

By Senator Thompson

15-00297B-24

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1 A bill to be entitled
2 An act relating to prevention of pediatric vehicular
3 heatstroke; providing a short title; creating s.
4 316.2226, F.S.; defining the term "motor vehicle";
5 requiring, by a specified date, that certain motor
6 vehicles be equipped with an alarm system that prompts
7 the driver to inspect the motor vehicle for unattended
8 occupants before exiting; providing penalties;
9 requiring, by a specified date, the Department of
10 Highway Safety and Motor Vehicles to initiate a public
11 awareness campaign regarding such alarm systems;
12 requiring the department to adopt by rule minimum
13 standards for such systems and to maintain a list of
14 approved alarm manufacturers and alarm systems;
15 amending s. 402.305, F.S.; revising transportation
16 safety minimum standards for the licensure of child
17 care facilities; providing an effective date.

18
19 WHEREAS, children left unattended in vehicles or who
20 independently access unoccupied vehicles are a significant
21 public health and safety problem, and

22 WHEREAS, millions of children are transported every day in
23 the back seat of vehicles and are at risk of being inadvertently
24 left inside the vehicle, which may result in their death or
25 serious injury as the result of heat stroke, and

26 WHEREAS, Kids and Car Safety reports that at least 8,000
27 children during the years 1990 through 2022 were left alone in
28 hot cars or independently gained access to unoccupied cars, with
29 more than 990 of those children dying of heatstroke and more

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30 than 1,200 of them seriously injured, and

31 WHEREAS, despite widespread education programs and public
32 awareness initiatives over the past 30 years, the number of hot
33 car deaths among children has continued to rise, and

34 WHEREAS, inexpensive technology is currently available to
35 detect and alert drivers to the presence of an unattended
36 occupant in a vehicle, NOW, THEREFORE,

37
38 Be It Enacted by the Legislature of the State of Florida:

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40 Section 1. This act may be cited as the "Jace Lucas Leslie
41 Act."

42 Section 2. Section 316.2226, Florida Statutes, is created
43 to read:

44 316.2226 Unattended occupant alarm system required.-

45 (1) As used in this section, the term "motor vehicle" means
46 a motor vehicle as defined in s. 316.003 which is operated on
47 the roadways, streets, and highways of this state. The term does
48 not include:

49 (a) A bus used for the transportation of persons for
50 compensation.

51 (b) A farm tractor or implement of husbandry.

52 (c) A truck having a gross vehicle weight rating of more
53 than 26,000 pounds.

54 (d) A motorcycle, a moped, a bicycle, or an electric
55 bicycle.

56 (2) By October 1, 2024, any person who drives one or more
57 children up to age 6 in a motor vehicle must equip the motor
58 vehicle with an alarm system approved by the department which

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59 prompts the driver to inspect the motor vehicle for unattended
60 occupants before exiting the motor vehicle.

61 (3) A violation of this section is a noncriminal traffic
62 infraction, punishable as a moving violation as provided in
63 chapter 318.

64 (4) By September 1, 2024, the department shall initiate a
65 public awareness campaign to educate individuals regarding the
66 alarm system required under subsection (2).

67 (5) The department shall adopt by rule minimum safety
68 standards for such systems and shall maintain a list of approved
69 alarm manufacturers and alarm systems that meet or exceed those
70 standards.

71 Section 3. Paragraph (a) of subsection (10) of section
72 402.305, Florida Statutes, is amended to read:

73 402.305 Licensing standards; child care facilities.—

74 (10) TRANSPORTATION SAFETY.—

75 (a) Minimum standards must ~~shall~~ include all of the
76 following:

77 1. Requirements for child restraints or seat belts in
78 vehicles used by child care facilities and large family child
79 care homes to transport children.

80 2. Requirements for annual inspections of such vehicles.

81 3. Limitations on the number of children who ~~that~~ may be
82 transported in such vehicles.

83 4. Procedures to ensure that children are not inadvertently
84 left in vehicles when transported by the facility or home and
85 that systems are in place to ensure accountability for children
86 transported by such facilities and homes.

87 5. Procedures for notification of a child's emergency

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88 contact if the child does not arrive at the scheduled time and
89 the facility or family day care home has not received an
90 advanced notification of the child's absence.

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