

By the Committee on Fiscal Policy; and Senator Calatayud

594-03818-24

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1 A bill to be entitled
2 An act relating to traffic enforcement; creating s.
3 316.0077, F.S.; prohibiting contracts awarded by
4 certain entities outside this state from being used to
5 procure contracts with manufacturers or vendors of
6 camera systems used for traffic enforcement; providing
7 applicability; creating s. 316.0078, F.S.; defining
8 the terms "controlling interest" and "foreign country
9 of concern"; prohibiting a governmental entity from
10 knowingly entering into or renewing certain contracts
11 for camera systems used for traffic enforcement;
12 amending s. 316.0083, F.S.; requiring certain counties
13 or municipalities to enact an ordinance to authorize
14 placement or installation of traffic infraction
15 detectors; requiring the county or municipality to
16 consider certain evidence and make a certain
17 determination at a public hearing on such ordinance;
18 requiring a county or municipality to annually report
19 to the department the results of all traffic
20 infraction detectors and place a specified annual
21 report on the agenda of a regular or special meeting
22 of its governing body; requiring approval by the
23 governing body at a regular or special meeting before
24 contracting or renewing a contract to place or install
25 traffic infraction detectors; providing for public
26 comment; prohibiting such report, contract, or
27 contract renewal from being considered as part of a
28 consent agenda; providing requirements for a written
29 summary of such report; prohibiting compliance with

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30 certain provisions from being raised in a proceeding
31 challenging a violation; providing for suspension of a
32 noncompliant county or municipality from operating
33 traffic infraction detectors until such noncompliance
34 is corrected; providing requirements for reports
35 submitted to the department by counties and
36 municipalities regarding use of and enforcement by
37 traffic infraction detectors; requiring the department
38 to publish certain reports on its website; providing
39 an effective date.

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

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43 Section 1. Section 316.0077, Florida Statutes, is created
44 to read:

45 316.0077 Camera systems; contract procurement.—A contract
46 awarded by a governmental entity outside this state or by a
47 consortium or cooperative of governmental entities outside this
48 state may not be used to procure contracts with manufacturers or
49 vendors of school bus infraction detection systems, speed
50 detection systems, traffic infraction detectors, or any other
51 camera systems used for enforcing this chapter. This section
52 applies to contracts entered into on or after July 1, 2025.

53 Section 2. Section 316.0078, Florida Statutes, is created
54 to read:

55 316.0078 Prohibition on contracting for camera systems of
56 vendors of foreign countries of concern.—

57 (1) As used in this section, the terms “controlling
58 interest” and “foreign country of concern” have the same

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59 meanings as in s. 287.138(1).

60 (2) On or after July 1, 2025, a governmental entity may not
61 knowingly enter into or renew a contract with a contracting
62 vendor of a school bus infraction detection system, speed
63 detection system, traffic infraction detector, or any other
64 camera system used for enforcing this chapter which is subject
65 to s. 316.0076 if:

66 (a) The contracting vendor is owned by the government of a
67 foreign country of concern; or

68 (b) The government of a foreign country of concern has a
69 controlling interest in the contracting vendor.

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

72 316.0083 Mark Wandall Traffic Safety Program;
73 administration; report.-

74 (4)(a)1. A county or municipality that desires to have one
75 or more traffic infraction detectors placed or installed on or
76 after July 1, 2025, in an area where no traffic infraction
77 detectors are currently placed or installed must enact an
78 ordinance in order to authorize the placement or installation
79 of, or to authorize contracting with a vendor for the placement
80 or installation of, one or more traffic infraction detectors to
81 enforce s. 316.074(1) or s. 316.075(1)(c)1. As part of the
82 public hearing on such proposed ordinance, the county or
83 municipality must consider traffic data or other evidence
84 supporting the installation and operation of each traffic
85 infraction detector, and the county or municipality must
86 determine whether the intersection at which a traffic infraction
87 detector is to be placed or installed constitutes a heightened

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88 safety risk that warrants additional enforcement measures.

89 2. A county or municipality that operates one or more
90 traffic infraction detectors shall annually report the results
91 of all traffic infraction detectors within the county's or
92 municipality's jurisdiction by placing the annual report to the
93 department required under paragraph (b) as a single reporting
94 item on the agenda of a regular or special meeting of the
95 county's or municipality's governing body. Before a county or
96 municipality contracts or renews a contract to place or install
97 one or more traffic infraction detectors, the county or
98 municipality must approve the contract or contract renewal at a
99 regular or special meeting of the county's or municipality's
100 governing body.

101 a. Interested members of the public must be allowed to
102 comment regarding the report, contract, or contract renewal
103 under the county's or municipality's public comment policies or
104 formats, and the report, contract, or contract renewal may not
105 be considered as part of a consent agenda.

106 b. The report required under this subparagraph must include
107 a written summary, which must be read aloud at the regular or
108 special meeting, and the summary must contain, for the same time
109 period pertaining to the annual report to the department
110 required under paragraph (b), the number of notices of violation
111 issued, the number that were contested, the number that were
112 upheld, the number that were dismissed, the number that were
113 issued as uniform traffic citations, and the number that were
114 paid and how collected funds were distributed and in what
115 amounts. The county or municipality shall report to the
116 department that the county's or municipality's annual report was

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117 considered in accordance with this subparagraph, including the
118 date of the regular or special meeting at which the annual
119 report was considered.

120 3. The compliance or sufficiency of compliance with this
121 paragraph may not be raised in a proceeding challenging a
122 violation of s. 316.074(1) or s. 316.075(1)(c)1. enforced by a
123 traffic infraction detector.

124 4. A county or municipality that does not comply with this
125 paragraph is suspended from operating traffic infraction
126 detectors under this subsection until such noncompliance is
127 corrected.

128 (b)~~(a)~~ Each county or municipality that operates a traffic
129 infraction detector shall submit a report by October 1, 2012,
130 and annually thereafter, to the department which details the
131 results of using the traffic infraction detector and the
132 procedures for enforcement for the preceding state fiscal year.
133 The information submitted by the counties and municipalities
134 must include:

135 1. The number of notices of violation issued, the number
136 that were contested, the number that were upheld, the number
137 that were dismissed, the number that were issued as uniform
138 traffic citations, the number that were paid, and the number in
139 each of the preceding categories for which the notice of
140 violation was issued for a right-hand turn violation.

141 2. A description of alternative safety countermeasures
142 taken before and after the placement or installation of a
143 traffic infraction detector.

144 3. Statistical data and information required by the
145 department to complete the summary report required under

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146 paragraph (c) ~~(b)~~.

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148 The department must publish each report submitted by a county or
149 municipality pursuant to this paragraph on its website.

150 (c) ~~(b)~~ On or before December 31, 2012, and annually
151 thereafter, the department shall provide a summary report to the
152 Governor, the President of the Senate, and the Speaker of the
153 House of Representatives regarding the use and operation of
154 traffic infraction detectors under this section, along with the
155 department's recommendations and any necessary legislation. The
156 summary report must include a review of the information
157 submitted to the department by the counties and municipalities
158 and must describe the enhancement of the traffic safety and
159 enforcement programs.

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