

By the Committee on Transportation; and Senator Burgess

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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; providing construction; authorizing traffic
8 infraction enforcement officers who meet specified
9 requirements and school board security agencies to
10 enforce specified violations; revising requirements
11 for signage posted on the rear of a school bus
12 indicating usage of a school bus infraction detection
13 system; authorizing the governing board of a school
14 entity to establish certain procedures for a hearing
15 to contest liability or a notice of violation;
16 revising the required uses for civil penalties
17 assessed and collected for certain violations;
18 prohibiting school bus infraction detection systems
19 from being used for remote surveillance; providing
20 construction; revising purposes for which video and
21 images recorded as part of a school bus infraction
22 detection system may be used; conforming provisions
23 and cross-references to changes made by the act;
24 making technical changes; amending s. 316.640, F.S.;
25 providing that a school safety officer who completes
26 certain training may be authorized by a county,
27 municipality, or school entity as a traffic infraction
28 enforcement officer and may issue certain notices and
29 citations; conforming cross-references; amending s.

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30 318.18, F.S.; requiring that certain civil penalties
31 be remitted to a school district, charter school, or
32 private school operating a school bus with a school
33 bus infraction detection system to be used for certain
34 purposes; providing an effective date.

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

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

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

44 (38) LOCAL HEARING OFFICER.—

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

55 (b) The person, designated by a school district, charter
56 school, or private school that elects to authorize traffic
57 infraction enforcement officers or one or more law enforcement
58 agencies to issue traffic citations under s. 316.173, who is

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

70 Section 2. Present subsections (6) through (19) of section
71 316.173, Florida Statutes, are redesignated as subsections (7)
72 through (20), respectively, a new subsection (6) is added to
73 that section, and subsection (1), paragraph (a) of subsection
74 (2), subsections (3), (4), and (5), and present subsections (7),
75 (8), (10), (11), (12), (16), and (17) of that section are
76 amended, to read:

77 316.173 School bus infraction detection systems.—

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

82 (b) The school district, charter school, or private school
83 may contract with a private vendor or manufacturer to install a
84 school bus infraction detection system on any school bus within
85 its fleet, whether owned, contracted, or leased, and for
86 services including, but not limited to, the installation,
87 operation, and maintenance of the system. The school district's,

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88 charter school's, or private school's decision to install school
89 bus infraction detection systems must be based solely on the
90 need to increase public safety. An individual may not receive a
91 commission from any revenue collected from violations detected
92 through the use of a school bus infraction detection system. A
93 private vendor or manufacturer may not receive a fee or
94 remuneration based upon the number of violations detected
95 through the use of a school bus infraction detection system.
96 This paragraph may not be construed to prohibit a private vendor
97 or manufacturer from receiving a fixed percentage of collected
98 proceeds for service rendered in relation to the installation,
99 operation, or maintenance of school bus infraction detection
100 systems.

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

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

116 (2) (a) The school district, charter school, or private

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

123 1. The words "STOP WHEN RED LIGHTS FLASH" or "DO NOT PASS
124 WHEN RED LIGHTS FLASH."

125 2. The words "CAMERA ENFORCED."

126 3. A graphic depiction of a camera.

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

141 (4) Within 30 days after an alleged violation of s.
142 316.172(1)(a) or (b) is recorded by a school bus infraction
143 detection system, the school district, charter school, or
144 private school or the private vendor or manufacturer under
145 paragraph (1)(b) must submit the following information to a law

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146 enforcement agency or a traffic infraction enforcement officer
147 designated ~~that has entered into an interlocal agreement with~~
148 ~~the school district~~ pursuant to paragraph (1) (d) ~~and has traffic~~
149 ~~infraction enforcement jurisdiction at the location where the~~
150 ~~alleged violation occurred:~~

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

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

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

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

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

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

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

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175 civil penalty.

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

181 (e) A notice that the owner has the right to review, in
182 person or remotely, the video and images recorded by the school
183 bus infraction detection system which constitute a rebuttable
184 presumption that the motor vehicle was used in violation of s.
185 316.172(1)(a) or (b).

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

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

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

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

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

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204 as the clerk to the local hearing officer.

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

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

226 (e) At the conclusion of the hearing, the local hearing
227 officer shall determine whether a violation under this section
228 has occurred, in which case the hearing officer shall uphold or
229 dismiss the violation. The local hearing officer shall issue a
230 final administrative order including the determination and, if
231 the notice of violation is upheld, require the petitioner to pay
232 the penalty previously assessed under s. 318.18, and may also

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233 require the petitioner to pay school entity costs, including
234 local hearing officer and hearing administrative costs, not to
235 exceed \$250. The final administrative order must be mailed to
236 the petitioner by first-class mail.

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

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

252 (9)~~(8)~~ A uniform traffic citation must be issued by mailing
253 the uniform traffic citation by certified mail to the address of
254 the registered owner of the motor vehicle involved in the
255 violation if payment has not been made within 30 days after
256 notification under subsection (5) and if the registered owner
257 has not submitted an affidavit in accordance with subsection
258 (11) ~~(10)~~.

259 (11)~~(10)~~ To establish such facts under subsection (10) ~~(9)~~,
260 the registered owner of the motor vehicle must, within 30 days
261 after the date of issuance of the notice of violation or the

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262 uniform traffic citation, furnish to the law enforcement agency
263 or its agent who ~~that~~ issued the notice of violation or uniform
264 traffic citation an affidavit setting forth information
265 supporting an exception under subsection (10) ~~(9)~~.

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

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

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

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

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

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291 the alleged violation.

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

296

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

317 (12) ~~(11)~~ Upon receipt of an affidavit under paragraph
318 (10) (a) ~~(9) (a)~~, the law enforcement agency may issue the person
319 identified as having care, custody, or control of the motor

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320 vehicle at the time of the violation a notice of violation
321 pursuant to subsection (5) for a violation of s. 316.172(1) (a)
322 or (b). The affidavit is admissible in a proceeding pursuant to
323 this section for the purpose of providing evidence that the
324 person identified in the affidavit was in actual care, custody,
325 or control of the motor vehicle. The owner of a leased motor
326 vehicle for which a uniform traffic citation is issued for a
327 violation of s. 316.172(1) (a) or (b) is not responsible for
328 paying the uniform traffic citation and is not required to
329 submit an affidavit as specified in subsection (11) ~~(10)~~ if the
330 motor vehicle involved in the violation is registered in the
331 name of the lessee of such motor vehicle.

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

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

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349 surveillance.

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

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

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

374 (b) Any recorded video or still image obtained through the
375 use of a school bus infraction detection system must be
376 destroyed within 90 days after the final disposition of the
377 recorded event. The vendor of the school bus infraction

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378 detection system must provide the school district, charter
379 school, or private school with written notice by December 31 of
380 each year that such records have been destroyed in accordance
381 with this section.

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

387 (18) (a) ~~(17) (a)~~ By October 1, 2023, and quarterly
388 thereafter, each school district, charter school, or private
389 school, in consultation with the law enforcement agencies with
390 which it has interlocal agreements pursuant to this section,
391 operating a school bus infraction detection system must submit,
392 in consultation with the law enforcement agencies with which it
393 has interlocal agreements pursuant to this section or with
394 traffic infraction enforcement officers designated pursuant to
395 paragraph (1) (d), a report to the department which details the
396 results of the school bus infraction detection systems in the
397 school district, charter school, or private school in the
398 preceding quarter. The information from the school districts,
399 charter schools, or private schools must be submitted in a form
400 and manner determined by the department, which the department
401 must make available to the school districts by August 1, 2023,
402 and to the charter schools and private schools by August 1,
403 2024, and must include at least the following:

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

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407 removed.

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

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

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

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

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

435 Section 3. Paragraph (a) of subsection (1), paragraph (a)

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436 of subsection (3), and paragraph (a) of subsection (5) of
437 section 316.640, Florida Statutes, are amended to read:

438 316.640 Enforcement.—The enforcement of the traffic laws of
439 this state is vested as follows:

440 (1) STATE.—

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

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

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

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

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

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

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494 authority employing the specialist, by appropriate state,
495 county, or municipal traffic citation.

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

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

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

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

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

538 (3) MUNICIPALITIES.—

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

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

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

578 Section 4. Paragraph (c) of subsection (5) of section
579 318.18, Florida Statutes, is amended to read:

580 318.18 Amount of penalties.—The penalties required for a

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581 noncriminal disposition pursuant to s. 318.14 or a criminal
582 offense listed in s. 318.17 are as follows:

583 (5)

584 (c) In addition to the penalty under paragraph (a) or
585 paragraph (b), \$65 for a violation of s. 316.172(1)(a) or (b).
586 If the alleged offender is found to have committed the offense,
587 the court shall impose the civil penalty under paragraph (a) or
588 paragraph (b) plus an additional \$65. The additional \$65
589 collected under this paragraph shall be remitted to the
590 Department of Revenue for deposit into the Emergency Medical
591 Services Trust Fund of the Department of Health to be used as
592 provided in s. 395.4036. If a violation of s. 316.172(1)(a) or
593 (b) is enforced by a school bus infraction detection system
594 pursuant to s. 316.173, the additional amount imposed on a
595 notice of violation, on a ~~the~~ uniform traffic citation, or by
596 the court under this paragraph must be \$25, in lieu of the
597 additional \$65, and must be remitted to the participating school
598 district, charter school, or private school operating the school
599 bus with a school bus infraction detection system. Such amounts
600 must be used pursuant to s. 316.173(8).

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