



945472

LEGISLATIVE ACTION

Senate	.	House
Comm: RS	.	
04/16/2015	.	
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Appropriations Subcommittee on Transportation, Tourism, and Economic Development (Brandes) recommended the following:

Senate Amendment (with title amendment)

Delete lines 189 - 279

and insert:

enacted pursuant to this section. Funds retained by the county or municipality under this sub-subparagraph shall be used only for traffic safety initiatives, including costs related to the administration of the Mark Wandall Traffic Safety Program under this section. Funds deposited into the Department of Health Emergency Medical Services Trust Fund under this sub-



945472

11 subparagraph shall be distributed as provided in s. 395.4036(1).
12 Proceeds of the infractions in the Brain and Spinal Cord Injury
13 Trust Fund shall be distributed quarterly to the Miami Project
14 to Cure Paralysis and used for brain and spinal cord research.

15 4. If a county or municipality fails to comply with the
16 reporting requirements in subsection (4), as determined by the
17 department, the department shall annually, on October 1, provide
18 notice of the failure to the county or municipality. The county
19 or municipality shall have 30 days from the date of the notice
20 within which to establish compliance with the reporting
21 requirements. If compliance is not established within the 30
22 days, the department shall immediately notify the Department of
23 Revenue of the county's or municipality's noncompliance. In
24 cases of such noncompliance, notwithstanding subparagraph 3.,
25 the portion of revenues collected and otherwise retained by the
26 county or municipality may not be retained but shall be remitted
27 to the Department of Revenue. The Department of Revenue shall
28 maintain records of such remissions reflecting the total amount
29 of revenues received from each noncompliant county or
30 municipality. On notice from the department that the county or
31 municipality has established compliance, the Department of
32 Revenue shall return those revenues to the affected county or
33 municipality.

34 5.4. An individual may not receive a commission from any
35 revenue collected from violations detected through the use of a
36 traffic infraction detector. A manufacturer or vendor may not
37 receive a fee or remuneration based upon the number of
38 violations detected through the use of a traffic infraction
39 detector.



945472

40 (4) (a) Each county or municipality that operates a traffic
41 infraction detector shall submit a report ~~by October 1, 2012,~~
42 ~~and annually thereafter,~~ to the department no later than
43 September 30 of each year which details the results of using the
44 traffic infraction detector and the procedures for enforcement
45 for the preceding state fiscal year. The information submitted
46 by the counties and municipalities must include statistical data
47 and information required by the department to complete the
48 report required under paragraph (b), and must include all of the
49 following:-

50 1. The name of the jurisdiction and contact information for
51 the person responsible for the administration of the traffic
52 infraction detector program.

53 2. The location of each camera, including both geospatial
54 and cross-road descriptions of the location of each device.

55 3. The date that each red light camera became operational,
56 and the dates of camera operation during the fiscal year,
57 including any status changes of the camera's use during the
58 reporting period.

59 4. Data related to the issuance and disposition of notices
60 of violation and subsequent uniform traffic citations issued
61 during the reporting period.

62 5. Vehicle crash data, including fatalities and injuries,
63 for crashes that occurred within a 250-foot radius of the
64 geospatial coordinates for each traffic infraction detector
65 during the 12-month period immediately preceding the initial
66 date of camera operation. Data submitted as required under this
67 subsection should be able to be validated against department
68 data.



945472

69 6. Identification of any and all alternative safety
70 measures, including increasing the interval between the yellow
71 change light and the red clearance light, increasing the
72 visibility of traffic lights, and installing advance dilemma-
73 zone detection systems, which the jurisdiction considered or
74 implemented during the reporting period in lieu of or in
75 addition to the use of a traffic infraction detector. The
76 jurisdiction shall include the date of implementation of any
77 such measures to assist the department in the analysis of crash
78 data at a specified location.

79 Section 3. Subsection (9) of section 316.0745, Florida
80 Statutes, is amended to read:

81 316.0745 Uniform signals and devices.—

82 (9) The Department of Transportation is authorized to
83 inspect, at random, any traffic control device or any traffic
84 infraction detector at any intersection with a traffic
85 infraction detector for the purpose of verifying that such
86 device and detector conform to the specifications and
87 requirements of this section.

88 Section 4. Subsection (1) of section 316.0776, Florida
89 Statutes, is amended to read:

90 316.0776 Traffic infraction detectors; placement and
91 installation.—

92 (1) Traffic infraction detectors are allowed on state roads
93 when permitted by the Department of Transportation and under
94 placement and installation specifications developed by the
95 Department of Transportation. Traffic infraction detectors are
96 allowed on streets and highways under the jurisdiction of
97 counties or municipalities in accordance with placement and



945472

98 installation specifications developed by the Department of
99 Transportation. A notice of violation or uniform traffic
100 citation may not be issued through the use of a traffic
101 infraction detector that is not in compliance with all
102 specifications. Additionally, before installation of any traffic
103 infraction detector, the county or municipality shall document
104 and make available upon the request of the Department of
105 Transportation consideration and reasons for rejection of other
106 engineering countermeasures set forth in the most recent
107 publication addressing countermeasures by the Institute of
108 Transportation Engineers that are intended to reduce violations
109 of ss. 316.074(1) and 316.075(1) (c)1.
110

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

112 And the title is amended as follows:

113 Delete lines 9 - 36

114 and insert:

115 316.0083, F.S.; relating to traffic infraction
116 detectors; requiring funds retained by a municipality
117 or county for traffic infraction detector violations
118 to be used only for certain purposes; requiring the
119 Department of Highway Safety and Motor Vehicles to
120 provide notice of failure to comply with certain
121 reporting requirements; providing a period within
122 which to become compliant with such reporting
123 requirements; requiring the Department of Revenue to
124 maintain records of such remissions; providing for the
125 return of certain revenues to a municipality or county
126 under certain circumstances; requiring the annual



945472

127 report detailing the results of using traffic
128 infraction detectors and the procedures for
129 enforcement to include specified information; amending
130 s. 316.0745, F.S.; authorizing the Department of
131 Transportation to randomly inspect any traffic control
132 device or any traffic infraction detector at certain
133 locations to verify compliance with certain
134 specifications and requirements; amending s. 316.0776,
135 F.S.; prohibiting issuance of a notice of violation or
136 traffic citation through use of a traffic infraction
137 detector that is not in compliance with all
138 specifications; requiring a municipality or county to
139 document and make available upon request of the
140 Department of Transportation consideration and
141 rejection of certain engineering countermeasures
142 before installing any traffic infraction detector;