

By Senator Braynon

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1 A bill to be entitled
2 An act relating to photographic enforcement on school
3 buses; amending s. 316.003, F.S.; defining the term
4 "school bus safety camera" for purposes of the Florida
5 Uniform Traffic Control Law; amending s. 316.008,
6 F.S.; authorizing a school board to authorize use of
7 school bus safety cameras to enforce specified
8 provisions requiring a motor vehicle to stop behind a
9 school bus stop signal; creating s. 316.0084, F.S.;
10 creating the School Bus Safety Camera Program;
11 providing for use of cameras installed on a school bus
12 to provide evidence of a violation when a driver fails
13 to stop behind the bus while the bus stop signal is
14 displayed; requiring a school board to authorize use
15 of such cameras by adopting a resolution; providing
16 for the school board to enter into an agreement with a
17 vendor for the installation, operation, notice
18 processing, and administration and maintenance of the
19 school bus safety camera program and with the county
20 sheriff for operation and enforcement of the program;
21 providing for a fine and the distribution of fines
22 collected; providing procedures for enforcement and
23 payment of fines; providing penalties for submission
24 of a false affidavit establishing an exemption;
25 providing for responsibility to pay the fine and
26 specified fees; requiring the sheriff's office to
27 issue a traffic citation in certain circumstances;
28 providing that the images or video identified in the
29 traffic citation raises a rebuttable presumption of a

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30 violation; authorizing the sheriff's office to issue a
31 citation to the operator of a motor vehicle in certain
32 circumstances; providing for the distribution of
33 fines; authorizing the sheriff's office to contract
34 for certain administrative requirements; requiring
35 such cameras to meet specifications adopted by rule of
36 the Department of Education; requiring the department
37 to adopt such rules by a certain date; providing for
38 applicability; amending s. 316.650, F.S.; providing
39 procedures for transmission of citation data to the
40 court; amending s. 316.655, F.S.; providing an
41 exception to certain penalties; amending ss. 318.14
42 and 318.19, F.S.; providing exceptions to certain
43 traffic infraction disposition procedures; amending s.
44 318.15, F.S.; providing procedures that apply upon
45 failure to comply with civil penalty for failing to
46 stop behind a school bus displaying a stop signal or
47 by passing a school bus before the stop signal has
48 been withdrawn when such violations are enforced under
49 specified provisions; amending s. 320.03, F.S.;

50 restricting issuance of a license plate or validation
51 sticker until outstanding fines and fees are paid;
52 providing an effective date.

53
54 WHEREAS, the Legislature recognizes the great harm that can
55 occur when motor vehicles do not stop when a school bus displays
56 its stop signal and further recognizes that large numbers of
57 school buses traverse Florida communities daily, often during
58 hours when there are limited law enforcement personnel on the

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59 roads, and

60 WHEREAS, the Legislature believes that there is a state
61 interest in providing an additional deterrent to this dangerous
62 practice and, to that end, an additional enforcement mechanism
63 for violations of s. 316.172, Florida Statutes, through the use
64 of school bus safety cameras is necessary, and

65 WHEREAS, the local school board is charged with safely
66 transporting students to and from schools and is the appropriate
67 entity to determine enactment of a School Bus Safety Camera
68 Program within its jurisdiction with assistance and enforcement
69 by the local sheriff's office, NOW, THEREFORE,

70
71 Be It Enacted by the Legislature of the State of Florida:

72
73 Section 1. Subsection (91) is added to section 316.003,
74 Florida Statutes, to read:

75 316.003 Definitions.—The following words and phrases, when
76 used in this chapter, shall have the meanings respectively
77 ascribed to them in this section, except where the context
78 otherwise requires:

79 (91) SCHOOL BUS SAFETY CAMERA.—A camera or cameras
80 installed on a school bus and synchronized to record images or
81 video of a motor vehicle when the motor vehicle fails to stop
82 behind the school bus stop signal or passes the bus before the
83 signal has been withdrawn.

84 Section 2. Paragraph (d) is added to subsection (8) of
85 section 316.008, Florida Statutes, to read:

86 316.008 Powers of local authorities.—

87 (8)

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88 (d) The district school board may authorize use of school
89 bus safety cameras to assist in enforcement of s. 316.172 when a
90 motor vehicle fails to stop behind the school bus stop signal or
91 passes the school bus before the stop signal has been withdrawn.
92 Such cameras may be used within the school district, including
93 on any road under the jurisdiction of a municipality, the
94 county, or the Department of Transportation.

95 Section 3. Section 316.0084, Florida Statutes, is created
96 to read:

97 316.0084 School Bus Safety Camera Program.—

98 (1) This section may be cited as the "School Bus Safety
99 Camera Program."

100 (2) After consultation with the county sheriff's office, a
101 district school board may authorize the use of school bus safety
102 cameras to enforce s. 316.172 as provided in this section.

103 (3) Authorization by a school board shall be by adoption of
104 a resolution applying within county boundaries and authorizing
105 enforcement under this section. The resolution and
106 implementation of the program are not subject to the
107 requirements of chapter 120. Upon adoption of the resolution,
108 the school board may contract with a vendor of automated devices
109 for the installation, operation, notice processing, and
110 administration and maintenance of the school bus safety camera
111 program, or, if the school board enters into an interlocal
112 agreement with the sheriff's office pursuant to subsection (4),
113 the sheriff's office may enter into such a contract with a
114 vendor.

115 (4) The school board may contract for the operation and
116 enforcement of the program through an interlocal agreement with

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117 the county sheriff's office, which shall perform as the law
118 enforcement agency under this section.

119 (5) When the operator of a motor vehicle violates s.
120 316.172 by failing to stop behind a school bus displaying a stop
121 signal or by passing a school bus before the stop signal has
122 been withdrawn, the school bus safety camera shall record images
123 or video of the violation and record the vehicle's license
124 plate. The images or video recorded by a school bus safety
125 camera may not contain the face of the operator of or any
126 passenger in the motor vehicle.

127 (6) A fine of \$250 shall be imposed for a violation of s.
128 316.172 when enforced under this section. No costs, fees, or
129 other charges may be added to the fine if paid pursuant to the
130 notice of violation provided under paragraph (7) (a). All fines
131 collected, less costs to administer, operate, and maintain the
132 program, shall be distributed as follows:

133 (a) Twenty-five percent shall be remitted to the county in
134 which the offense was committed.

135 (b) Thirty-five percent shall be remitted to the school
136 district in which the offense was committed.

137 (c) Thirty percent shall be remitted to the Department of
138 Revenue for deposit into the General Revenue Fund.

139 (d) Ten percent shall be remitted to the Department of
140 Education for school bus safety initiatives.

141 (7) Enforcement of s. 316.172 under this section shall be
142 accomplished as follows:

143 (a) A deputy sheriff, officer, or employee of the sheriff's
144 office shall review the images or video recorded by a school bus
145 safety camera. If he or she determines that such images or video

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146 depicts a violation of s. 316.172, the sheriff's office shall
147 issue a notice of violation to the registered owner or lessee of
148 the motor vehicle depicted in the images or video. If the motor
149 vehicle has more than one registered owner or lessee, the notice
150 shall be issued to the first person listed on the title or other
151 evidence of ownership.

152 (b)1. The notice of violation shall be sent to the
153 registered owner or lessee by first-class mail within 30 days
154 after identification of the owner or lessee. The notice of
155 violation must include, at a minimum:

156 a. The name and address of the person alleged to be liable
157 as the registered owner or lessee of the motor vehicle involved
158 in the violation.

159 b. The license plate number of the motor vehicle.

160 c. The violation charged.

161 d. The date, time, and location of the violation.

162 e. A copy of the images of the motor vehicle and license
163 plate that were recorded by the school bus safety camera and the
164 URL or web address of the Internet website where the images or
165 video may be viewed.

166 f. The amount of the fine and the time, place, and manner
167 of payment of the fine.

168 g. The date by which payment of the fine must be made to
169 the place specified under sub-subparagraph f. or by which an
170 exemption affidavit under paragraph (d) must be provided to the
171 sheriff's office. The date must be clearly and prominently
172 depicted in the notice and shall be within 30 days after the
173 notice of violation is mailed.

174 h. The procedure under which the notice of violation may be

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175 contested, including establishing an exemption under paragraph
176 (c) and requesting a court hearing under s. 318.14.

177 i. A notice that, following issuance of a traffic citation
178 under paragraph (g), failure to timely pay the fine, establish
179 an exemption, or transfer liability to the individual identified
180 as the operator of the motor vehicle constitutes an admission
181 that the registered owner or lessee is responsible for the
182 violation and that the owner's or lessee's failure to pay the
183 fine shall result in the owner's or lessee's liability for the
184 fine and the denial of a new or replacement license plate or
185 revalidation sticker as part of motor vehicle registration until
186 the owner or lessee presents a receipt from the applicable
187 governmental entity or the clerk of court showing that the fine
188 has been paid. This sub-subparagraph does not apply to the owner
189 of a leased motor vehicle if the vehicle is registered in the
190 name of the lessee of the vehicle.

191 2. In any hearing on a traffic citation issued pursuant to
192 this section in which the timely or proper mailing of a notice
193 of violation is challenged, the defendant bears the burden of
194 proving that the notice of violation was not timely or properly
195 mailed.

196 3. The owner of the rented or leased motor vehicle for
197 which a notice of violation is issued for a violation of s.
198 316.172 is not responsible for paying the traffic fine and is
199 not required to submit an affidavit as specified in this
200 subsection if the motor vehicle involved in the violation is
201 registered in the name of the lessee and the lessee is
202 responsible for paying the fine.

203 (c) The motor vehicle owner or lessee who is issued a

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204 notice of violation is liable for the fine unless one of the
205 following exemptions is established:

206 1. The motor vehicle passed beyond the school bus stop
207 signal in order to yield the only right-of-way available to an
208 emergency vehicle and did so prudently;

209 2. The motor vehicle passed beyond the school bus stop
210 signal at the direction of a law enforcement officer;

211 3. The motor vehicle was, at the time of the violation, in
212 the care, custody, or control of another person operating the
213 vehicle;

214 4. A traffic citation was issued by a law enforcement
215 officer to the operator of the motor vehicle for the alleged
216 violation of s. 316.172;

217 5. The motor vehicle's owner or lessee was deceased on or
218 before the date of the violation as established by an affidavit
219 submitted by a representative of the motor vehicle owner's or
220 lessee's estate or other designated person or family member; or

221 6. The motor vehicle was stolen at the time of the
222 violation.

223 (d) To establish an exemption under paragraph (c), the
224 owner or lessee shall, within 30 days after the date of issuance
225 of the notice of violation, furnish the local sheriff's office
226 with an affidavit setting forth detailed information supporting
227 the exemption.

228 1. An affidavit supporting an exemption under subparagraph
229 (c)3. must include the name, address, date of birth, and, if
230 known, the driver license number of the operator who leased,
231 rented, or otherwise had the care, custody, or control of the
232 motor vehicle at the time of the alleged violation.

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233 2. An affidavit supporting an exemption under subparagraph
234 (c)4. must include a copy of the traffic citation issued for the
235 alleged violation.

236 3. An affidavit supporting an exemption under subparagraph
237 (c)5. must include a certified copy of the owner's or lessee's
238 death certificate showing that the date of death occurred on or
239 before the issuance of the notice of violation, and:

240 a. The bill of sale showing that the deceased owner's or
241 lessee's motor vehicle was sold or transferred after his or her
242 death but on or before the date of the alleged violation;

243 b. Documented proof that the registered license plate
244 belonging to the deceased owner's or lessee's motor vehicle was
245 returned to the department or any branch office or authorized
246 agent of the department on or before the date of the alleged
247 violation; or

248 c. A copy of the law enforcement report indicating that the
249 deceased owner's or lessee's registered license plate or motor
250 vehicle was stolen after the owner's or lessee's death but on or
251 before the date of the alleged violation.

252 4. An affidavit supporting an exemption under subparagraph
253 (c)6., if the motor vehicle was stolen at the time of the
254 alleged violation, must include a copy of the law enforcement
255 report indicating that the motor vehicle was stolen.

256 (e) If the motor vehicle owner or lessee or his or her
257 representative timely submits an affidavit establishing an
258 exemption from liability which is determined by a deputy
259 sheriff, officer, or employee of the sheriff's office to be
260 sufficient, neither the sheriff's office nor the court shall
261 take any further action to enforce the violation against the

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262 owner or lessee unless, for the exemption under subparagraph
263 (c)3., liability is not successfully transferred as provided in
264 this section. If the registered owner or lessee fails to timely
265 submit an affidavit establishing an exemption from liability,
266 the owner or lessee may not rely on such exemption to avoid
267 liability in a hearing on a traffic citation issued pursuant to
268 this section. Submission of a false affidavit is a misdemeanor
269 of the second degree, punishable as provided in s. 775.082 or s.
270 775.083.

271 (f) If no exemption is established under subparagraph
272 (c)1., subparagraph (c)2., subparagraph (c)4., subparagraph
273 (c)5., or subparagraph (c)6., the motor vehicle owner or lessee
274 who has been issued a notice of violation is responsible for
275 payment of the fine unless the owner or lessee successfully
276 transfers liability to the person identified as the operator
277 pursuant to subparagraph (c)3., there is adjudication that no
278 violation by the owner or lessee occurred, or there is an
279 otherwise lawful determination that no civil penalty shall be
280 imposed. A successful transfer of liability occurs when the
281 person identified as the operator of the motor vehicle pursuant
282 to subparagraph (c)3. pays a fine pursuant to s. 318.14 or, if
283 the traffic citation is contested, is found liable.

284 (g) If the motor vehicle owner or lessee fails to respond
285 to a notice of violation by paying the fine imposed under
286 subsection (6) or submitting an affidavit that complies with
287 paragraph (d) within 30 days after the date of issuance of the
288 notice of violation, as reflected on the notice of violation,
289 the sheriff's office shall issue a traffic citation for the
290 violation of s. 316.172 to the registered owner or lessee by

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291 first-class mail within 45 days after the issuance of the notice
292 of violation. The sheriff's office may conduct an additional
293 review of the images or video of the violation before issuing
294 the traffic citation. In any hearing on a traffic citation
295 issued pursuant to this section in which the timely or proper
296 mailing of the traffic citation is challenged, the defendant
297 bears the burden of proving that the traffic citation was not
298 timely or properly mailed.

299 (h) A motor vehicle owner or lessee who has been issued a
300 traffic citation is liable for the fine imposed pursuant to this
301 section together with any surcharges, fees, or costs imposed
302 pursuant to chapter 318. Within 30 days after the date of
303 issuance of the traffic citation, as reflected on the traffic
304 citation, the owner or lessee shall either pay the fine and
305 surcharges, fees, and costs imposed pursuant to chapter 318 or
306 contest the traffic citation at a hearing under chapter 318.
307 Failure to pay the fine shall result in the owner's or lessee's
308 liability for the fine and the denial of a new or replacement
309 license plate or revalidation sticker as part of motor vehicle
310 registration until the owner's or lessee's name no longer
311 appears on a list of those who have outstanding fines pursuant
312 to s. 318.15(3) or until the owner or lessee presents a receipt
313 from the governmental entity or clerk of court that provided the
314 data showing that the outstanding fines have been paid. This
315 paragraph does not apply to the owner of a leased motor vehicle
316 if the vehicle is registered in the name of the lessee of the
317 vehicle.

318 (i) In any hearing on a traffic citation issued pursuant to
319 this section, the images or video identified in the traffic

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320 citation are deemed authentic and admissible into evidence. The
321 images or video identified in the traffic citation raises a
322 rebuttable presumption that the motor vehicle identified in the
323 traffic citation was operated in violation of s. 316.172 at the
324 time and place identified in the traffic citation.

325 (j)1. Upon receipt by the sheriff's office of an affidavit
326 pursuant to subparagraph (d)1., the operator designated as
327 having the care, custody, and control of the motor vehicle at
328 the time of the violation may, by first-class mail, be issued a
329 traffic citation for a violation of s. 316.172. The affidavit is
330 admissible in any hearing pursuant to this section for purposes
331 of providing proof that the motor vehicle was in the actual
332 care, custody, or control of the person identified in the
333 affidavit.

334 2. The motor vehicle operator receiving the traffic
335 citation shall proceed pursuant to s. 318.14 and may pay the
336 fine pursuant to s. 318.18 and any additional surcharges, fees,
337 and costs or may choose to contest the traffic citation. If the
338 operator is found not liable for the fine, the registered owner
339 or lessee of the motor vehicle shall be liable for the fine. The
340 sheriff's office shall send a new notice of violation by first-
341 class mail to the registered owner or lessee stating that the
342 operator was found not liable and giving the registered owner or
343 lessee the option of paying the fine under this section or
344 contesting the violation by a stated date that is at least 20
345 days after the mailing of the new notice. The owner or lessee
346 may not attempt to transfer liability more than one time using
347 the affidavit procedure. If timely payment is not made by the
348 owner or lessee under this section, the sheriff's office shall

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349 issue a traffic citation for the violation of s. 316.172 to the
350 registered owner or lessee by first-class mail within 30 days
351 after the issuance of the new notice of violation. Failure to
352 pay the fine shall result in the owner's or lessee's liability
353 for the fine and the denial of a new or replacement license
354 plate or revalidation sticker as part of motor vehicle
355 registration until the owner's or lessee's name no longer
356 appears on a list of those who have outstanding fines pursuant
357 to s. 318.15(3) or until the owner or lessee presents a receipt
358 from the governmental entity or clerk of court that provided the
359 data showing that the outstanding fines have been paid.

360 (8) Fines collected by the school board or the sheriff's
361 office pursuant to the notice of violation provided under
362 paragraph (7) (a) and distributed to the state pursuant to
363 subsection (6) shall be paid to the Department of Revenue
364 monthly by means of electronic funds transfers with a report of
365 the summary detail of penalties remitted.

366 (9) Except for the review by a deputy sheriff, officer, or
367 employee of the sheriff's office pursuant to paragraph (7) (a),
368 the sheriff's office may contract for employees, agents, or
369 vendors to perform all administrative or ministerial
370 requirements of enforcement of s. 316.172 pursuant to this
371 section, including, but not limited to, provision and
372 installation of school bus safety cameras, processing and
373 initial review of images or video before review by a deputy
374 sheriff, officer, or employee of the sheriff's office, printing
375 and mailing notices of violation, and electronic transmission of
376 a replica of the traffic citation data to the appropriate court
377 or traffic violations bureau.

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378 (10) School bus safety cameras must meet specifications of
379 the Department of Education, which shall adopt rules prescribing
380 such specifications by October 1, 2013.

381 (11) This section supplements the enforcement of s. 316.172
382 by law enforcement officers and does not prohibit a law
383 enforcement officer from issuing a uniform traffic citation when
384 the operator fails to stop behind a school bus displaying a stop
385 signal or passes a school bus before the stop signal has been
386 withdrawn. When a law enforcement officer issues a uniform
387 traffic citation, the procedures for disposition of the citation
388 in chapter 318 apply.

389 (12) This section does not limit the powers of district
390 school boards as established by the State Constitution and
391 recognized by s. 1001.32(2).

392 Section 4. Subsection (3) of section 316.650, Florida
393 Statutes, is amended to read:

394 316.650 Traffic citations.—

395 (3) (a) Except for a traffic citation issued pursuant to s.
396 316.1001, ~~or~~ s. 316.0083, or s. 316.0084, each traffic
397 enforcement officer, upon issuing a traffic citation to an
398 alleged violator of any provision of the motor vehicle laws of
399 this state or of any traffic ordinance of any municipality or
400 town, shall deposit the original traffic citation or, in the
401 case of a traffic enforcement agency that has an automated
402 citation issuance system, the chief administrative officer shall
403 provide by an electronic transmission a replica of the citation
404 data to a court having jurisdiction over the alleged offense or
405 with its traffic violations bureau within 5 days after issuance
406 to the violator.

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407 (b) If a traffic citation is issued pursuant to s.
408 316.1001, a traffic enforcement officer may deposit the original
409 traffic citation or, in the case of a traffic enforcement agency
410 that has an automated citation system, may provide by an
411 electronic transmission a replica of the citation data to a
412 court having jurisdiction over the alleged offense or with its
413 traffic violations bureau within 45 days after the date of
414 issuance of the citation to the violator. If the person cited
415 for the violation of s. 316.1001 makes the election provided by
416 s. 318.14(12) and pays the \$25 fine, or such other amount as
417 imposed by the governmental entity owning the applicable toll
418 facility, plus the amount of the unpaid toll that is shown on
419 the traffic citation directly to the governmental entity that
420 issued the citation, or on whose behalf the citation was issued,
421 in accordance with s. 318.14(12), the traffic citation will not
422 be submitted to the court, the disposition will be reported to
423 the department by the governmental entity that issued the
424 citation, or on whose behalf the citation was issued, and no
425 points will be assessed against the person's driver ~~driver's~~
426 license.

427 (c) If a traffic citation is issued under s. 316.0083 or s.
428 316.0084, the traffic infraction enforcement officer shall
429 provide by electronic transmission a replica of the traffic
430 citation data to the court having jurisdiction over the alleged
431 offense or its traffic violations bureau within 5 days after the
432 date of issuance of the traffic citation to the violator.

433 Section 5. Subsection (1) of section 316.655, Florida
434 Statutes, is amended to read:

435 316.655 Penalties.—

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436 (1) A violation of any of the provisions of this chapter,
437 except those violations with a specific criminal charge, as
438 enumerated in s. 318.17, are infractions, as defined in s.
439 318.13(3). Except for violations of s. 316.172 when no traffic
440 citation is issued by a law enforcement officer and s. 316.302,
441 infractions of this chapter are punishable as provided in
442 chapter 318. Any person convicted of a violation of or otherwise
443 found to be in violation of s. 316.063, s. 316.3025, s. 316.516,
444 s. 316.545, or s. 316.550 shall be punished as specifically
445 provided in that section.

446 Section 6. Subsection (2) of section 318.14, Florida
447 Statutes, is amended to read:

448 318.14 Noncriminal traffic infractions; exception;
449 procedures.—

450 (2) Except as provided in ss. 316.1001(2), ~~and~~ 316.0083,
451 and 316.0084, any person cited for a violation requiring a
452 mandatory hearing listed in s. 318.19 or any other criminal
453 traffic violation listed in chapter 316 must sign and accept a
454 citation indicating a promise to appear. The officer may
455 indicate on the traffic citation the time and location of the
456 scheduled hearing and must indicate the applicable civil penalty
457 established in s. 318.18. For all other infractions under this
458 section, except for infractions under s. 316.1001, the officer
459 must certify by electronic, electronic facsimile, or written
460 signature that the citation was delivered to the person cited.
461 This certification is prima facie evidence that the person cited
462 was served with the citation.

463 Section 7. Section 318.19, Florida Statutes, is amended to
464 read:

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465 318.19 Infractions requiring a mandatory hearing.—Any
466 person cited for the infractions listed in this section shall
467 not have the provisions of s. 318.14(2), (4), and (9) available
468 to him or her but must appear before the designated official at
469 the time and location of the scheduled hearing:

470 (1) Any infraction which results in a crash that causes the
471 death of another.~~†~~

472 (2) Any infraction which results in a crash that causes
473 “serious bodily injury” of another as defined in s.
474 316.1933(1).~~†~~

475 (3) Any infraction of s. 316.172(1)(b), except when
476 enforced under s. 316.0084 when the violation was recorded by a
477 school bus safety camera.~~†~~

478 (4) Any infraction of s. 316.520(1) or (2).~~†~~~~or~~

479 (5) Any infraction of s. 316.183(2), s. 316.187, or s.
480 316.189 of exceeding the speed limit by 30 m.p.h. or more.

481 Section 8. Subsection (3) is added to section 318.15,
482 Florida Statutes, to read:

483 318.15 Failure to comply with civil penalty or to appear;
484 penalty.—

485 (3) Notwithstanding subsection (1), any governmental
486 entity, including a clerk of court, shall provide the department
487 with data that is machine readable by the department’s computer
488 system listing persons who have one or more outstanding
489 violations of s. 316.172 when enforced under s. 316.0084 for
490 failing to stop behind a school bus displaying a stop signal or
491 by passing a school bus before the stop signal has been
492 withdrawn. The data provided to the department shall include the
493 person’s driver license number or, in the case of a business

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494 entity, the vehicle registration number. Pursuant to s.
495 320.03(8), such persons may not be issued a license plate or
496 revalidation sticker for any motor vehicle until the amounts
497 assessed have been fully paid.

498 Section 9. Subsection (8) of section 320.03, Florida
499 Statutes, is amended to read:

500 320.03 Registration; duties of tax collectors;
501 International Registration Plan.-

502 (8) If the applicant's name appears on the list referred to
503 in s. 316.1001(4), s. 316.1967(6), s. 318.15(3), or s.
504 713.78(13), a license plate or revalidation sticker may not be
505 issued until that person's name no longer appears on the list or
506 until the person presents a receipt from the governmental entity
507 or the clerk of court that provided the data showing that the
508 fines outstanding have been paid. This subsection does not apply
509 to the owner of a leased vehicle if the vehicle is registered in
510 the name of the lessee of the vehicle. The tax collector and the
511 clerk of the court are each entitled to receive monthly, as
512 costs for implementing and administering this subsection, 10
513 percent of the civil penalties and fines recovered from such
514 persons. As used in this subsection, the term "civil penalties
515 and fines" does not include a wrecker operator's lien as
516 described in s. 713.78(13). If the tax collector has private tag
517 agents, such tag agents are entitled to receive a pro rata share
518 of the amount paid to the tax collector, based upon the
519 percentage of license plates and revalidation stickers issued by
520 the tag agent compared to the total issued within the county.
521 The authority of any private agent to issue license plates shall
522 be revoked, after notice and a hearing as provided in chapter

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523 120, if he or she issues any license plate or revalidation
524 sticker contrary to the provisions of this subsection. This
525 section applies only to the annual renewal in the owner's birth
526 month of a motor vehicle registration and does not apply to the
527 transfer of a registration of a motor vehicle sold by a motor
528 vehicle dealer licensed under this chapter, except for the
529 transfer of registrations which includes the annual renewals.
530 This section does not affect the issuance of the title to a
531 motor vehicle, notwithstanding s. 319.23(8)(b).

532 Section 10. This act shall take effect July 1, 2013.