



232258

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
04/13/2010	.	
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The Committee on Judiciary (Fasano) recommended the following:

**Senate Amendment (with title amendment)**

Between lines 156 and 157

insert:

Section 7. Paragraph (a) of subsection (1) of section 316.640, Florida Statutes, is amended to read:

316.640 Enforcement.—The enforcement of the traffic laws of this state is vested as follows:

(1) STATE.—

(a)1.a. The Division of Florida Highway Patrol of the Department of Highway Safety and Motor Vehicles; the Division of Law Enforcement of the Fish and Wildlife Conservation Commission; the Division of Law Enforcement of the Department of



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14 Environmental Protection; law enforcement officers of the  
15 Department of Transportation; law enforcement officers empowered  
16 under s. 626.989 when such enforcement is related to active  
17 investigations, and the agents, inspectors, and officers of the  
18 Department of Law Enforcement each have authority to enforce all  
19 of the traffic laws of this state on all the streets and  
20 highways thereof and elsewhere throughout the state wherever the  
21 public has a right to travel by motor vehicle.

22  
23 This sub-subparagraph shall take effect January 1, 2011.

24 b. University police officers shall have authority to  
25 enforce all of the traffic laws of this state when violations  
26 occur on or within 1,000 feet of any property or facilities that  
27 are under the guidance, supervision, regulation, or control of a  
28 state university, a direct-support organization of such state  
29 university, or any other organization controlled by the state  
30 university or a direct-support organization of the state  
31 university, or when such violations occur within a specified  
32 jurisdictional area as agreed upon in a mutual aid agreement  
33 entered into with a law enforcement agency pursuant to s.  
34 23.1225(1). Traffic laws may also be enforced off-campus when  
35 hot pursuit originates on or within 1,000 feet of any such  
36 property or facilities, or as agreed upon in accordance with the  
37 mutual aid agreement.

38 c. Community college police officers shall have the  
39 authority to enforce all the traffic laws of this state only  
40 when such violations occur on any property or facilities that  
41 are under the guidance, supervision, regulation, or control of  
42 the community college system.



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43           d. Police officers employed by an airport authority shall  
44 have the authority to enforce all of the traffic laws of this  
45 state only when such violations occur on any property or  
46 facilities that are owned or operated by an airport authority.

47           (I) An airport authority may employ as a parking  
48 enforcement specialist any individual who successfully completes  
49 a training program established and approved by the Criminal  
50 Justice Standards and Training Commission for parking  
51 enforcement specialists but who does not otherwise meet the  
52 uniform minimum standards established by the commission for law  
53 enforcement officers or auxiliary or part-time officers under s.  
54 943.12. Nothing in this sub-sub-subparagraph shall be construed  
55 to permit the carrying of firearms or other weapons, nor shall  
56 such parking enforcement specialist have arrest authority.

57           (II) A parking enforcement specialist employed by an  
58 airport authority is authorized to enforce all state, county,  
59 and municipal laws and ordinances governing parking only when  
60 such violations are on property or facilities owned or operated  
61 by the airport authority employing the specialist, by  
62 appropriate state, county, or municipal traffic citation.

63           e. The Office of Agricultural Law Enforcement of the  
64 Department of Agriculture and Consumer Services shall have the  
65 authority to enforce traffic laws of this state.

66           f. School safety officers shall have the authority to  
67 enforce all of the traffic laws of this state when such  
68 violations occur on or about any property or facilities which  
69 are under the guidance, supervision, regulation, or control of  
70 the district school board.

71           2. An agency of the state as described in subparagraph 1.



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72 is prohibited from establishing a traffic citation quota. A  
73 violation of this subparagraph is not subject to the penalties  
74 provided in chapter 318.

75 3. Any disciplinary action taken or performance evaluation  
76 conducted by an agency of the state as described in subparagraph  
77 1. of a law enforcement officer's traffic enforcement activity  
78 must be in accordance with written work-performance standards.  
79 Such standards must be approved by the agency and any collective  
80 bargaining unit representing such law enforcement officer. A  
81 violation of this subparagraph is not subject to the penalties  
82 provided in chapter 318.

83 4. The Division of the Florida Highway Patrol may employ as  
84 a traffic accident investigation officer any individual who  
85 successfully completes instruction in traffic accident  
86 investigation and court presentation through the Selective  
87 Traffic Enforcement Program as approved by the Criminal Justice  
88 Standards and Training Commission and funded through the  
89 National Highway Traffic Safety Administration or a similar  
90 program approved by the commission, but who does not necessarily  
91 meet the uniform minimum standards established by the commission  
92 for law enforcement officers or auxiliary law enforcement  
93 officers under chapter 943. Any such traffic accident  
94 investigation officer who makes an investigation at the scene of  
95 a traffic accident may issue traffic citations, based upon  
96 personal investigation, when he or she has reasonable and  
97 probable grounds to believe that a person who was involved in  
98 the accident committed an offense under this chapter, chapter  
99 319, chapter 320, or chapter 322 in connection with the  
100 accident. This subparagraph does not permit the officer to carry



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101 firearms or other weapons, and such an officer does not have  
102 authority to make arrests.

103

104 ===== T I T L E A M E N D M E N T =====

105 And the title is amended as follows:

106 Delete line 18

107 and insert:

108 driving; amending s. 316.640, F.S.; revising  
109 provisions relating to the enforcement of the traffic  
110 laws of the state; authorizing investigators of the  
111 Division of Insurance Fraud within the Department of  
112 Financial Services to make traffic stops relating to  
113 active insurance fraud investigations; reenacting s.  
114 316.650(1)(a), F.S., relating