforcement agencies, state law enforcement~~
58 | ~~agencies, and state university law enforcement agencies.~~

59 | Section 3. This act shall take effect October 1, 2008.