

1 A bill to be entitled
2 An act relating to traffic enforcement; creating s.
3 316.0077, F.S.; providing that provisions exempting
4 the purchase of commodities or contractual services
5 from competitive bidding requirements do not apply to
6 contracts for certain camera systems; creating s.
7 316.0078, F.S.; prohibiting certain camera systems or
8 components thereof constructed by a Chinese
9 manufacturer from being used for traffic enforcement
10 in this state; amending s. 316.0083, F.S.; requiring a
11 county or municipality to enact an ordinance to
12 authorize placement or installation of traffic
13 infraction detectors; requiring the county or
14 municipality to consider certain evidence and make a
15 certain determination at a public hearing; requiring a
16 county or municipality to place a specified annual
17 report on the agenda of a regular or special meeting
18 of its governing body; requiring approval by the
19 governing body at a regular or special meeting before
20 contracting or renewing a contract to place or install
21 traffic infraction detectors; providing for public
22 comment; prohibiting such report, contract, or
23 contract renewal from being considered as part of a
24 consent agenda; providing requirements for a written
25 summary of such report; requiring a report to the

26 Department of Highway Safety and Motor Vehicles;
 27 prohibiting compliance with certain provisions from
 28 being raised in a proceeding challenging a violation;
 29 providing for suspension of a noncompliant county or
 30 municipality from operating traffic infraction
 31 detectors until such noncompliance is corrected;
 32 requiring the department to publish certain reports on
 33 its website; providing an effective date.

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35 Be It Enacted by the Legislature of the State of Florida:

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37 Section 1. Section 316.0077, Florida Statutes, is created
 38 to read:

39 316.0077 Camera systems; competitive bidding.—The
 40 provisions of s. 287.057 which exempt the purchase of
 41 commodities or contractual services from competitive bidding
 42 requirements do not apply to contracts entered into with
 43 manufacturers or vendors of school bus infraction detection
 44 systems, speed detection systems, traffic infraction detectors,
 45 or any other camera systems used for enforcing this chapter
 46 which are regulated under s. 316.0076.

47 Section 2. Section 316.0078, Florida Statutes, is created
 48 to read:

49 316.0078 Use of camera systems constructed by Chinese
 50 manufacturers prohibited.—A school bus infraction detection

51 system, speed detection system, traffic infraction detector, or
52 any other camera system used for enforcing this chapter which is
53 regulated under s. 316.0076, or any component thereof, which is
54 constructed by a Chinese manufacturer or a domestic or
55 international manufacturer that uses materials imported from
56 China may not be used for traffic enforcement in this state.

57 Section 3. Subsection (4) of section 316.0083, Florida
58 Statutes, is amended to read:

59 316.0083 Mark Wandall Traffic Safety Program;
60 administration; report.—

61 (4)(a)1. A county or municipality must enact an ordinance
62 in order to authorize the placement or installation of, or to
63 authorize contracting with a vendor for the placement or
64 installation of, one or more traffic infraction detectors to
65 enforce s. 316.074(1) or s. 316.075(1)(c)1. As part of the
66 public hearing on such proposed ordinance, the county or
67 municipality must consider traffic data or other evidence
68 supporting the installation and operation of each traffic
69 infraction detector, and the county or municipality must
70 determine that the intersection at which a traffic infraction
71 detector is to be placed or installed constitutes a heightened
72 safety risk that warrants additional enforcement measures.

73 2. A county or municipality that operates one or more
74 traffic infraction detectors must annually report the results of
75 all traffic infraction detectors within the county's or

76 municipality's jurisdiction as a single reporting item on the
 77 agenda of a regular or special meeting of the county's or
 78 municipality's governing body. Before a county or municipality
 79 contracts or renews a contract to place or install one or more
 80 traffic infraction detectors, the county or municipality must
 81 approve the contract or contract renewal at a regular or special
 82 meeting of the county's or municipality's governing body.

83 a. Interested members of the public must be allowed to
 84 comment regarding the report, contract, or contract renewal
 85 under the county's or municipality's public comment policies or
 86 formats, and the report, contract, or contract renewal may not
 87 be considered as part of a consent agenda.

88 b. The report required under this subparagraph must
 89 include a written summary, which must be read aloud at the
 90 regular or special meeting, and the summary must contain, for
 91 the preceding year, the number of notices of violation issued,
 92 the number that were contested, the number that were upheld, the
 93 number that were dismissed, the number that were issued as
 94 uniform traffic citations, and the number that were paid and how
 95 collected funds were distributed and in what amounts. The county
 96 or municipality must report to the department that the county's
 97 or municipality's annual report was considered in accordance
 98 with this paragraph, including the date of the regular or
 99 special meeting at which the annual report was considered.

100 3. The compliance or sufficiency of compliance with this

101 paragraph may not be raised in a proceeding challenging a
102 violation of s. 316.074(1) or s. 316.075(1)(c)1. enforced by a
103 traffic infraction detector.

104 4. A county or municipality that does not comply with this
105 paragraph is suspended from operating traffic infraction
106 detectors under this subsection until such noncompliance is
107 corrected.

108 (b)(a) Each county or municipality that operates a traffic
109 infraction detector shall submit a report by October 1, 2012,
110 and annually thereafter, to the department which details the
111 results of using the traffic infraction detector and the
112 procedures for enforcement for the preceding state fiscal year.
113 The information submitted by the counties and municipalities
114 must include statistical data and information required by the
115 department to complete the summary report required under
116 paragraph (c) (b). The department must publish each report
117 submitted by a county or municipality pursuant to this paragraph
118 on its website.

119 (c)(b) On or before December 31, 2012, and annually
120 thereafter, the department shall provide a summary report to the
121 Governor, the President of the Senate, and the Speaker of the
122 House of Representatives regarding the use and operation of
123 traffic infraction detectors under this section, along with the
124 department's recommendations and any necessary legislation. The
125 summary report must include a review of the information

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126 | submitted to the department by the counties and municipalities
127 | and must describe the enhancement of the traffic safety and
128 | enforcement programs.

129 | Section 4. This act shall take effect July 1, 2024.