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LEGISLATIVE ACTION

| Senate | . | House |
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| Comm: RCS | . | |
| 04/04/2023 | . | |
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The Committee on Transportation (Burgess) recommended the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

Section 1. Present subsections (78) through (109) of section 316.003, Florida Statutes, are redesignated as subsections (79) through (110), respectively, a new subsection (78) is added to that section, and subsection (64) of that section is amended, to read:

316.003 Definitions.—The following words and phrases, when



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11 used in this chapter, shall have the meanings respectively
12 ascribed to them in this section, except where the context
13 otherwise requires:

14 (64) PRIVATE ROAD OR DRIVEWAY.—Except as otherwise provided
15 in paragraph (88) (b) ~~(87) (b)~~, any privately owned way or place
16 used for vehicular travel by the owner and those having express
17 or implied permission from the owner, but not by other persons.

18 (78) SCHOOL BUS INFRACTION DETECTION SYSTEM.—A camera
19 system affixed to a school bus with two or more camera sensors
20 or computers that produce a recorded video and two or more film
21 or digital photographic still images for the purpose of
22 documenting a motor vehicle being used or operated in a manner
23 that allegedly violates s. 316.172(1) (a) or (b).

24 Section 2. Section 316.173, Florida Statutes, is created to
25 read:

26 316.173 School bus infraction detection systems.—

27 (1) (a) A school district may install and operate a school
28 bus infraction detection system on a school bus for the purpose
29 of enforcing s. 316.172(1) (a) and (b) as provided in and
30 consistent with this section.

31 (b) The school district may contract with a private vendor
32 or manufacturer to install a school bus infraction detection
33 system on any school bus within its fleet, whether owned,
34 contracted, or leased, and for services including, but not
35 limited to, the installation, operation, and maintenance of the
36 system. The school district's decision to install school bus
37 infraction detection systems must be based solely on the need to
38 increase public safety. An individual may not receive a
39 commission from any revenue collected from violations detected



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40 through the use of a school bus infraction detection system. A
41 private vendor or manufacturer may not receive a fee or
42 remuneration based upon the number of violations detected
43 through the use of a school bus infraction detection system.

44 (c) The school district shall ensure that each school bus
45 infraction detection system meets the requirements of subsection
46 (18).

47 (d) The school district shall enter into an interlocal
48 agreement with one or more law enforcement agencies authorized
49 to enforce violations of s. 316.172(1)(a) and (b) within the
50 school district which jointly establishes the responsibilities
51 of enforcement and the reimbursement of costs associated with
52 school bus infraction detection systems, consistent with this
53 section.

54 (2)(a) On any school bus in which a school bus infraction
55 detection system is installed and operational, the school
56 district must post high-visibility reflective signage on the
57 rear of the school bus which indicates the use of such system.
58 The signage must be in the form of one or more signs or stickers
59 and must contain the following elements in substantially the
60 following form:

61 1. The words "STOP WHEN RED LIGHTS FLASH" or "DO NOT PASS
62 WHEN RED LIGHTS FLASH."

63 2. The words "CAMERA ENFORCED."

64 3. A graphic symbol of a camera.

65 (b) The signage must occupy at least 75 percent of the
66 available space that does not contain signs or insignia that are
67 required by other applicable laws or by the State Board of
68 Education.



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69 (c) The sufficiency of signage or compliance with the
70 signage requirements under this subsection may not be raised in
71 a proceeding challenging a violation of s. 316.172(1)(a) or (b).

72 (3) If a school district begins a school bus infraction
73 detection system program and has never conducted such a program,
74 the school district must make a public announcement and conduct
75 a public awareness campaign of the proposed use of school bus
76 infraction detection systems at least 30 days before commencing
77 enforcement under the school bus infraction detection system
78 program and notify the public of the specific date on which the
79 program will commence. During the public awareness campaign,
80 only a warning may be issued to the registered owner of the
81 motor vehicle for a violation of s. 316.172(1)(a) or (b),
82 enforced by a school bus infraction detection system, and a
83 civil penalty may not be imposed under chapter 318.

84 (4) Within 30 days after an alleged violation of s.
85 316.172(1)(a) or (b) is captured by a school bus infraction
86 detection system, the private vendor or manufacturer shall
87 submit the following information to a law enforcement agency
88 that has entered into an interlocal agreement with the school
89 district pursuant to paragraph (1)(d) and has traffic infraction
90 enforcement jurisdiction at the location where the alleged
91 violation occurred:

92 (a) A copy of the recorded video and images showing the
93 motor vehicle allegedly violating s. 316.172(1)(a) or (b).

94 (b) The motor vehicle's license plate number and the state
95 of issuance of the motor vehicle's license plate.

96 (c) The date, time, and location of the alleged violation.

97 (5) Within 30 days after receiving the information required



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98 in subsection (4), the law enforcement agency, if it determines
99 that the motor vehicle violated s. 316.172(1)(a) or (b), must
100 send a notice of violation to the registered owner of the motor
101 vehicle involved in the violation, specifying the remedies
102 available under s. 318.14 and that the violator must pay the
103 penalty under s. 318.18(5) or furnish an affidavit in accordance
104 with subsection (10) within 30 days after the date of the
105 notification of violation in order to avoid court fees, costs,
106 and the issuance of a uniform traffic citation. The notification
107 of violation must be sent by first-class mail and include all of
108 the following:

109 (a) A copy of the recorded image showing the motor vehicle
110 involved in the violation, including an image showing the
111 license plate of the motor vehicle.

112 (b) The date, time, and location of the violation.

113 (c) The amount of civil penalty, the date by which the
114 penalty must be paid, and instructions on how to pay the civil
115 penalty.

116 (d) Instructions on how to request a hearing to contest
117 liability or the notice of violation.

118 (e) A notice that the owner has the right to review, in
119 person or remotely, the images and video captured by the school
120 bus infraction detection system which constitute a rebuttable
121 presumption that the motor vehicle was used in violation of s.
122 316.172(a) or (b).

123 (f) The time when, and the place or website at which, the
124 images or video captured may be examined and observed.

125 (g) A warning that failure to pay the civil penalty or to
126 contest liability within 30 days after the notice is mailed will



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127 result in the issuance of a uniform traffic citation.

128 (6) If the registered owner or co-owner of the motor
129 vehicle; the person identified as having care, custody, or
130 control of the motor vehicle at the time of the violation; or an
131 authorized representative of the owner, co-owner, or identified
132 person initiates a proceeding to challenge the violation, such
133 person waives any challenge or dispute as to the delivery of the
134 notification of violation.

135 (7) The civil penalties assessed for a violation of s.
136 316.172(1) (a) or (b) enforced by a school bus infraction
137 detection system must be remitted to the school district in
138 which the violation occurred. Such civil penalties must be used
139 for the installation or maintenance of school bus infraction
140 detection systems on school buses, for any other technology that
141 increases the safety of the transportation of students, or for
142 the administration and costs associated with the enforcement of
143 violations as described in this section.

144 (8) A uniform traffic citation must be issued by mailing
145 the uniform traffic citation by certified mail to the address of
146 the registered owner of the motor vehicle involved in the
147 violation if payment has not been made within 30 days after
148 notification under subsection (5), if the registered owner has
149 not requested a hearing under s. 318.14, or if the registered
150 owner has not submitted an affidavit in accordance with
151 subsection (10).

152 (a) Delivery of the uniform traffic citation constitutes
153 notification for a violation of s. 316.172(1) (a) or (b) under
154 this subsection. If the registered owner or co-owner of the
155 motor vehicle; the person identified as having care, custody, or



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156 control of the motor vehicle at the time of the violation; or a
157 duly authorized representative of the owner, co-owner, or
158 identified person initiates a proceeding to challenge the
159 citation, such person waives any challenge or dispute as to
160 delivery of the traffic citation.

161 (b) In the case of joint ownership of a motor vehicle, the
162 traffic citation must be mailed to the first name appearing on
163 the motor vehicle registration, unless the first name appearing
164 on the registration is a business or organization, in which case
165 the second name on the citation may be used.

166 (c) The uniform traffic citation mailed to the registered
167 owner of the motor vehicle involved in the infraction must be
168 accompanied by information described in paragraphs (5) (a)-(f).

169 (9) The registered owner of the motor vehicle involved in
170 the violation is responsible and liable for paying the uniform
171 traffic citation issued for a violation of s. 316.172(1) (a) or
172 (b) unless the owner can establish that:

173 (a) The motor vehicle was, at the time of the violation, in
174 the care, custody, or control of another person;

175 (b) A uniform traffic citation was issued by law
176 enforcement to the driver of the motor vehicle for the alleged
177 violation of s. 316.172(1) (a) or (b); or

178 (c) The motor vehicle's owner was deceased on or before the
179 date that the uniform traffic citation was issued, as
180 established by an affidavit submitted by the representative of
181 the motor vehicle owner's estate or other designated person or
182 family member.

183 (10) To establish such facts under subsection (9), the
184 registered owner of the motor vehicle shall, within 30 days



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185 after the date of issuance of the notice of violation or the
186 uniform traffic citation, furnish to the law enforcement agency
187 that issued the notice of violation or uniform traffic citation
188 an affidavit setting forth information supporting an exception
189 under subsection (9).

190 (a) An affidavit supporting the exemption under paragraph
191 (9) (a) must include the name, address, date of birth, and, if
192 known, the driver license number of the person who leased,
193 rented, or otherwise had care, custody, or control of the motor
194 vehicle at the time of the alleged violation. If the motor
195 vehicle was stolen at the time of the alleged violation, the
196 affidavit must include the police report indicating that the
197 motor vehicle was stolen.

198 (b) If a uniform traffic citation for a violation of s.
199 316.172(1) (a) or (b) was issued at the location of the violation
200 by a law enforcement officer, the affidavit must include the
201 serial number of the uniform traffic citation.

202 (c) If the motor vehicle's owner to whom a traffic citation
203 has been issued is deceased, the affidavit must include a
204 certified copy of the owner's death certificate showing that the
205 death occurred on or before the date of the issuance of the
206 traffic citation and one of the following:

207 1. A bill of sale or other document showing that the
208 deceased owner's motor vehicle was sold or transferred after his
209 or her death but on or before the date of the alleged violation.

210 2. Documented proof that the registered license plate
211 belonging to the deceased owner's motor vehicle was returned to
212 the department or any branch office or authorized agent of the
213 department after his or her death but on or before the date of



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214 the alleged violation.

215 3. A copy of the police report showing that the deceased
216 owner's registered license plate or motor vehicle was stolen
217 after his or her death but on or before the date of the alleged
218 violation.

219
220 Upon receipt of the affidavit and documentation required under
221 paragraphs (b) and (c), or 30 days after the date of issuance of
222 a notice of violation sent to a person identified as having
223 care, custody, or control of the motor vehicle at the time of
224 the violation under paragraph (a), the law enforcement agency
225 must dismiss the notice or citation and provide proof of such
226 dismissal to the person who submitted the affidavit. If, within
227 30 days after the date of a notice of violation sent to a person
228 under subsection (11), the law enforcement agency receives an
229 affidavit under this subsection from the person who was sent a
230 notice of violation affirming that the person did not have care,
231 custody, or control of the motor vehicle at the time of the
232 violation, the law enforcement agency must notify the registered
233 owner that the notice or citation will not be dismissed due to
234 failure to establish that another person had care, custody, or
235 control of the motor vehicle at the time of the violation.

236 (11) Upon receipt of an affidavit under paragraph (9) (a),
237 the law enforcement agency may issue the person identified as
238 having care, custody, or control of the motor vehicle at the
239 time of the violation a notification of violation pursuant to
240 subsection (5) for a violation of s. 316.172(1) (a) or (b). The
241 affidavit is admissible in a proceeding pursuant to this section
242 for the purpose of providing evidence that the person identified



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243 in the affidavit was in actual care, custody, or control of the
244 motor vehicle. The owner of a leased motor vehicle for which a
245 traffic citation is issued for a violation of s. 316.172(1) (a)
246 or (b) is not responsible for paying the traffic citation and is
247 not required to submit an affidavit as specified in subsection
248 (10) if the motor vehicle involved in the violation is
249 registered in the name of the lessee of such motor vehicle.

250 (12) If a law enforcement agency receives an affidavit
251 under paragraph (9) (a), the notification of violation required
252 under subsection (5) must be sent to the person identified in
253 the affidavit within 30 days after receipt of the affidavit. The
254 person identified in an affidavit and sent a notice of violation
255 may also affirm he or she did not have care, custody, or control
256 of the motor vehicle at the time of the violation by furnishing
257 to the appropriate governmental entity within 30 days after the
258 date of the notice of violation an affidavit stating such.

259 (13) The submission of a false affidavit is a misdemeanor
260 of the second degree, punishable as provided in s. 775.082 or s.
261 775.083.

262 (14) The images and video captured by a school bus
263 infraction detection system which are attached to or referenced
264 in the traffic citation are evidence of a violation of s.
265 316.172(1) (a) or (b) and are admissible in any proceeding to
266 enforce this section. The images and video raise a rebuttable
267 presumption that the motor vehicle shown in the images and video
268 was used in violation of s. 316.172(1) (a) or (b).

269 (15) This section supplements the enforcement of s.
270 316.172(1) (a) and (b) by a law enforcement officer and does not
271 prohibit a law enforcement officer from issuing a traffic



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272 citation for a violation of s. 316.172(1)(a) or (b).

273 (16)(a)1. Notwithstanding any other law, equipment deployed
274 as part of a school bus infraction detection system as provided
275 under this section must be incapable of automated or user-
276 controlled remote surveillance by means of recorded video or
277 still images.

278 2. Images collected as part of the school bus infraction
279 detection system may be used only to document violations of s.
280 316.172(1)(a) or (b) and may not be used for any other
281 surveillance purposes.

282 3. To the extent practicable, a school bus infraction
283 detection system must use necessary technology to ensure that
284 personal identifying information contained in the recorded video
285 or still images produced by the system which is not relevant to
286 the alleged violation, including, but not limited to, the
287 identity of the driver and any passenger of a motor vehicle, the
288 interior or contents of a motor vehicle, the identity of an
289 uninvolved person, a number identifying the address of a private
290 residence, and the contents or interior of a private residence,
291 is sufficiently obscured so as not to reveal such personal
292 identifying information.

293 4. A notice of a violation or uniform traffic citation
294 issued under this section may not be dismissed solely because a
295 recorded video or still images reveal personal identifying
296 information as provided in subparagraph 3., as long as a
297 reasonable effort has been made to comply with this subsection.

298 (b) Any recorded video or still image obtained through the
299 use of a school bus infraction detection system must be
300 destroyed within 90 days after the final disposition of the



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301 recorded event. The vendor of a school bus infraction detection
302 system shall provide the school district with written notice by
303 December 31 of each year that such records have been destroyed
304 in accordance with this section.

305 (c) Notwithstanding any other law, registered motor vehicle
306 owner information obtained as a result of the operation of a
307 school bus infraction detection system is not the property of
308 the manufacturer or vendor of the system and may be used only
309 for the purposes of this section.

310 (17) (a) By October 1, 2024, and annually thereafter, each
311 school district, in consultation with the law enforcement
312 agencies with which it has interlocal agreements pursuant to
313 this section, operating a school bus infraction detection system
314 shall provide a report to Department of Education which details
315 the results of the school bus infraction detection systems in
316 the school district in the preceding school year. The
317 information submitted by the school districts must include:

318 1. The number of buses which have a school bus infraction
319 detection system installed, including the date of installation
320 and, if applicable, the date the systems were removed.

321 2. The number of notices of violation issued, the number
322 that were contested, and the number that were paid per state
323 fiscal year.

324 3. Any other statistical data and information required by
325 the Department of Education to complete the report required by
326 paragraph (b).

327 (b) By December 31, 2024, and annually thereafter, the
328 Department of Education shall submit a summary report to the
329 Governor, the President of the Senate, and the Speaker of the



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330 House of Representatives regarding the use and operation of
331 school bus infraction detection systems under this section,
332 along with the Department of Education's recommendations on any
333 necessary legislation. The summary report must include a review
334 of the information submitted to the Department of Education by
335 the school districts and must describe the enhancement of
336 traffic safety and enforcement programs.

337 (18) A school bus infraction detection system must meet
338 specifications established by the State Board of Education and
339 must be tested at regular intervals according to specifications
340 prescribed by state board rule. The state board must establish
341 such specifications by rule on or before December 31, 2023.
342 However, any such equipment acquired by purchase, lease, or
343 other arrangement under an agreement entered into by a school
344 district on or before July 1, 2024, or equipment used to enforce
345 violations of s. 316.172(1)(a) or (b) on or before July 1, 2024,
346 is not required to meet the specifications established by the
347 state board until July 1, 2024.

348 (19) The State Board of Education may adopt rules to
349 address student privacy concerns that may arise from the use of
350 a school bus infraction detection system.

351 Section 3. Subsection (2) of section 318.14, Florida
352 Statutes, is amended to read:

353 318.14 Noncriminal traffic infractions; exception;
354 procedures.—

355 (2) Except as provided in ss. 316.0083, 316.1001(2), and
356 316.173 ~~ss. 316.1001(2) and 316.0083~~, any person cited for a
357 violation requiring a mandatory hearing listed in s. 318.19 or
358 any other criminal traffic violation listed in chapter 316 must



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359 sign and accept a citation indicating a promise to appear. The
360 officer may indicate on the traffic citation the time and
361 location of the scheduled hearing and must indicate the
362 applicable civil penalty established in s. 318.18. For all other
363 infractions under this section, except for infractions under s.
364 316.1001, the officer must certify by electronic, electronic
365 facsimile, or written signature that the citation was delivered
366 to the person cited. This certification is prima facie evidence
367 that the person cited was served with the citation.

368 Section 4. Subsection (5) of section 318.18, Florida
369 Statutes, is amended to read:

370 318.18 Amount of penalties.—The penalties required for a
371 noncriminal disposition pursuant to s. 318.14 or a criminal
372 offense listed in s. 318.17 are as follows:

373 (5) (a) Two hundred dollars for a violation of s.
374 316.172(1) (a), failure to stop for a school bus. If, at a
375 hearing, the alleged offender is found to have committed this
376 offense, the court must ~~shall~~ impose a minimum civil penalty of
377 \$200. In addition to this penalty, for a second or subsequent
378 offense within a period of 5 years, the department shall suspend
379 the driver license of the person for not less than 180 days and
380 not more than 1 year.

381 (b) Four hundred dollars for a violation of s.
382 316.172(1) (b), passing a school bus on the side that children
383 enter and exit when the school bus displays a stop signal. If,
384 at a hearing, the alleged offender is found to have committed
385 this offense, the court must ~~shall~~ impose a minimum civil
386 penalty of \$400. In addition to this penalty, for a second or
387 subsequent offense within a period of 5 years, the department



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388 shall suspend the driver license of the person for not less than
389 360 days and not more than 2 years. If a violation of s.
390 316.172(1)(b) is enforced by a school bus infraction detection
391 system pursuant to s. 316.173, the penalty under this paragraph
392 is \$200, in lieu of the \$400 penalty, and a court must impose a
393 minimum civil penalty under this paragraph of \$200, in lieu of
394 the \$400 minimum civil penalty.

395 (c) In addition to the penalty under paragraph (a) or
396 paragraph (b), \$65 for a violation of s. 316.172(1)(a) or (b).
397 If the alleged offender is found to have committed the offense,
398 the court must ~~shall~~ impose the civil penalty under paragraph
399 (a) or paragraph (b) plus an additional \$65. The additional \$65
400 collected under this paragraph must ~~shall~~ be remitted to the
401 Department of Revenue for deposit into the Emergency Medical
402 Services Trust Fund of the Department of Health to be used as
403 provided in s. 395.4036. If a violation of s. 316.172(1)(a) or
404 (b) is enforced by a school bus infraction detection system
405 pursuant to s. 316.173, the fee imposed on the citation or by
406 the court under this paragraph is \$25, in lieu of the \$65 fee,
407 which must be dedicated to the safe schools allocation provided
408 to school districts by the Department of Education pursuant to
409 s. 1011.62(12).

410 (d) Notwithstanding any other provision of law to the
411 contrary, \$1,500 for a violation of s. 316.172(1)(a) or (b) that
412 causes or results in serious bodily injury to or death of
413 another. The person may enter into a payment plan with the clerk
414 of court pursuant to s. 28.246. In addition to this penalty, the
415 department shall suspend the driver license of the person for
416 not less than 1 year.



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417 Section 5. Paragraph (d) of subsection (3) of section
418 322.27, Florida Statutes, is amended to read:

419 322.27 Authority of department to suspend or revoke driver
420 license or identification card.—

421 (3) There is established a point system for evaluation of
422 convictions of violations of motor vehicle laws or ordinances,
423 and violations of applicable provisions of s. 403.413(6) (b) when
424 such violations involve the use of motor vehicles, for the
425 determination of the continuing qualification of any person to
426 operate a motor vehicle. The department is authorized to suspend
427 the license of any person upon showing of its records or other
428 good and sufficient evidence that the licensee has been
429 convicted of violation of motor vehicle laws or ordinances, or
430 applicable provisions of s. 403.413(6) (b), amounting to 12 or
431 more points as determined by the point system. The suspension
432 shall be for a period of not more than 1 year.

433 (d) The point system is ~~shall have as its basic element~~ a
434 graduated scale of points assigning relative values to
435 convictions of the following violations:

436 1. Reckless driving, willful and wanton—4 points.

437 2. Leaving the scene of a crash resulting in property
438 damage of more than \$50—6 points.

439 3. Unlawful speed, or unlawful use of a wireless
440 communications device, resulting in a crash—6 points.

441 4. Passing a stopped school bus:

442 a. Not causing or resulting in serious bodily injury to or
443 death of another—4 points.

444 b. Causing or resulting in serious bodily injury to or
445 death of another—6 points.



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446 c. Points may not be imposed for a violation of passing a
447 stopped school bus when enforced by a school bus infraction
448 detection system. In addition, a violation of s. 316.172(1)(a)
449 or (b) when enforced by a school bus infraction detection system
450 pursuant to s. 316.173 may not be used for purposes of setting
451 motor vehicle insurance rates.

452 5. Unlawful speed:

453 a. Not in excess of 15 miles per hour of lawful or posted
454 speed—3 points.

455 b. In excess of 15 miles per hour of lawful or posted
456 speed—4 points.

457 6. A violation of a traffic control signal device as
458 provided in s. 316.074(1) or s. 316.075(1)(c)1.—4 points.
459 However, ~~no~~ no points may not shall be imposed for a violation of
460 s. 316.074(1) or s. 316.075(1)(c)1. when a driver has failed to
461 stop at a traffic signal and when enforced by a traffic
462 infraction enforcement officer. In addition, a violation of s.
463 316.074(1) or s. 316.075(1)(c)1. when a driver has failed to
464 stop at a traffic signal and when enforced by a traffic
465 infraction enforcement officer may not be used for purposes of
466 setting motor vehicle insurance rates.

467 7. All other moving violations (including parking on a
468 highway outside the limits of a municipality)—3 points. However,
469 ~~no~~ no points may not shall be imposed for a violation of s.
470 316.0741 or s. 316.2065(11); and points may shall be imposed for
471 a violation of s. 316.1001 only when imposed by the court after
472 a hearing pursuant to s. 318.14(5).

473 8. Any moving violation covered in this paragraph,
474 excluding unlawful speed and unlawful use of a wireless



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475 communications device, resulting in a crash—4 points.

476 9. Any conviction under s. 403.413(6)(b)—3 points.

477 10. Any conviction under s. 316.0775(2)—4 points.

478 11. A moving violation covered in this paragraph which is
479 committed in conjunction with the unlawful use of a wireless
480 communications device within a school safety zone—2 points, in
481 addition to the points assigned for the moving violation.

482 Section 6. Paragraph (a) of subsection (3) of section
483 316.306, Florida Statutes, is amended to read:

484 316.306 School and work zones; prohibition on the use of a
485 wireless communications device in a handheld manner.—

486 (3)(a)1. A person may not operate a motor vehicle while
487 using a wireless communications device in a handheld manner in a
488 designated school crossing, school zone, or work zone area as
489 defined in s. 316.003(110) ~~s. 316.003(109)~~. This subparagraph
490 shall only be applicable to work zone areas if construction
491 personnel are present or are operating equipment on the road or
492 immediately adjacent to the work zone area. For the purposes of
493 this paragraph, a motor vehicle that is stationary is not being
494 operated and is not subject to the prohibition in this
495 paragraph.

496 2. Effective January 1, 2020, a law enforcement officer may
497 stop motor vehicles and issue citations to persons who are
498 driving while using a wireless communications device in a
499 handheld manner in violation of subparagraph 1.

500 Section 7. Subsection (1) of section 655.960, Florida
501 Statutes, is amended to read:

502 655.960 Definitions; ss. 655.960-655.965.—As used in this
503 section and ss. 655.961-655.965, unless the context otherwise



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504 requires:

505 (1) "Access area" means any paved walkway or sidewalk which
506 is within 50 feet of any automated teller machine. The term does
507 not include any street or highway open to the use of the public,
508 as defined in s. 316.003(88) (a) or (b) ~~s. 316.003(87) (a) or (b)~~,
509 including any adjacent sidewalk, as defined in s. 316.003.

510 Section 8. Paragraph (h) is added to subsection (3) of
511 section 1006.21, Florida Statutes, to read:

512 1006.21 Duties of district school superintendent and
513 district school board regarding transportation.-

514 (3) District school boards, after considering
515 recommendations of the district school superintendent:

516 (h) May install and operate, or enter into an agreement
517 with a private vendor or manufacturer to provide, a school bus
518 infraction detection system pursuant to s. 316.173.

519 Section 9. This act shall take effect July 1, 2023.

520

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

522 And the title is amended as follows:

523 Delete everything before the enacting clause
524 and insert:

525 A bill to be entitled
526 An act relating to enforcement of school bus passing
527 infractions; amending s. 316.003, F.S.; defining the
528 term "school bus infraction detection system";
529 creating s. 316.173, F.S.; authorizing school
530 districts to install and operate school bus infraction
531 detection systems for a specified purpose; authorizing
532 school districts to contract with a vendor or



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533 manufacturer for specified purposes; requiring that
534 the decision to install school bus infraction
535 detection systems be in the interest of public safety;
536 prohibiting an individual from receiving a commission
537 from violations detected through the school bus
538 infraction detection system; prohibiting a vendor or
539 manufacturer from receiving a fee or remuneration
540 based on the number of violations detected; requiring
541 the school district to ensure that each school bus
542 infraction detection system meets certain
543 requirements; requiring the school district to enter
544 into interlocal agreements with law enforcement
545 agencies to enforce violations; providing signage
546 requirements; prohibiting the sufficiency of signage
547 from being raised in certain proceedings; requiring a
548 school district that installs a school bus infraction
549 detection system to provide certain notice to the
550 public; requiring a school district that has never
551 conducted a school bus infraction detection system
552 program to conduct a public awareness campaign before
553 commencing enforcement of such system; limiting
554 penalties in effect during the public awareness
555 campaign; requiring the vendor or manufacturer to
556 submit information regarding alleged violations within
557 a specified period of time; providing requirements for
558 such submissions; providing notification requirements
559 and procedures for law enforcement agencies; providing
560 for waiver of challenge or dispute as to the delivery
561 of notification of violation; providing for the



562 distribution of funds; providing requirements for
563 issuance of a traffic citation; providing for waiver
564 of challenge or dispute as to the delivery of the
565 traffic citation; providing notification requirements
566 and procedures; specifying that the registered owner
567 of a motor vehicle is responsible and liable for
568 paying a traffic citation; providing exceptions;
569 requiring an owner of a motor vehicle to furnish an
570 affidavit under certain circumstances; specifying
571 requirements for such affidavit; requiring the law
572 enforcement agency to dismiss a notice of violation
573 and provide proof of such dismissal under certain
574 circumstances; requiring the law enforcement agency to
575 notify the registered owner that the notice or
576 citation will not be dismissed under certain
577 circumstances; authorizing the law enforcement agency
578 to issue a certain person a notification of violation;
579 providing that the affidavit is admissible in a
580 proceeding for the purpose of proving who was
581 operating the motor vehicle at the time of the
582 violation; providing that the owner of a leased
583 vehicle is not responsible for paying a traffic
584 citation or submitting an affidavit; specifying a
585 timeframe for a law enforcement agency to issue a
586 notification under certain circumstances; requiring
587 certain persons to issue an affidavit; providing a
588 criminal penalty for submitting a false affidavit;
589 providing that certain images or video are admissible
590 in certain proceedings; providing a rebuttable



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591 presumption; providing construction; specifying
592 requirements of and prohibitions on the use of
593 recorded video and images captured by the school bus
594 infraction detection system; requiring school
595 districts to submit a report to the Department of
596 Education; specifying requirements for such report;
597 requiring the department to submit a summary report to
598 the Governor and Legislature; requiring school bus
599 infraction detection systems to meet the State Board
600 of Education specifications; requiring the state board
601 to establish certain specifications through rule by a
602 specified date; authorizing the state board to adopt
603 rules regarding student privacy; amending s. 318.14,
604 F.S.; conforming provisions to changes made by the
605 act; amending s. 318.18, F.S.; providing exceptions to
606 penalties for violations enforced by a school bus
607 infraction detection system; amending s. 322.27, F.S.;
608 prohibiting points from being imposed against a driver
609 license for certain infractions enforced by a school
610 bus infraction detection system; prohibiting such
611 infractions from being used to set motor vehicle
612 insurance rates; amending ss. 316.306, 655.960, and
613 1006.21, F.S.; conforming cross-references and
614 provisions to changes made by the act; providing an
615 effective date.