

Amendment No.

CHAMBER ACTION

Senate

House

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1 Representative Albritton offered the following:

2  
3 **Amendment (with title amendment)**

4 Between lines 2803 and 2804, insert:

5 Section 74. Paragraph (b) of subsection (1) of section  
6 316.0083, Florida Statutes, is amended to read:

7 316.0083 Mark Wandall Traffic Safety Program;  
8 administration; report.-

9 (1)

10 (b)1.a. Within 30 days after a violation, notification  
11 must be sent to the registered owner of the motor vehicle  
12 involved in the violation specifying the remedies available  
13 under s. 318.14 and that the violator must pay the penalty of  
14 \$158 to the department, county, or municipality, or furnish an  
15 affidavit in accordance with paragraph (d), within 30 days  
16 following the date of the notification in order to avoid court  
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17 fees, costs, and the issuance of a traffic citation. The  
18 notification shall be sent by first-class mail.

19 b. Included with the notification to the registered owner  
20 of the motor vehicle involved in the infraction must be a notice  
21 that the owner has the right to review the photographic or  
22 electronic images or the streaming video evidence that  
23 constitutes a rebuttable presumption against the owner of the  
24 vehicle. The notice must state the time and place or Internet  
25 location where the evidence may be examined and observed.

26 2. Penalties assessed and collected by the department,  
27 county, or municipality authorized to collect the funds provided  
28 for in this paragraph, less the amount retained by the county or  
29 municipality pursuant to subparagraph 3., shall be paid to the  
30 Department of Revenue weekly. Payment by the department, county,  
31 or municipality to the state shall be made by means of  
32 electronic funds transfers. In addition to the payment, summary  
33 detail of the penalties remitted shall be reported to the  
34 Department of Revenue.

35 3. Penalties to be assessed and collected by the  
36 department, county, or municipality are as follows:

37 a. One hundred fifty-eight dollars for a violation of s.  
38 316.074(1) or s. 316.075(1)(c)1. when a driver has failed to  
39 stop at a traffic signal if enforcement is by the department's  
40 traffic infraction enforcement officer. One hundred dollars  
41 shall be remitted to the Department of Revenue for deposit into  
42 the General Revenue Fund, \$10 shall be remitted to the  
43 Department of Revenue for deposit into the Department of Health  
44 Emergency Medical Services Administrative Trust Fund, \$3 shall

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45 be remitted to the Department of Revenue for deposit into the  
46 Brain and Spinal Cord Injury Trust Fund, and \$45 shall be  
47 distributed to the municipality in which the violation occurred,  
48 or, if the violation occurred in an unincorporated area, to the  
49 county in which the violation occurred. Funds deposited into the  
50 Department of Health Emergency Medical Services ~~Administrative~~  
51 Trust Fund under this sub-subparagraph shall be distributed as  
52 provided in s. 395.4036(1). Proceeds of the infractions in the  
53 Brain and Spinal Cord Injury Trust Fund shall be distributed  
54 quarterly to the Miami Project to Cure Paralysis and shall be  
55 used for brain and spinal cord research.

56 b. One hundred fifty-eight dollars for a violation of s.  
57 316.074(1) or s. 316.075(1)(c)1. when a driver has failed to  
58 stop at a traffic signal if enforcement is by a county or  
59 municipal traffic infraction enforcement officer. Seventy  
60 dollars shall be remitted by the county or municipality to the  
61 Department of Revenue for deposit into the General Revenue Fund,  
62 \$10 shall be remitted to the Department of Revenue for deposit  
63 into the Department of Health Emergency Medical Services  
64 ~~Administrative~~ Trust Fund, \$3 shall be remitted to the  
65 Department of Revenue for deposit into the Brain and Spinal Cord  
66 Injury Trust Fund, and \$75 shall be retained by the county or  
67 municipality enforcing the ordinance enacted pursuant to this  
68 section. Funds deposited into the Department of Health Emergency  
69 Medical Services ~~Administrative~~ Trust Fund under this sub-  
70 subparagraph shall be distributed as provided in s. 395.4036(1).  
71 Proceeds of the infractions in the Brain and Spinal Cord Injury  
72 Trust Fund shall be distributed quarterly to the Miami Project  
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73 to Cure Paralysis and shall be used for brain and spinal cord  
74 research.

75 4. An individual may not receive a commission from any  
76 revenue collected from violations detected through the use of a  
77 traffic infraction detector. A manufacturer or vendor may not  
78 receive a fee or remuneration based upon the number of  
79 violations detected through the use of a traffic infraction  
80 detector.

81 Section 75. Paragraphs (a) and (e) of subsection (15) of  
82 section 318.18, Florida Statutes, are amended to read:

83 318.18 Amount of penalties.—The penalties required for a  
84 noncriminal disposition pursuant to s. 318.14 or a criminal  
85 offense listed in s. 318.17 are as follows:

86 (15) (a)1. One hundred and fifty-eight dollars for a  
87 violation of s. 316.074(1) or s. 316.075(1)(c)1. when a driver  
88 has failed to stop at a traffic signal and when enforced by a  
89 law enforcement officer. Sixty dollars shall be distributed as  
90 provided in s. 318.21, \$30 shall be distributed to the General  
91 Revenue Fund, \$3 shall be remitted to the Department of Revenue  
92 for deposit into the Brain and Spinal Cord Injury Trust Fund,  
93 and the remaining \$65 shall be remitted to the Department of  
94 Revenue for deposit into the Emergency Medical Services  
95 ~~Administrative~~ Trust Fund of the Department of Health.

96 2. One hundred and fifty-eight dollars for a violation of  
97 s. 316.074(1) or s. 316.075(1)(c)1. when a driver has failed to  
98 stop at a traffic signal and when enforced by the department's  
99 traffic infraction enforcement officer. One hundred dollars  
100 shall be remitted to the Department of Revenue for deposit into  
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101 the General Revenue Fund, \$45 shall be distributed to the county  
102 for any violations occurring in any unincorporated areas of the  
103 county or to the municipality for any violations occurring in  
104 the incorporated boundaries of the municipality in which the  
105 infraction occurred, \$10 shall be remitted to the Department of  
106 Revenue for deposit into the Department of Health Emergency  
107 Medical Services ~~Administrative~~ Trust Fund for distribution as  
108 provided in s. 395.4036(1), and \$3 shall be remitted to the  
109 Department of Revenue for deposit into the Brain and Spinal Cord  
110 Injury Trust Fund.

111 3. One hundred and fifty-eight dollars for a violation of  
112 s. 316.074(1) or s. 316.075(1)(c)1. when a driver has failed to  
113 stop at a traffic signal and when enforced by a county's or  
114 municipality's traffic infraction enforcement officer. Seventy-  
115 five dollars shall be distributed to the county or municipality  
116 issuing the traffic citation, \$70 shall be remitted to the  
117 Department of Revenue for deposit into the General Revenue Fund,  
118 \$10 shall be remitted to the Department of Revenue for deposit  
119 into the Department of Health Emergency Medical Services  
120 ~~Administrative~~ Trust Fund for distribution as provided in s.  
121 395.4036(1), and \$3 shall be remitted to the Department of  
122 Revenue for deposit into the Brain and Spinal Cord Injury Trust  
123 Fund.

124 (e) Funds deposited into the Department of Health  
125 Emergency Medical Services ~~Administrative~~ Trust Fund under this  
126 subsection shall be distributed as provided in s. 395.4036(1).  
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**T I T L E   A M E N D M E N T**

Remove line 391 and insert:

fee schedule and certain information; amending ss. 316.0083 and  
318.18, F.S.; revising provisions relating to the deposit of  
funds from traffic infractions; correcting references to a trust  
fund; providing