



26 |       infraction enforcement officer and may issue certain  
 27 |       notices and citations; amending s. 318.18, F.S.;  
 28 |       requiring certain civil penalties to be remitted to a  
 29 |       school district, charter school, or private school  
 30 |       operating a school bus with a school bus infraction  
 31 |       detection system to be used for certain purposes;  
 32 |       providing an effective date.

33 |

34 | Be It Enacted by the Legislature of the State of Florida:

35 |

36 |       Section 1. Subsection (38) of section 316.003, Florida  
 37 | Statutes, is amended to read:

38 |       316.003 Definitions.—The following words and phrases, when  
 39 | used in this chapter, shall have the meanings respectively  
 40 | ascribed to them in this section, except where the context  
 41 | otherwise requires:

42 |       (38) LOCAL HEARING OFFICER.—

43 |       (a) The person, designated by a department, county, or  
 44 | municipality that elects to authorize traffic infraction  
 45 | enforcement officers to issue traffic citations under ss.  
 46 | 316.0083(1)(a) and 316.1896(1), who is authorized to conduct  
 47 | hearings related to a notice of violation issued pursuant to s.  
 48 | 316.0083 or s. 316.1896. The charter county, noncharter county,  
 49 | or municipality may use its currently appointed code enforcement  
 50 | board or special magistrate to serve as the local hearing

51 officer. The department may enter into an interlocal agreement  
52 to use the local hearing officer of a county or municipality.

53 (b) The person, designated by a school district, charter  
54 school, or private school that elects to authorize traffic  
55 infraction enforcement officers or one or more law enforcement  
56 agencies to issue traffic citations under s. 316.173, who is  
57 authorized to conduct hearings related to a notice of violation  
58 issued pursuant to s. 316.173. The school district, charter  
59 school, or private school may use an attorney in good standing  
60 with The Florida Bar for at least 5 years designated by the  
61 governing board to serve as the local hearing officer. A local  
62 hearing officer designated under this paragraph may serve in  
63 such office for one or more school entities, and such service  
64 does not constitute dual officeholding as prohibited by s. 5(a),  
65 Art. II of the State Constitution. The school district, charter  
66 school, or private school may enter into an interlocal agreement  
67 to use the local hearing officer of a county or municipality.

68 Section 2. Subsections (6) through (19) of section  
69 316.173, Florida Statutes, are renumbered as subsections (7)  
70 through (20), respectively, subsection (1), paragraph (a) of  
71 subsection (2), subsections (3), (4), and (5), and present  
72 subsections (7), (8), (10), (11), (12), (16), and (17) are  
73 amended, and a new subsection (6) is added to that section, to  
74 read:

75 316.173 School bus infraction detection systems.—

76 (1) (a) A school district, charter school, or private  
 77 school may install and operate a school bus infraction detection  
 78 system on a school bus for the purpose of enforcing s.  
 79 316.172 (1) (a) and (b) as provided in and consistent with this  
 80 section.

81 (b) The school district, charter school, or private school  
 82 may contract with a private vendor or manufacturer to install a  
 83 school bus infraction detection system on any school bus within  
 84 its fleet, whether owned, contracted, or leased, and for  
 85 services including, but not limited to, the installation,  
 86 operation, and maintenance of the system. The school district's,  
 87 charter school's, or private school's decision to install school  
 88 bus infraction detection systems must be based solely on the  
 89 need to increase public safety. An individual may not receive a  
 90 commission from any revenue collected from violations detected  
 91 through the use of a school bus infraction detection system. A  
 92 private vendor or manufacturer may not receive a fee or  
 93 remuneration based upon the number of violations detected  
 94 through the use of a school bus infraction detection system.  
 95 This paragraph may not be construed to prohibit a private vendor  
 96 or manufacturer from receiving a fixed percentage of collected  
 97 proceeds for service rendered in relation to the installation,  
 98 operation, or maintenance of school bus infraction detection  
 99 systems.

100 (c) The school district, charter school, or private school

101 must ensure that each school bus infraction detection system  
 102 meets the requirements of subsection (19) ~~(18)~~.

103 (d) The school district, charter school, or private school  
 104 ~~may~~ must enter into an interlocal agreement with one or more law  
 105 enforcement agencies authorized to enforce violations of s.  
 106 316.172(1)(a) and (b) within the school district which jointly  
 107 establishes the responsibilities of enforcement and the  
 108 reimbursement of costs associated with school bus infraction  
 109 detection systems consistent with this section. For the purposes  
 110 of administering this section, a traffic infraction enforcement  
 111 officer who meets the requirements of s. 316.640 or a certified  
 112 school board security agency that employs law enforcement  
 113 officers may enforce violations of s. 316.172(1)(a) and (b) as  
 114 authorized by this section.

115 (2)(a) The school district, charter school, or private  
 116 school must post high-visibility ~~reflective~~ signage on the rear  
 117 of each school bus in which a school bus infraction detection  
 118 system is installed and operational which indicates the use of  
 119 such system. The signage must be in the form of one or more  
 120 signs or stickers and must contain the following elements in  
 121 substantially the following form:

- 122 1. The words "STOP WHEN RED LIGHTS FLASH" or "DO NOT PASS  
 123 WHEN RED LIGHTS FLASH."
- 124 2. The words "CAMERA ENFORCED."
- 125 3. A graphic depiction of a camera.

126           (3) If a school district, charter school, or private  
 127 school that has never conducted a school bus infraction  
 128 detection system program begins such a program, the school  
 129 district, charter school, or private school must make a public  
 130 announcement and conduct a public awareness campaign of the  
 131 proposed use of school bus infraction detection systems at least  
 132 30 days before commencing enforcement under the school bus  
 133 infraction detection system program and notify the public of the  
 134 specific date on which the program will commence. During the 30-  
 135 day public awareness campaign, only a warning may be issued to  
 136 the registered owner of a motor vehicle for a violation of s.  
 137 316.172(1)(a) or (b) enforced by a school bus infraction  
 138 detection system, and a civil penalty may not be imposed under  
 139 chapter 318.

140           (4) Within 30 days after an alleged violation of s.  
 141 316.172(1)(a) or (b) is recorded by a school bus infraction  
 142 detection system, the school district, charter school, or  
 143 private school or the private vendor or manufacturer under  
 144 paragraph (1)(b) must submit the following information to a law  
 145 enforcement agency or a traffic infraction enforcement officer  
 146 designated ~~that has entered into an interlocal agreement with~~  
 147 ~~the school district pursuant to paragraph (1)(d) and has traffic~~  
 148 ~~infraction enforcement jurisdiction at the location where the~~  
 149 ~~alleged violation occurred:~~

150           (a) A copy of the recorded video and images showing the

151 motor vehicle allegedly violating s. 316.172(1) (a) or (b).

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

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

155 (5) Within 30 days after receiving the information  
156 required in subsection (4), the law enforcement agency or its  
157 agent, or a traffic infraction enforcement officer, if it is  
158 determined ~~determines~~ that the motor vehicle violated s.

159 316.172(1) (a) or (b), must send a notice of violation to the  
160 registered owner of the motor vehicle involved in the violation  
161 specifying the remedies available under s. 318.14 and that the  
162 violator must pay the penalty under s. 318.18(5) or furnish an  
163 affidavit in accordance with subsection (11) ~~(10)~~ within 30 days  
164 after the notice of violation is sent in order to avoid court  
165 fees, costs, and the issuance of a uniform traffic citation. The  
166 notice of violation must be sent by first-class mail and include  
167 all of the following:

168 (a) A copy of one or more recorded images showing the  
169 motor vehicle involved in the violation, including an image  
170 showing the license plate of the motor vehicle.

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

172 (c) The amount of the civil penalty, the date by which the  
173 civil penalty must be paid, and instructions on how to pay the  
174 civil penalty.

175 (d) Instructions on how to request a hearing to contest

176 liability or the notice of violation. In lieu of hearings  
 177 administered by a county traffic court, the governing board of a  
 178 school entity, by resolution, may establish the hearing  
 179 procedures provided in subsection (6).

180 (e) A notice that the owner has the right to review, in  
 181 person or remotely, the video and images recorded by the school  
 182 bus infraction detection system which constitute a rebuttable  
 183 presumption that the motor vehicle was used in violation of s.  
 184 316.172(1) (a) or (b).

185 (f) The time when, and the place or website at which, the  
 186 recorded video and images may be examined and observed.

187 (g) A warning that failure to pay the civil penalty or to  
 188 contest liability within 30 days after the notice is sent will  
 189 result in the issuance of a uniform traffic citation.

190 (6) The governing board of a school entity, by resolution,  
 191 may establish the following procedures for a hearing under this  
 192 section:

193 (a) The department shall publish and make available  
 194 electronically to each school entity's governing board a model  
 195 request for hearing form to assist each school entity's  
 196 governing board administering this section. Such request for  
 197 hearing form must include the option for a person, referred to  
 198 in this subsection as the "petitioner," to choose whether to  
 199 attend the hearing in person or virtually.

200 (b) A school district, charter school, or private school



201 operating school bus infraction detection systems on school  
202 buses which elects to authorize traffic infraction enforcement  
203 officers or one or more law enforcement agencies to issue  
204 traffic citations under this section shall designate by  
205 resolution existing staff or a designated staff agent to serve  
206 as the clerk to the local hearing officer.

207 (c) A petitioner who elects to request a hearing under  
208 this section shall be scheduled for a hearing by the clerk to  
209 the local hearing officer to appear before a local hearing  
210 officer in person or virtually, with notice to be sent by first-  
211 class mail. Upon receipt of the notice, the petitioner may  
212 reschedule the hearing once by submitting a written request to  
213 reschedule to the clerk to the local hearing officer, at least 5  
214 calendar days before the day of the originally scheduled  
215 hearing. The petitioner may cancel his or her appearance before  
216 the local hearing officer by paying the penalty assessed under  
217 s. 318.18, plus \$50 in administrative costs, before the start of  
218 the hearing.

219 (d) All testimony at the hearing shall be under oath and  
220 shall be recorded. The local hearing officer shall take  
221 testimony from a traffic infraction enforcement officer, or law  
222 enforcement agency designee, and the petitioner, and may take  
223 testimony from others. The local hearing officer shall review  
224 the video and images made available under this section. Formal  
225 rules of evidence do not apply, but due process and the

226 preponderance of evidence standard shall be observed and govern  
 227 the proceedings.

228 (e) At the conclusion of the hearing, the local hearing  
 229 officer shall determine whether a violation under this section  
 230 has occurred, in which case the hearing officer shall uphold or  
 231 dismiss the violation. The local hearing officer shall issue a  
 232 final administrative order including the determination and, if  
 233 the notice of violation is upheld, require the petitioner to pay  
 234 the penalty previously assessed under s. 318.18, and may also  
 235 require the petitioner to pay school entity costs, including  
 236 local hearing officer and hearing administrative costs, not to  
 237 exceed \$250. The final administrative order shall be mailed to  
 238 the petitioner by first-class mail.

239 (f) An aggrieved party may appeal a final administrative  
 240 order consistent with the process provided under s. 162.11.

241 (8)-(7) The civil penalties assessed and collected for a  
 242 violation of s. 316.172(1)(a) or (b) enforced by a school bus  
 243 infraction detection system must be remitted to the school  
 244 district in which the violation occurred or to the charter  
 245 school or private school that reported the violation. Such civil  
 246 penalties must be used for the installation, operation, or  
 247 maintenance of school bus infraction detection systems on school  
 248 buses, including student transportation safety initiatives,  
 249 driver recruitment and retention stipends, or other student  
 250 transportation safety enhancements ~~for any other technology that~~

251 ~~increases the safety of the transportation of students, or for~~  
252 ~~the~~ administration and costs associated with the enforcement of  
253 violations as described in this section.

254 (9)~~(8)~~ A uniform traffic citation must be issued by  
255 mailing the uniform traffic citation by certified mail to the  
256 address of the registered owner of the motor vehicle involved in  
257 the violation if payment has not been made within 30 days after  
258 notification under subsection (5) and if the registered owner  
259 has not submitted an affidavit in accordance with subsection  
260 (11) ~~(10)~~.

261 (11)~~(10)~~ To establish such facts under subsection (10)  
262 ~~(9)~~, the registered owner of the motor vehicle must, within 30  
263 days after the date of issuance of the notice of violation or  
264 the uniform traffic citation, furnish to the law enforcement  
265 agency or its agent who ~~that~~ issued the notice of violation or  
266 uniform traffic citation an affidavit setting forth information  
267 supporting an exception under subsection (10) ~~(9)~~.

268 (a) An affidavit supporting the exception under paragraph  
269 (10) (a) ~~(9) (a)~~ must include the name, address, date of birth,  
270 and, if known, the driver license number of the person who  
271 leased, rented, or otherwise had care, custody, or control of  
272 the motor vehicle at the time of the alleged violation. If the  
273 motor vehicle was stolen at the time of the alleged violation,  
274 the affidavit must include the police report indicating that the  
275 motor vehicle was stolen.

276 (b) If a uniform traffic citation for a violation of s.  
 277 316.172(1)(a) or (b) was issued at the location of the violation  
 278 by a law enforcement officer, the affidavit must include the  
 279 serial number of the uniform traffic citation.

280 (c) If the motor vehicle's owner to whom a notice of  
 281 violation or a uniform traffic citation has been issued is  
 282 deceased, the affidavit must include a certified copy of the  
 283 owner's death certificate showing that the date of death  
 284 occurred on or before the date of the alleged violation and one  
 285 of the following:

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

289 2. Documented proof that the registered license plate  
 290 belonging to the deceased owner's motor vehicle was returned to  
 291 the department or any branch office or authorized agent of the  
 292 department after his or her death but on or before the date of  
 293 the alleged violation.

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

298  
 299 Upon receipt of the affidavit and documentation required under  
 300 paragraphs (b) and (c), or 30 days after the date of issuance of

301 a notice of violation sent to a person identified as having  
 302 care, custody, or control of the motor vehicle at the time of  
 303 the violation under paragraph (a), the law enforcement agency or  
 304 its agent, or traffic infraction enforcement officer must  
 305 dismiss the notice or citation and provide proof of such  
 306 dismissal to the person who submitted the affidavit. If, within  
 307 30 days after the date of a notice of violation sent to a person  
 308 under subsection (12) ~~(11)~~, the law enforcement agency or its  
 309 agent, or traffic infraction enforcement officer receives an  
 310 affidavit under subsection (13) ~~(12)~~ from the person who was  
 311 sent a notice of violation affirming that the person did not  
 312 have care, custody, or control of the motor vehicle at the time  
 313 of the violation, the law enforcement agency or its agent, or  
 314 traffic infraction enforcement officer must notify the  
 315 registered owner that the notice or citation will not be  
 316 dismissed due to failure to establish that another person had  
 317 care, custody, or control of the motor vehicle at the time of  
 318 the violation.

319 ~~(12)~~ ~~(11)~~ Upon receipt of an affidavit under paragraph  
 320 (10) (a) ~~(9) (a)~~, the law enforcement agency may issue the person  
 321 identified as having care, custody, or control of the motor  
 322 vehicle at the time of the violation a notice of violation  
 323 pursuant to subsection (5) for a violation of s. 316.172(1)(a)  
 324 or (b). The affidavit is admissible in a proceeding pursuant to  
 325 this section for the purpose of providing evidence that the

326 person identified in the affidavit was in actual care, custody,  
 327 or control of the motor vehicle. The owner of a leased motor  
 328 vehicle for which a uniform traffic citation is issued for a  
 329 violation of s. 316.172(1)(a) or (b) is not responsible for  
 330 paying the uniform traffic citation and is not required to  
 331 submit an affidavit as specified in subsection (11) ~~(10)~~ if the  
 332 motor vehicle involved in the violation is registered in the  
 333 name of the lessee of such motor vehicle.

334 ~~(13)~~ ~~(12)~~ If a law enforcement agency or traffic infraction  
 335 enforcement officer receives an affidavit under paragraph  
 336 (10) (a) ~~(9) (a)~~, the notice of violation required under  
 337 subsection (5) must be sent to the person identified in the  
 338 affidavit within 30 days after receipt of the affidavit. The  
 339 person identified in an affidavit and sent a notice of violation  
 340 may also affirm he or she did not have care, custody, or control  
 341 of the motor vehicle at the time of the violation by furnishing  
 342 to the appropriate law enforcement agency or traffic infraction  
 343 enforcement officer within 30 days after the date of the notice  
 344 of violation an affidavit stating such.

345 (17) ~~(16)~~ (a)1. ~~Notwithstanding any other law, equipment~~  
 346 ~~deployed as part of~~ A school bus infraction detection system ~~as~~  
 347 ~~provided under this section~~ may not be used for ~~capable of~~  
 348 ~~automated or user-controlled~~ remote surveillance. The collection  
 349 of evidence by a school bus infraction detection system to  
 350 enforce violations of s. 316.172 does not constitute remote

351 surveillance.

352 ~~2.~~ Video and images recorded as part of a ~~the~~ school bus  
353 infraction detection system may only be used for traffic  
354 enforcement and for purposes of determining criminal or civil  
355 liability for incidents captured by the school bus infraction  
356 detection system incidental to the permissible use of the school  
357 bus infraction detection system ~~to document violations of s.~~  
358 ~~316.172(1)(a) and (b) and may not be used for any other~~  
359 ~~surveillance purposes.~~

360 ~~2.3.~~ To the extent practicable, a school bus infraction  
361 detection system must use necessary technology to ensure that  
362 personal identifying information contained in the video or still  
363 images recorded by the system which is not relevant to the  
364 alleged violation, including, but not limited to, the identity  
365 of the driver and any passenger of a motor vehicle, the interior  
366 or contents of a motor vehicle, the identity of an uninvolved  
367 person, a number identifying the address of a private residence,  
368 and the contents or interior of a private residence, is  
369 sufficiently obscured so as not to reveal such personal  
370 identifying information.

371 ~~3.4.~~ A notice of a violation or uniform traffic citation  
372 issued under this section may not be dismissed solely because a  
373 recorded video or still images reveal personal identifying  
374 information as provided in subparagraph ~~2. 3.~~ 2. as long as a  
375 reasonable effort has been made to comply with this subsection.

376 (b) Any recorded video or still image obtained through the  
 377 use of a school bus infraction detection system must be  
 378 destroyed within 90 days after the final disposition of the  
 379 recorded event. The vendor of the school bus infraction  
 380 detection system must provide the school district, charter  
 381 school, or private school with written notice by December 31 of  
 382 each year that such records have been destroyed in accordance  
 383 with this section.

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

389 ~~(18)(17)~~(a) By October 1, 2023, and quarterly thereafter,  
 390 each school district, charter school, or private school, ~~in~~  
 391 ~~consultation with the law enforcement agencies with which it has~~  
 392 ~~interlocal agreements pursuant to this section,~~ operating a  
 393 school bus infraction detection system must submit, in  
 394 consultation with the law enforcement agencies with which it has  
 395 interlocal agreements pursuant to this section or with traffic  
 396 infraction enforcement officers designated pursuant to paragraph  
 397 (1)(d), a report to the department which details the results of  
 398 the school bus infraction detection systems in the school  
 399 district, charter school, or private school in the preceding  
 400 quarter. The information from the school districts, charter



401 schools, or private schools must be submitted in a form and  
402 manner determined by the department, which the department must  
403 make available to the school districts by August 1, 2023, and to  
404 the charter schools and private schools by August 1, 2024, and  
405 must include at least the following:

406 1. The number of school buses that have a school bus  
407 infraction detection system installed, including the date of  
408 installation and, if applicable, the date the systems were  
409 removed.

410 2. The number of notices of violations issued, the number  
411 that were contested, the number that were upheld, the number  
412 that were dismissed, the number that were issued as uniform  
413 traffic citations, and the number that were paid.

414 3. Data for each infraction to determine locations in need  
415 of safety improvements. Such data may ~~must~~ include, but is not  
416 limited to, global positioning system coordinates of the  
417 infraction, the date and time of the infraction, and the name of  
418 the school that the school bus was transporting students to or  
419 from.

420 4. Any other statistical data and information required by  
421 the department to complete the report required by paragraph (c).

422 (b) Each school district, charter school, or private  
423 school that operates a school bus infraction detection system is  
424 responsible for and must maintain its respective data for  
425 reporting purposes under this subsection for at least 2 years

426 after such data is reported to the department.

427 (c) On or before December 31, 2024, and annually  
 428 thereafter, the department shall submit a summary report to the  
 429 Governor, the President of the Senate, and the Speaker of the  
 430 House of Representatives regarding the use and operation of  
 431 school bus infraction detection systems under this section,  
 432 along with the department's recommendations and any recommended  
 433 legislation. The summary report must include a review of the  
 434 information submitted to the department by the school districts,  
 435 charter schools, and private schools and must describe the  
 436 enhancement of traffic safety and enforcement programs.

437 Section 3. Paragraph (a) of subsection (1), paragraph (a)  
 438 of subsection (3), and paragraph (a) of subsection (5) of  
 439 section 316.640, Florida Statutes, are amended to read:

440 316.640 Enforcement.—The enforcement of the traffic laws  
 441 of this state is vested as follows:

442 (1) STATE.—

443 (a)1.a. The Division of Florida Highway Patrol of the  
 444 Department of Highway Safety and Motor Vehicles; the Division of  
 445 Law Enforcement of the Fish and Wildlife Conservation  
 446 Commission; the Division of Law Enforcement of the Department of  
 447 Environmental Protection; and the agents, inspectors, and  
 448 officers of the Department of Law Enforcement each have  
 449 authority to enforce all of the traffic laws of this state on  
 450 all the streets and highways thereof and elsewhere throughout

451 | the state wherever the public has a right to travel by motor  
 452 | vehicle.

453 |       b. University police officers may enforce all of the  
 454 | traffic laws of this state when violations occur on or within  
 455 | 1,000 feet of any property or facilities that are under the  
 456 | guidance, supervision, regulation, or control of a state  
 457 | university, a direct-support organization of such state  
 458 | university, or any other organization controlled by the state  
 459 | university or a direct-support organization of the state  
 460 | university, or when such violations occur within a specified  
 461 | jurisdictional area as agreed upon in a mutual aid agreement  
 462 | entered into with a law enforcement agency pursuant to s.  
 463 | 23.1225(1). Traffic laws may also be enforced off-campus when  
 464 | hot pursuit originates on or within 1,000 feet of any such  
 465 | property or facilities, or as agreed upon in accordance with the  
 466 | mutual aid agreement.

467 |       c. Florida College System institution police officers may  
 468 | enforce all the traffic laws of this state only when such  
 469 | violations occur on or within 1,000 feet of any property or  
 470 | facilities that are under the guidance, supervision, regulation,  
 471 | or control of the Florida College System institution, or when  
 472 | such violations occur within a specified jurisdictional area as  
 473 | agreed upon in a mutual aid agreement entered into with a law  
 474 | enforcement agency pursuant to s. 23.1225. Traffic laws may also  
 475 | be enforced off-campus when hot pursuit originates on or within

476 | 1,000 feet of any such property or facilities, or as agreed upon  
477 | in accordance with the mutual aid agreement.

478 |       d. Police officers employed by an airport authority may  
479 | enforce all of the traffic laws of this state only when such  
480 | violations occur on any property or facilities that are owned or  
481 | operated by an airport authority.

482 |       (I) An airport authority may employ as a parking  
483 | enforcement specialist any individual who successfully completes  
484 | a training program established and approved by the Criminal  
485 | Justice Standards and Training Commission for parking  
486 | enforcement specialists but who does not otherwise meet the  
487 | uniform minimum standards established by the commission for law  
488 | enforcement officers or auxiliary or part-time officers under s.  
489 | 943.12. This sub-sub-subparagraph may not be construed to permit  
490 | the carrying of firearms or other weapons, nor shall such  
491 | parking enforcement specialist have arrest authority.

492 |       (II) A parking enforcement specialist employed by an  
493 | airport authority may enforce all state, county, and municipal  
494 | laws and ordinances governing parking only when such violations  
495 | are on property or facilities owned or operated by the airport  
496 | authority employing the specialist, by appropriate state,  
497 | county, or municipal traffic citation.

498 |       e. The Office of Agricultural Law Enforcement of the  
499 | Department of Agriculture and Consumer Services may enforce  
500 | traffic laws of this state.

501 f. School safety officers may enforce all of the traffic  
502 laws of this state when such violations occur on or about any  
503 property or facilities that are under the guidance, supervision,  
504 regulation, or control of the district school board. A school  
505 safety officer who successfully completes instruction in traffic  
506 enforcement procedures and court presentation as specified in  
507 paragraph (5)(a) may be authorized by a county, municipality, or  
508 applicable school entity as a traffic infraction enforcement  
509 officer and may issue notices of violation and uniform traffic  
510 citations under s. 316.173 within the county in which the school  
511 district, charter school, or private school is located.

512 2. Any disciplinary action taken or performance evaluation  
513 conducted by an agency of the state as described in subparagraph  
514 1. of a law enforcement officer's traffic enforcement activity  
515 must be in accordance with written work-performance standards.  
516 Such standards must be approved by the agency and any collective  
517 bargaining unit representing such law enforcement officer. A  
518 violation of this subparagraph is not subject to the penalties  
519 provided in chapter 318.

520 3. The Division of the Florida Highway Patrol may employ  
521 as a traffic accident investigation officer any individual who  
522 successfully completes instruction in traffic accident  
523 investigation and court presentation through the Selective  
524 Traffic Enforcement Program as approved by the Criminal Justice  
525 Standards and Training Commission and funded through the

526 National Highway Traffic Safety Administration or a similar  
527 program approved by the commission, but who does not necessarily  
528 meet the uniform minimum standards established by the commission  
529 for law enforcement officers or auxiliary law enforcement  
530 officers under chapter 943. Any such traffic accident  
531 investigation officer who makes an investigation at the scene of  
532 a traffic accident may issue traffic citations, based upon  
533 personal investigation, when he or she has reasonable and  
534 probable grounds to believe that a person who was involved in  
535 the accident committed an offense under this chapter, chapter  
536 319, chapter 320, or chapter 322 in connection with the  
537 accident. This subparagraph does not permit the officer to carry  
538 firearms or other weapons, and such an officer does not have  
539 authority to make arrests.

540 (3) MUNICIPALITIES.—

541 (a) The police department of each chartered municipality  
542 shall enforce the traffic laws of this state on all the streets  
543 and highways thereof and elsewhere throughout the municipality  
544 wherever the public has the right to travel by motor vehicle,  
545 including by the use of school bus infraction detection systems.

546 In addition, the police department may be required by a  
547 municipality to enforce the traffic laws of this state on any  
548 private or limited access road or roads over which the  
549 municipality has jurisdiction pursuant to a written agreement  
550 entered into under s. 316.006(2)(b). However, nothing in this

551 chapter shall affect any law, general, special, or otherwise, in  
552 effect on January 1, 1972, relating to "hot pursuit" without the  
553 boundaries of the municipality.

554 (5)(a) Any sheriff's department or police department of a  
555 municipality may employ, as a traffic infraction enforcement  
556 officer, any individual who successfully completes instruction  
557 in traffic enforcement procedures and court presentation through  
558 the Selective Traffic Enforcement Program as approved by the  
559 Division of Criminal Justice Standards and Training of the  
560 Department of Law Enforcement, or through a similar program, but  
561 who does not necessarily otherwise meet the uniform minimum  
562 standards established by the Criminal Justice Standards and  
563 Training Commission for law enforcement officers or auxiliary  
564 law enforcement officers under s. 943.13. Any such traffic  
565 infraction enforcement officer who observes the commission of a  
566 traffic infraction or, in the case of a parking infraction, who  
567 observes an illegally parked vehicle may issue a traffic  
568 citation for the infraction when, based upon personal  
569 investigation, he or she has reasonable and probable grounds to  
570 believe that an offense has been committed which constitutes a  
571 noncriminal traffic infraction as defined in s. 318.14. In  
572 addition, any such traffic infraction enforcement officer may  
573 issue a traffic citation under ss. 316.0083, 316.173, and  
574 316.1896. For purposes of enforcing ss. 316.0083, 316.173,  
575 316.1895, and 316.183, any sheriff's department or police

576 department of a municipality may designate employees as traffic  
 577 infraction enforcement officers. The traffic infraction  
 578 enforcement officers must be physically located in the county of  
 579 the respective sheriff's or police department.

580 Section 4. Paragraph (c) of subsection (5) of section  
 581 318.18, Florida Statutes, is amended to read:

582 318.18 Amount of penalties.—The penalties required for a  
 583 noncriminal disposition pursuant to s. 318.14 or a criminal  
 584 offense listed in s. 318.17 are as follows:

585 (5)

586 (c) In addition to the penalty under paragraph (a) or  
 587 paragraph (b), \$65 for a violation of s. 316.172(1) (a) or (b).  
 588 If the alleged offender is found to have committed the offense,  
 589 the court shall impose the civil penalty under paragraph (a) or  
 590 paragraph (b) plus an additional \$65. The additional \$65  
 591 collected under this paragraph shall be remitted to the  
 592 Department of Revenue for deposit into the Emergency Medical  
 593 Services Trust Fund of the Department of Health to be used as  
 594 provided in s. 395.4036. If a violation of s. 316.172(1) (a) or  
 595 (b) is enforced by a school bus infraction detection system  
 596 pursuant to s. 316.173, the additional amount imposed on a  
 597 notice of violation, on a ~~the~~ uniform traffic citation, or by  
 598 the court under this paragraph must be \$25, in lieu of the  
 599 additional \$65, and must be remitted to the participating school  
 600 district, charter school, or private school operating the school



CS/HB 1045

2024

601 | bus with a school bus infraction detection system. Such amounts  
602 | must be used pursuant to s. 316.173(8).

603 |       Section 5. This act shall take effect upon becoming a law.