



439160

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
04/20/2010	.	
	.	
	.	
	.	

The Policy and Steering Committee on Ways and Means (Altman) recommended the following:

Senate Substitute for Amendment (349734)

Delete lines 132 - 171
and insert:

(b) Pursuant to paragraph (a), a municipality may install or, by contract or interlocal agreement, authorize the installation of any such detectors only within the incorporated area of the municipality, and a county may install or, by contract or interlocal agreement, authorize the installation of any such detectors only within the unincorporated area of the county.

Section 5. Section 316.0083, Florida Statutes, is created



439160

13 to read:

14 316.0083 Mark Wandall Traffic Safety Program;
15 administration; report.-

16 (1)(a) For purposes of administering this section, the
17 department, a county, or a municipality may authorize a traffic
18 infraction enforcement officer under s. 316.640 to issue a
19 traffic citation for a violation of s. 316.074(1) or s.
20 316.075(1)(c)1. A notice of violation and a traffic citation may
21 not be issued for failure to stop at a red light if the driver
22 is making a right-hand turn in a careful and prudent manner at
23 an intersection where right-hand turns are permissible. This
24 paragraph does not prohibit a review of information from a
25 traffic infraction detector by an authorized employee or agent
26 of the department, a county, or a municipality before issuance
27 of the traffic citation by the traffic infraction enforcement
28 officer. This paragraph does not prohibit the department, a
29 county, or a municipality from issuing notification as provided
30 in paragraph (b) to the registered owner of the motor vehicle
31 involved in the violation of s. 316.074(1) or s. 316.075(1)(c)1.

32 (b)1.a. Within 30 days after a violation, notification must
33 be sent to the registered owner of the motor vehicle involved in
34 the violation specifying the remedies available under s. 318.14,
35 and specifying that the violator must pay the penalty of \$158 to
36 the department, county, or municipality, or furnish an affidavit
37 in accordance with paragraph (d), within 30 days following the
38 date of the notification in order to avoid court fees, costs,
39 and the issuance of a traffic citation. The notification shall
40 be sent by first-class mail.

41 b. Included with the notification to the registered owner



439160

42 of the motor vehicle involved in the infraction must be a notice
43 that the owner has the right to review the photographic or
44 electronic images and the streaming video evidence that
45 constitutes a rebuttable presumption against the owner of the
46 vehicle. The notice must state the time and place and Internet
47 location where the evidence may be examined and observed.