

By Senator Burgess

23-00315A-24

2024994\_\_

1                                   A bill to be entitled  
2           An act relating to student transportation safety;  
3           amending s. 316.003, F.S.; revising the definition of  
4           the term "local hearing officer"; amending s. 316.173,  
5           F.S.; authorizing charter schools and private schools  
6           to install and operate school bus infraction detection  
7           systems; deleting a prohibition against an individual,  
8           a vendor, or a manufacturer receiving commissions,  
9           fees, or remuneration based on the number of  
10          violations detected; authorizing traffic infraction  
11          enforcement officers who meet specified requirements  
12          and school board security agencies to enforce  
13          specified violations; revising requirements for  
14          signage posted on the rear of a school bus indicating  
15          usage of a school bus infraction detection system;  
16          authorizing the governing board of a school entity to  
17          establish certain procedures for a hearing to contest  
18          liability or a notice of violation; revising the  
19          required uses for civil penalties assessed and  
20          collected for certain violations; prohibiting school  
21          bus infraction detection systems from being used for  
22          remote surveillance; providing construction; revising  
23          purposes for which video and images recorded as part  
24          of a school bus infraction detection system may be  
25          used; conforming provisions and cross-references to  
26          changes made by the act; making technical changes;  
27          amending s. 316.640, F.S.; providing that a school  
28          safety officer who completes certain training may be  
29          authorized by a county, municipality, or school entity

23-00315A-24

2024994\_\_

30 as a traffic infraction enforcement officer and may  
31 issue certain notices and citations; conforming cross-  
32 references; amending s. 318.18, F.S.; requiring that  
33 certain civil penalties be remitted to a school  
34 district, charter school, or private school operating  
35 a school bus with a school bus infraction detection  
36 system to be used for certain purposes; providing an  
37 effective date.

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

40  
41 Section 1. Subsection (38) of section 316.003, Florida  
42 Statutes, is amended to read:

43 316.003 Definitions.—The following words and phrases, when  
44 used in this chapter, shall have the meanings respectively  
45 ascribed to them in this section, except where the context  
46 otherwise requires:

47 (38) LOCAL HEARING OFFICER.—

48 (a) The person, designated by a department, county, or  
49 municipality that elects to authorize traffic infraction  
50 enforcement officers to issue traffic citations under ss.  
51 316.0083(1)(a) and 316.1896(1), who is authorized to conduct  
52 hearings related to a notice of violation issued pursuant to s.  
53 316.0083 or s. 316.1896. The charter county, noncharter county,  
54 or municipality may use its currently appointed code enforcement  
55 board or special magistrate to serve as the local hearing  
56 officer. The department may enter into an interlocal agreement  
57 to use the local hearing officer of a county or municipality.

58 (b) The person, designated by a school district, charter

23-00315A-24

2024994\_\_

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

73 Section 2. Present subsections (6) through (19) of section  
74 316.173, Florida Statutes, are redesignated as subsections (7)  
75 through (20), respectively, a new subsection (6) is added to  
76 that section, and subsection (1), paragraph (a) of subsection  
77 (2), subsections (3), (4), and (5), and present subsections (7),  
78 (8), (10), (11), (12), (16), and (17) of that section are  
79 amended, to read:

80 316.173 School bus infraction detection systems.—

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

85 (b) The school district, charter school, or private school  
86 may contract with a private vendor or manufacturer to install a  
87 school bus infraction detection system on any school bus within

23-00315A-24

2024994\_\_

88 its fleet, whether owned, contracted, or leased, and for  
89 services including, but not limited to, the installation,  
90 operation, and maintenance of the system. The school district's,  
91 charter school's, or private school's decision to install school  
92 bus infraction detection systems must be based solely on the  
93 need to increase public safety. ~~An individual may not receive a~~  
94 ~~commission from any revenue collected from violations detected~~  
95 ~~through the use of a school bus infraction detection system. A~~  
96 ~~private vendor or manufacturer may not receive a fee or~~  
97 ~~remuneration based upon the number of violations detected~~  
98 ~~through the use of a school bus infraction detection system.~~

99 (c) The school district, charter school, or private school  
100 must ensure that each school bus infraction detection system  
101 meets the requirements of subsection (19) ~~(18)~~.

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

114 (2) (a) The school district, charter school, or private  
115 school must post high-visibility ~~reflective~~ signage on the rear  
116 of each school bus in which a school bus infraction detection

23-00315A-24

2024994\_\_

117 system is installed and operational which indicates the use of  
118 such system. The signage must be in the form of one or more  
119 signs or stickers and must contain the following elements in  
120 substantially the following form:

121 1. The words "STOP WHEN RED LIGHTS FLASH" or "DO NOT PASS  
122 WHEN RED LIGHTS FLASH."

123 2. The words "CAMERA ENFORCED."

124 3. A graphic depiction of a camera.

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

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

23-00315A-24

2024994\_\_

146 ~~the school district pursuant to paragraph (1) (d) and has traffic~~  
147 ~~infraction enforcement jurisdiction at the location where the~~  
148 ~~alleged violation occurred:~~

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

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

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

154 (5) Within 30 days after receiving the information required  
155 in subsection (4), the law enforcement agency or its agent, or a  
156 traffic infraction enforcement officer, if it is determined  
157 ~~determines~~ that the motor vehicle violated s. 316.172(1) (a) or  
158 (b), must send a notice of violation to the registered owner of  
159 the motor vehicle involved in the violation specifying the  
160 remedies available under s. 318.14 and that the violator must  
161 pay the penalty under s. 318.18(5) or furnish an affidavit in  
162 accordance with subsection (11) ~~(10)~~ within 30 days after the  
163 notice of violation is sent in order to avoid court fees, costs,  
164 and the issuance of a uniform traffic citation. The notice of  
165 violation must be sent by first-class mail and include all of  
166 the following:

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

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

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

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

23-00315A-24

2024994\_\_

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

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

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

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

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

192 (a) The department shall publish and make available  
193 electronically to each school entity's governing board a model  
194 Request for Hearing form to assist each school entity's  
195 governing board administering this section.

196 (b) A school district, charter school, or private school  
197 operating school bus infraction detection systems on school  
198 buses which elects to authorize traffic infraction enforcement  
199 officers or one or more law enforcement agencies to issue  
200 traffic citations under this section shall designate by  
201 resolution existing staff or a designated staff agent to serve  
202 as the clerk to the local hearing officer.

203 (c) A person, referred to in this subsection as the

23-00315A-24

2024994\_\_

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

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

224 (e) At the conclusion of the hearing, the local hearing  
225 officer shall determine whether a violation under this section  
226 has occurred, in which case the hearing officer shall uphold or  
227 dismiss the violation. The local hearing officer shall issue a  
228 final administrative order including the determination and, if  
229 the notice of violation is upheld, require the petitioner to pay  
230 the penalty previously assessed under s. 318.18, and may also  
231 require the petitioner to pay school entity costs, including  
232 local hearing officer and hearing administrative costs, not to



23-00315A-24

2024994\_\_

233 exceed \$250. The final administrative order must be mailed to  
234 the petitioner by first-class mail.

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

237 (8) ~~(7)~~ The civil penalties assessed and collected for a  
238 violation of s. 316.172(1)(a) or (b) enforced by a school bus  
239 infraction detection system must be remitted to the school  
240 district in which the violation occurred or to the charter  
241 school or private school that reported the violation. Such civil  
242 penalties must be used for the installation, operation, or  
243 maintenance of school bus infraction detection systems on school  
244 buses, including student transportation safety initiatives,  
245 driver recruitment and retention stipends, or other student  
246 transportation safety enhancements ~~for any other technology that~~  
247 ~~increases the safety of the transportation of students,~~ or for  
248 ~~the~~ administration and costs associated with the enforcement of  
249 violations as described in this section.

250 (9) ~~(8)~~ A uniform traffic citation must be issued by mailing  
251 the uniform traffic citation by certified mail to the address of  
252 the registered owner of the motor vehicle involved in the  
253 violation if payment has not been made within 30 days after  
254 notification under subsection (5) and if the registered owner  
255 has not submitted an affidavit in accordance with subsection  
256 (11) ~~(10)~~.

257 (11) ~~(10)~~ To establish such facts under subsection (10) ~~(9)~~,  
258 the registered owner of the motor vehicle must, within 30 days  
259 after the date of issuance of the notice of violation or the  
260 uniform traffic citation, furnish to the law enforcement agency  
261 or its agent who ~~that~~ issued the notice of violation or uniform

23-00315A-24

2024994\_\_

262 traffic citation an affidavit setting forth information  
263 supporting an exception under subsection (10) ~~(9)~~.

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

272 (b) If a uniform traffic citation for a violation of s.  
273 316.172(1) (a) or (b) was issued at the location of the violation  
274 by a law enforcement officer, the affidavit must include the  
275 serial number of the uniform traffic citation.

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

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

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

290 3. A copy of the police report showing that the deceased

23-00315A-24

2024994\_\_

291 owner's registered license plate or motor vehicle was stolen  
292 after his or her death but on or before the date of the alleged  
293 violation.

294  
295 Upon receipt of the affidavit and documentation required under  
296 paragraphs (b) and (c), or 30 days after the date of issuance of  
297 a notice of violation sent to a person identified as having  
298 care, custody, or control of the motor vehicle at the time of  
299 the violation under paragraph (a), the law enforcement agency or  
300 its agent, or traffic infraction enforcement officer must  
301 dismiss the notice or citation and provide proof of such  
302 dismissal to the person who submitted the affidavit. If, within  
303 30 days after the date of a notice of violation sent to a person  
304 under subsection (12) ~~(11)~~, the law enforcement agency or its  
305 agent, or traffic infraction enforcement officer receives an  
306 affidavit under subsection (13) ~~(12)~~ from the person who was  
307 sent a notice of violation affirming that the person did not  
308 have care, custody, or control of the motor vehicle at the time  
309 of the violation, the law enforcement agency or its agent, or  
310 traffic infraction enforcement officer must notify the  
311 registered owner that the notice or citation will not be  
312 dismissed due to failure to establish that another person had  
313 care, custody, or control of the motor vehicle at the time of  
314 the violation.

315 (12) ~~(11)~~ Upon receipt of an affidavit under paragraph  
316 (10) (a) ~~(9) (a)~~, the law enforcement agency may issue the person  
317 identified as having care, custody, or control of the motor  
318 vehicle at the time of the violation a notice of violation  
319 pursuant to subsection (5) for a violation of s. 316.172(1) (a)

23-00315A-24

2024994\_\_

320 or (b). The affidavit is admissible in a proceeding pursuant to  
321 this section for the purpose of providing evidence that the  
322 person identified in the affidavit was in actual care, custody,  
323 or control of the motor vehicle. The owner of a leased motor  
324 vehicle for which a uniform traffic citation is issued for a  
325 violation of s. 316.172(1)(a) or (b) is not responsible for  
326 paying the uniform traffic citation and is not required to  
327 submit an affidavit as specified in subsection (11) ~~(10)~~ if the  
328 motor vehicle involved in the violation is registered in the  
329 name of the lessee of such motor vehicle.

330 (13) ~~(12)~~ If a law enforcement agency or traffic infraction  
331 enforcement officer receives an affidavit under paragraph  
332 (10) (a) ~~(9) (a)~~, the notice of violation required under  
333 subsection (5) must be sent to the person identified in the  
334 affidavit within 30 days after receipt of the affidavit. The  
335 person identified in an affidavit and sent a notice of violation  
336 may also affirm he or she did not have care, custody, or control  
337 of the motor vehicle at the time of the violation by furnishing  
338 to the appropriate law enforcement agency or traffic infraction  
339 enforcement officer within 30 days after the date of the notice  
340 of violation an affidavit stating such.

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

348 ~~2.~~ Video and images recorded as part of a the school bus

23-00315A-24

2024994\_\_

349 infraction detection system may only be used for traffic  
350 enforcement and for purposes of determining criminal or civil  
351 liability for incidents captured by the school bus infraction  
352 detection system incidental to the permissible use of the school  
353 bus infraction detection system to document violations of s.  
354 ~~316.172(1)(a) and (b) and may not be used for any other~~  
355 ~~surveillance purposes.~~

356 ~~2.3.~~ To the extent practicable, a school bus infraction  
357 detection system must use necessary technology to ensure that  
358 personal identifying information contained in the video or still  
359 images recorded by the system which is not relevant to the  
360 alleged violation, including, but not limited to, the identity  
361 of the driver and any passenger of a motor vehicle, the interior  
362 or contents of a motor vehicle, the identity of an uninvolved  
363 person, a number identifying the address of a private residence,  
364 and the contents or interior of a private residence, is  
365 sufficiently obscured so as not to reveal such personal  
366 identifying information.

367 ~~3.4.~~ A notice of a violation or uniform traffic citation  
368 issued under this section may not be dismissed solely because a  
369 recorded video or still images reveal personal identifying  
370 information as provided in subparagraph ~~2. 3.~~ as long as a  
371 reasonable effort has been made to comply with this subsection.

372 (b) Any recorded video or still image obtained through the  
373 use of a school bus infraction detection system must be  
374 destroyed within 90 days after the final disposition of the  
375 recorded event. The vendor of the school bus infraction  
376 detection system must provide the school district, charter  
377 school, or private school with written notice by December 31 of

23-00315A-24

2024994\_\_

378 each year that such records have been destroyed in accordance  
379 with this section.

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

385 (18) (a) ~~(17) (a)~~ By October 1, 2023, and quarterly  
386 thereafter, each school district, charter school, or private  
387 school, in consultation with the law enforcement agencies with  
388 which it has interlocal agreements pursuant to this section,  
389 operating a school bus infraction detection system must submit,  
390 in consultation with the law enforcement agencies with which it  
391 has interlocal agreements pursuant to this section or with  
392 traffic infraction enforcement officers designated pursuant to  
393 paragraph (1) (d), a report to the department which details the  
394 results of the school bus infraction detection systems in the  
395 school district, charter school, or private school in the  
396 preceding quarter. The information from the school districts,  
397 charter schools, or private schools must be submitted in a form  
398 and manner determined by the department, which the department  
399 must make available to the school districts by August 1, 2023,  
400 and to the charter schools and private schools by August 1,  
401 2024, and must include at least the following:

402 1. The number of school buses that have a school bus  
403 infraction detection system installed, including the date of  
404 installation and, if applicable, the date the systems were  
405 removed.

406 2. The number of notices of violations issued, the number

23-00315A-24

2024994\_\_

407 that were contested, the number that were upheld, the number  
408 that were dismissed, the number that were issued as uniform  
409 traffic citations, and the number that were paid.

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

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

418 (b) Each school district, charter school, or private school  
419 that operates a school bus infraction detection system is  
420 responsible for and must maintain its respective data for  
421 reporting purposes under this subsection for at least 2 years  
422 after such data is reported to the department.

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

433 Section 3. Paragraph (a) of subsection (1), paragraph (a)  
434 of subsection (3), and paragraph (a) of subsection (5) of  
435 section 316.640, Florida Statutes, are amended to read:

23-00315A-24

2024994\_\_

436 316.640 Enforcement.—The enforcement of the traffic laws of  
437 this state is vested as follows:

438 (1) STATE.—

439 (a)1.a. The Division of Florida Highway Patrol of the  
440 Department of Highway Safety and Motor Vehicles; the Division of  
441 Law Enforcement of the Fish and Wildlife Conservation  
442 Commission; the Division of Law Enforcement of the Department of  
443 Environmental Protection; and the agents, inspectors, and  
444 officers of the Department of Law Enforcement each have  
445 authority to enforce all of the traffic laws of this state on  
446 all the streets and highways thereof and elsewhere throughout  
447 the state wherever the public has a right to travel by motor  
448 vehicle.

449 b. University police officers may enforce all of the  
450 traffic laws of this state when violations occur on or within  
451 1,000 feet of any property or facilities that are under the  
452 guidance, supervision, regulation, or control of a state  
453 university, a direct-support organization of such state  
454 university, or any other organization controlled by the state  
455 university or a direct-support organization of the state  
456 university, or when such violations occur within a specified  
457 jurisdictional area as agreed upon in a mutual aid agreement  
458 entered into with a law enforcement agency pursuant to s.  
459 23.1225(1). Traffic laws may also be enforced off-campus when  
460 hot pursuit originates on or within 1,000 feet of any such  
461 property or facilities, or as agreed upon in accordance with the  
462 mutual aid agreement.

463 c. Florida College System institution police officers may  
464 enforce all the traffic laws of this state only when such



23-00315A-24

2024994\_\_

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

474 d. Police officers employed by an airport authority may  
475 enforce all of the traffic laws of this state only when such  
476 violations occur on any property or facilities that are owned or  
477 operated by an airport authority.

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

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

23-00315A-24

2024994\_\_

494 e. The Office of Agricultural Law Enforcement of the  
495 Department of Agriculture and Consumer Services may enforce  
496 traffic laws of this state.

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

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

516 3. The Division of the Florida Highway Patrol may employ as  
517 a traffic accident investigation officer any individual who  
518 successfully completes instruction in traffic accident  
519 investigation and court presentation through the Selective  
520 Traffic Enforcement Program as approved by the Criminal Justice  
521 Standards and Training Commission and funded through the  
522 National Highway Traffic Safety Administration or a similar

23-00315A-24

2024994\_\_

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

536 (3) MUNICIPALITIES.—

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

542 In addition, the police department may be required by a  
543 municipality to enforce the traffic laws of this state on any  
544 private or limited access road or roads over which the  
545 municipality has jurisdiction pursuant to a written agreement  
546 entered into under s. 316.006(2)(b). However, nothing in this  
547 chapter shall affect any law, general, special, or otherwise, in  
548 effect on January 1, 1972, relating to "hot pursuit" without the  
549 boundaries of the municipality.

550 (5) (a) Any sheriff's department or police department of a  
551 municipality may employ, as a traffic infraction enforcement

23-00315A-24

2024994\_\_

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

576 Section 4. Paragraph (c) of subsection (5) of section  
577 318.18, Florida Statutes, is amended to read:

578 318.18 Amount of penalties.—The penalties required for a  
579 noncriminal disposition pursuant to s. 318.14 or a criminal  
580 offense listed in s. 318.17 are as follows:

23-00315A-24

2024994\_\_

581 (5)

582 (c) In addition to the penalty under paragraph (a) or

583 paragraph (b), \$65 for a violation of s. 316.172(1)(a) or (b).

584 If the alleged offender is found to have committed the offense,

585 the court shall impose the civil penalty under paragraph (a) or

586 paragraph (b) plus an additional \$65. The additional \$65

587 collected under this paragraph shall be remitted to the

588 Department of Revenue for deposit into the Emergency Medical

589 Services Trust Fund of the Department of Health to be used as

590 provided in s. 395.4036. If a violation of s. 316.172(1)(a) or

591 (b) is enforced by a school bus infraction detection system

592 pursuant to s. 316.173, the additional amount imposed on a

593 notice of violation, on a ~~the~~ uniform traffic citation, or by

594 the court under this paragraph must be \$25, in lieu of the

595 additional \$65, and must be remitted to the participating school

596 district, charter school, or private school operating the school

597 bus with a school bus infraction detection system. Such amounts

598 must be used pursuant to s. 316.173(8).

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