

A bill to be entitled
An act relating to fines for violations detected by
traffic infraction detectors; repealing ss. 316.0083
and 321.50, F.S., relating to the Mark Wandall Traffic
Safety Program and authorization to use traffic
infraction detectors, respectively; amending ss. 28.37
and 316.003, F.S.; conforming provisions to changes
made by the act; amending s. 316.008, F.S.;
authorizing a county or municipality to issue a fine
for certain violations detected through the use of a
traffic infraction detector; requiring the fine to be
accompanied by a certain photograph or image;
repealing s. 316.00831, F.S., relating to distribution
of penalties; amending ss. 316.173, 316.1896, 316.640,
316.650, 318.121, 318.14, 318.15, 318.18, 320.03, and
322.27, F.S.; conforming provisions to changes made by
the act; providing an effective date.

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

Section 1. Sections 316.0083 and 321.50, Florida Statutes,
are repealed.

**Section 2. Subsection (6) of section 28.37, Florida
Statutes, is amended to read:**

28.37 Fines, fees, service charges, and costs remitted to

the state.—

(6) Ten percent of all court-related fines collected by the clerk, except for penalties or fines distributed to counties or municipalities under s. 318.18(16) ~~s. 316.0083(1)(b)3. or s. 318.18(16)(a)~~, must be deposited into the fine and forfeiture fund to be used exclusively for clerk court-related functions, as provided in s. 28.35(3)(a).

Section 3. Subsections (38) and (101) of section 316.003, Florida Statutes, are amended to read:

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

(38) LOCAL HEARING OFFICER.—The person, designated by a ~~department,~~ county, or municipality that elects to authorize traffic infraction enforcement officers to issue traffic citations under s. 316.1896(1) ~~ss. 316.0083(1)(a) and 316.1896(1)~~, who is authorized to conduct hearings related to a notice of violation issued pursuant to ~~s. 316.0083 or s.~~ 316.1896. The charter county, noncharter county, or municipality may use its currently appointed code enforcement board or special magistrate to serve as the local hearing officer. ~~The department may enter into an interlocal agreement to use the local hearing officer of a county or municipality.~~

(101) TRAFFIC INFRACTION DETECTOR.—A vehicle sensor

51 installed to work in conjunction with a traffic control signal
52 and a camera or cameras synchronized to automatically record two
53 or more sequenced photographic or electronic images or streaming
54 video of only the rear of a motor vehicle at the time the
55 vehicle fails to stop behind the stop bar or clearly marked stop
56 line when facing a traffic control signal steady red light. ~~Any~~
57 ~~notification under s. 316.0083(1)(b) or traffic citation issued~~
58 ~~by the use of a traffic infraction detector must include a~~
59 ~~photograph or other recorded image showing both the license tag~~
60 ~~of the offending vehicle and the traffic control device being~~
61 ~~violated.~~

62 **Section 4. Subsection (8) of section 316.008, Florida**
63 **Statutes, is amended to read:**

64 316.008 Powers of local authorities.—

65 (8)(a) A county or municipality may use traffic infraction
66 detectors to enforce s. 316.074(1) or s. 316.075(1)(c)1. when a
67 driver fails to stop at a traffic signal on streets and highways
68 under its jurisdiction ~~under s. 316.0083~~. Only a municipality
69 may install or authorize the installation of any such detectors
70 within the incorporated area of the municipality. Only a county
71 may install or authorize the installation of any such detectors
72 within the unincorporated area of the county.

73 (b) Pursuant to paragraph (a), a municipality may install
74 or, by contract or interlocal agreement, authorize the
75 installation of any such detectors only within the incorporated

76 area of the municipality, and a county may install or, by
77 contract or interlocal agreement, authorize the installation of
78 any such detectors only within the unincorporated area of the
79 county. A county may authorize installation of any such
80 detectors by interlocal agreement on roads under its
81 jurisdiction.

82 (c) ~~Pursuant to s. 316.0083,~~ A county or municipality may
83 use traffic infraction detectors to enforce s. 316.074(1) or s.
84 316.075(1)(c)1. when a driver fails to stop at a traffic signal
85 on state roads under the original jurisdiction of the Department
86 of Transportation when permitted by the Department of
87 Transportation.

88 (d) Notwithstanding any other provision of law, a county
89 or municipality may issue a fine for a violation of s.
90 316.074(1) or s. 316.075(1)(c)1. detected through the use of a
91 traffic infraction detector. The fine must be accompanied by a
92 photograph or other recorded image showing both the license tag
93 of the offending vehicle and the traffic control device being
94 violated.

95 **Section 5.** Section 316.00831, Florida Statutes, is
96 repealed.

97 **Section 6. Paragraph (b) of subsection (6) of section**
98 **316.173, Florida Statutes, is amended to read:**

99 316.173 School bus infraction detection systems.—

100 (6)

101 (b) Procedures for an administrative hearing conducted
102 under this subsection are as follows:

103 1. The department shall make available electronically to
104 the school district or its designee or the county a Request for
105 Hearing form to assist each district or county with
106 administering this subsection.

107 2. A person, referred to in this paragraph as the
108 petitioner, who elects to request a hearing under this
109 subsection shall be scheduled for a hearing. The hearing may be
110 conducted either virtually via live video conferencing or in
111 person.

112 3. Within 120 days after receipt of a timely request for a
113 hearing, the law enforcement agency or its designee shall
114 provide a replica of the notice of violation data to the school
115 district or county by manual or electronic transmission, and
116 thereafter the school district or its designee or the county
117 shall mail a notice of hearing, which shall include a hearing
118 date and may at the discretion of the district or county include
119 virtual and in-person hearing options, to the petitioner by
120 first-class mail. Mailing of the notice of hearing constitutes
121 notification. Upon receipt of the notice of hearing, the
122 petitioner may reschedule the hearing once by submitting a
123 written request to the local hearing officer at least 5 calendar
124 days before the day of the originally scheduled hearing. The
125 petitioner may cancel his or her hearing by paying the penalty

assessed in the notice of violation.

4. All testimony at the hearing shall be under oath. The local hearing officer shall take testimony from the law enforcement agency and the petitioner, and may take testimony from others. The local hearing officer shall review the video and images recorded by a school bus infraction detection system. Formal rules of evidence do not apply, but due process shall be observed and govern the proceedings.

5. At the conclusion of the hearing, the local hearing officer shall determine by a preponderance of the evidence whether a violation has occurred and shall uphold or dismiss the violation. The local hearing officer shall issue a final administrative order including the determination and, if the notice of violation is upheld, require the petitioner to pay the civil penalty previously assessed in the notice of violation, and shall also require the petitioner to pay costs, ~~not to exceed those established in s. 316.0083(5)(e),~~ to be used by the county for operational costs relating to the hearing process or by the school district for technology and operational costs relating to the hearing process as well as school transportation safety-related initiatives. The final administrative order shall be mailed to the petitioner by first-class mail.

6. An aggrieved party may appeal a final administrative order consistent with the process provided in s. 162.11.

Section 7. Subsection (14) of section 316.1896, Florida

Statutes, is amended to read:

316.1896 Roadways maintained as school zones; speed detection system enforcement; penalties; appeal procedure; privacy; reports.—

(14) A hearing under this section must be conducted ~~under the procedures established by s. 316.0083(5) and~~ as follows:

(a) The department must publish and make available electronically to each county and municipality a model request for hearing form to assist each county or municipality administering this section.

(b) A county or municipality electing to authorize traffic infraction enforcement officers to issue uniform traffic citations under subsection (6) must designate by resolution existing staff to serve as the clerk to the local hearing officer.

(c) A person, referred to in this subsection as the "petitioner," who elects to request a hearing under subsection (3) must be scheduled for a hearing by the clerk to the local hearing officer. The clerk must furnish the petitioner with notice sent by first-class mail. Upon receipt of the notice, the petitioner may reschedule the hearing up to two times by submitting a written request to reschedule to the clerk at least 5 calendar days before the day of the scheduled hearing. The petitioner may cancel his or her appearance before the local hearing officer by paying the penalty assessed under subsection

176 (2), ~~plus the administrative costs established in s.~~
177 ~~316.0083(5)(e)~~, before the start of the hearing.

178 (d) All testimony at the hearing must be under oath and
179 must be recorded. The local hearing officer must take testimony
180 from a traffic infraction enforcement officer and the petitioner
181 and may take testimony from others. The local hearing officer
182 must review the photograph or video captured by the speed
183 detection system and the evidence of the speed of the motor
184 vehicle detected by the speed detection system made available
185 under paragraph (2)(b). Formal rules of evidence do not apply,
186 but due process must be observed and govern the proceedings.

187 (e) At the conclusion of the hearing, the local hearing
188 officer must determine whether a violation under this section
189 occurred and must uphold or dismiss the violation. The local
190 hearing officer must issue a final administrative order
191 including the determination and, if the notice of violation is
192 upheld, must require the petitioner to pay the penalty
193 previously assessed under subsection (2), and may also require
194 the petitioner to pay county or municipal costs ~~not to exceed~~
195 ~~the amount established in s. 316.0083(5)(e)~~. The final
196 administrative order must be mailed to the petitioner by first-
197 class mail.

198 (f) An aggrieved party may appeal a final administrative
199 order consistent with the process provided in s. 162.11.

200 **Section 8. Paragraph (b) of subsection (1) and paragraph**

(a) of subsection (5) of section 316.640, Florida Statutes, are amended to read:

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

(1) STATE.—

(b)1. The Department of Transportation has authority to enforce on all the streets and highways of this state all laws applicable within its authority.

2.a. The Department of Transportation shall develop training and qualifications standards for toll enforcement officers whose sole authority is to enforce the payment of tolls pursuant to s. 316.1001. Nothing in this subparagraph shall be construed to permit the carrying of firearms or other weapons, nor shall a toll enforcement officer have arrest authority.

b. For the purpose of enforcing s. 316.1001, governmental entities, as defined in s. 334.03, which own or operate a toll facility may employ independent contractors or designate employees as toll enforcement officers; however, any such toll enforcement officer must successfully meet the training and qualifications standards for toll enforcement officers established by the Department of Transportation.

~~3. For the purpose of enforcing s. 316.0083, the department may designate employees as traffic infraction enforcement officers. A traffic infraction enforcement officer must successfully complete instruction in traffic enforcement~~

~~procedures and court presentation through the Selective Traffic Enforcement Program as approved by the Division of Criminal Justice Standards and Training of the Department of Law Enforcement, or through a similar program, but may not necessarily otherwise meet the uniform minimum standards established by the Criminal Justice Standards and Training Commission for law enforcement officers or auxiliary law enforcement officers under s. 943.13. This subparagraph does not authorize the carrying of firearms or other weapons by a traffic infraction enforcement officer and does not authorize a traffic infraction enforcement officer to make arrests. The department's traffic infraction enforcement officers must be physically located in the state.~~

(5) (a) Any sheriff's department or police department of a municipality may employ, as a traffic infraction enforcement officer, any individual who successfully completes instruction in traffic enforcement procedures and court presentation through the Selective Traffic Enforcement Program as approved by the Division of Criminal Justice Standards and Training of the Department of Law Enforcement, or through a similar program, but who does not necessarily otherwise meet the uniform minimum standards established by the Criminal Justice Standards and Training Commission for law enforcement officers or auxiliary law enforcement officers under s. 943.13. Any such traffic infraction enforcement officer who observes the commission of a

251 traffic infraction or, in the case of a parking infraction, who
252 observes an illegally parked vehicle may issue a traffic
253 citation for the infraction when, based upon personal
254 investigation, he or she has reasonable and probable grounds to
255 believe that an offense has been committed which constitutes a
256 noncriminal traffic infraction as defined in s. 318.14. In
257 addition, any such traffic infraction enforcement officer may
258 issue a traffic citation under s. ss. ~~316.0083~~ and 316.1896. For
259 purposes of enforcing ss. ~~316.0083~~, 316.1895~~7~~, and 316.183, any
260 sheriff's department or police department of a municipality may
261 designate employees as traffic infraction enforcement officers.
262 The traffic infraction enforcement officers must be physically
263 located in the county of the respective sheriff's or police
264 department.

265 **Section 9. Paragraphs (a) and (c) of subsection (3) of**
266 **section 316.650, Florida Statutes, are amended to read:**

267 316.650 Traffic citations.—

268 (3)(a) Except for a traffic citation issued pursuant to s.
269 316.1001, s. ~~316.0083~~, s. 316.173, or s. 316.1896, each traffic
270 enforcement officer, upon issuing a traffic citation to an
271 alleged violator of any provision of the motor vehicle laws of
272 this state or of any traffic ordinance of any municipality or
273 town, shall deposit the original traffic citation or, in the
274 case of a traffic enforcement agency that has an automated
275 citation issuance system, the agency shall provide by an

276 electronic transmission a replica of the citation data to the
277 court having jurisdiction over the alleged offense or with its
278 traffic violations bureau within 5 business days after issuance
279 to the violator.

280 (c) If a traffic citation is issued under ~~s. 316.0083 or~~
281 s. 316.1896, the traffic infraction enforcement officer shall
282 provide by electronic transmission a replica of the traffic
283 citation data to the court having jurisdiction over the alleged
284 offense or its traffic violations bureau within 5 business days
285 after the date of issuance of the traffic citation to the
286 violator. If a hearing is requested, the traffic infraction
287 enforcement officer shall provide a replica of the traffic
288 notice of violation data to the clerk for the local hearing
289 officer having jurisdiction over the alleged offense within 14
290 days.

291 **Section 10. Section 318.121, Florida Statutes, is amended**
292 **to read:**

293 318.121 Preemption of additional fees, fines, surcharges,
294 and costs.—Notwithstanding any general or special law, or
295 municipal or county ordinance, additional fees, fines,
296 surcharges, or costs other than the court costs and surcharges
297 assessed under s. 318.18(12), (14), (19), and (20), ~~and (23)~~ may
298 not be added to the civil traffic penalties assessed under this
299 chapter.

300 **Section 11. Subsection (2) of section 318.14, Florida**

Statutes, is amended to read:

318.14 Noncriminal traffic infractions; exception;
procedures.—

(2) Except as provided in ss. 316.1001(2), ~~316.0083,~~
316.173, and 316.1896, any person cited for a violation
requiring a mandatory hearing listed in s. 318.19 or any other
criminal traffic violation listed in chapter 316 must sign and
accept a citation indicating a promise to appear. The officer
may indicate on the traffic citation the time and location of
the scheduled hearing. The officer must indicate the applicable
civil penalty established in s. 318.18, except for infractions
under s. 318.19(5) or s. 316.1926(2). For all other infractions
under this section, except for infractions under s. 316.1001,
the officer must certify by electronic, electronic facsimile, or
written signature that the citation was delivered to the person
cited. This certification is prima facie evidence that the
person cited was served with the citation.

**Section 12. Subsection (3) of section 318.15, Florida
Statutes, is amended to read:**

318.15 Failure to comply with civil penalty or to appear;
penalty.—

~~(3) The clerk shall notify the department of persons who
were mailed a notice of violation of s. 316.074(1) or s.
316.075(1)(c)1. pursuant to s. 316.0083 and who failed to enter
into, or comply with the terms of, a penalty payment plan, or~~

~~order with the clerk to the local hearing officer or failed to appear at a scheduled hearing within 10 days after such failure, and shall reference the person's driver license number, or in the case of a business entity, vehicle registration number.~~

~~(a) Upon receipt of such notice, the department, or authorized agent thereof, may not issue a license plate or revalidation sticker for any motor vehicle owned or co-owned by that person pursuant to s. 320.03(8) until the amounts assessed have been fully paid.~~

~~(b) After the issuance of the person's license plate or revalidation sticker is withheld pursuant to paragraph (a), the person may challenge the withholding of the license plate or revalidation sticker only on the basis that the outstanding fines and civil penalties have been paid pursuant to s. 320.03(8).~~

Section 13. Subsection (24) of section 318.18, Florida Statutes, is renumbered as subsection (23), and paragraph (c) of subsection (5), subsection (16), and present subsection (23) of that section are amended to read:

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

(5)

(c)1. In addition to the penalty under subparagraph (a)2. or subparagraph (b)2., if, at an administrative hearing

351 | contesting a notice of violation, the alleged offender is found
352 | to have committed this offense, costs shall be imposed, ~~not to~~
353 | ~~exceed those established in s. 316.0083(5)(c),~~ to be paid by the
354 | petitioner and to be used by the county for the operational
355 | costs related to the hearing or the school district for
356 | technology and operational costs relating to the hearing as well
357 | as school transportation safety-related initiatives.

358 | Notwithstanding any other provision of law, if a county's local
359 | hearing officer administers the administrative hearing process
360 | for a contested notice of violation, the costs imposed under
361 | this subparagraph resulting from notice of violation shall be
362 | remitted to the county at least monthly.

363 | 2. In addition to the penalty under paragraph (a) or
364 | paragraph (b), \$65 for a violation of s. 316.172(1)(a) or (b).
365 | If the alleged offender is found to have committed the offense,
366 | the court shall impose the civil penalty under paragraph (a) or
367 | paragraph (b) plus an additional \$65. The additional \$65
368 | collected under this subparagraph shall be remitted to the
369 | Department of Revenue for deposit into the Emergency Medical
370 | Services Trust Fund of the Department of Health to be used as
371 | provided in s. 395.4036. If a violation of s. 316.172(1)(a) or
372 | (b) is enforced by a school bus infraction detection system
373 | pursuant to s. 316.173, the additional amount imposed on a
374 | notice of violation, on a uniform traffic citation, or by the
375 | court under this paragraph must be \$25, in lieu of the

376 additional \$65, and, notwithstanding any other provision of law,
377 the civil penalties and additional costs must be remitted to the
378 participating school district at least monthly and used pursuant
379 to s. 316.173(8).

380 (16)(a)~~1~~. One hundred and fifty-eight dollars for a
381 violation of s. 316.074(1) or s. 316.075(1)(c)1. when a driver
382 has failed to stop at a traffic signal ~~and when enforced by a~~
383 ~~law enforcement officer~~. Sixty dollars shall be distributed as
384 provided in s. 318.21, \$30 shall be distributed to the General
385 Revenue Fund, \$3 shall be remitted to the Department of Revenue
386 for deposit into the Brain and Spinal Cord Injury Trust Fund,
387 and the remaining \$65 shall be remitted to the Department of
388 Revenue for deposit into the Emergency Medical Services Trust
389 Fund of the Department of Health.

390 ~~2. One hundred and fifty-eight dollars for a violation of~~
391 ~~s. 316.074(1) or s. 316.075(1)(c)1. when a driver has failed to~~
392 ~~stop at a traffic signal and when enforced by the department's~~
393 ~~traffic infraction enforcement officer. One hundred dollars~~
394 ~~shall be remitted to the Department of Revenue for deposit into~~
395 ~~the General Revenue Fund, \$45 shall be distributed to the county~~
396 ~~for any violations occurring in any unincorporated areas of the~~
397 ~~county or to the municipality for any violations occurring in~~
398 ~~the incorporated boundaries of the municipality in which the~~
399 ~~infraction occurred, \$10 shall be remitted to the Department of~~
400 ~~Revenue for deposit into the Department of Health Emergency~~

~~Medical Services Trust Fund for distribution as provided in s. 395.4036(1), and \$3 shall be remitted to the Department of Revenue for deposit into the Brain and Spinal Cord Injury Trust Fund.~~

~~3. One hundred and fifty-eight dollars for a violation of s. 316.074(1) or s. 316.075(1)(c)1. when a driver has failed to stop at a traffic signal and when enforced by a county's or municipality's traffic infraction enforcement officer. Seventy-five dollars shall be distributed to the county or municipality issuing the traffic citation, \$70 shall be remitted to the Department of Revenue for deposit into the General Revenue Fund, \$10 shall be remitted to the Department of Revenue for deposit into the Department of Health Emergency Medical Services Trust Fund for distribution as provided in s. 395.4036(1), and \$3 shall be remitted to the Department of Revenue for deposit into the Brain and Spinal Cord Injury Trust Fund.~~

(b) Amounts deposited into the Brain and Spinal Cord Injury Trust Fund pursuant to this subsection shall be distributed quarterly to the Miami Project to Cure Paralysis and shall be used for brain and spinal cord research.

~~(c) If a person who is mailed a notice of violation or cited for a violation of s. 316.074(1) or s. 316.075(1)(c)1., as enforced by a traffic infraction enforcement officer under s. 316.0083, presents documentation from the appropriate governmental entity that the notice of violation or traffic~~

426 ~~citation was in error, the clerk of court or clerk to the local~~
427 ~~hearing officer may dismiss the case. The clerk of court or~~
428 ~~clerk to the local hearing officer may not charge for this~~
429 ~~service.~~

430 (c)~~(d)~~ An individual may not receive a commission or per-
431 ticket fee from any revenue collected from violations detected
432 through the use of a traffic infraction detector. A manufacturer
433 or vendor may not receive a fee or remuneration based upon the
434 number of violations detected through the use of a traffic
435 infraction detector.

436 (d)~~(e)~~ Funds deposited into the Department of Health
437 Emergency Medical Services Trust Fund under this subsection
438 shall be distributed as provided in s. 395.4036(1).

439 ~~(23) In addition to the penalty prescribed under s.~~
440 ~~316.0083 for violations enforced under s. 316.0083 which are~~
441 ~~upheld, the local hearing officer may also order the payment of~~
442 ~~county or municipal costs, not to exceed \$250.~~

443 **Section 14. Subsection (8) of section 320.03, Florida**
444 **Statutes, is amended to read:**

445 320.03 Registration; duties of tax collectors;
446 International Registration Plan.—

447 (8) If the applicant's name appears on the list referred
448 to in s. 316.1001(4), s. 316.1967(6), ~~s. 318.15(3)~~, or s.
449 713.78(13), a license plate or revalidation sticker may not be
450 issued until that person's name no longer appears on the list or

451 until the person presents a receipt from the governmental entity
452 or the clerk of court that provided the data showing that the
453 fines outstanding have been paid. This subsection does not apply
454 to the owner of a leased vehicle if the vehicle is registered in
455 the name of the lessee of the vehicle. The tax collector and the
456 clerk of the court are each entitled to receive monthly, as
457 costs for implementing and administering this subsection, 10
458 percent of the civil penalties and fines recovered from such
459 persons. As used in this subsection, the term "civil penalties
460 and fines" does not include a wrecker operator's lien as
461 described in s. 713.78(13). If the tax collector has private tag
462 agents, such tag agents are entitled to receive a pro rata share
463 of the amount paid to the tax collector, based upon the
464 percentage of license plates and revalidation stickers issued by
465 the tag agent compared to the total issued within the county.
466 The authority of any private agent to issue license plates shall
467 be revoked, after notice and a hearing as provided in chapter
468 120, if he or she issues any license plate or revalidation
469 sticker contrary to the provisions of this subsection. This
470 section applies both to the annual renewal of a motor vehicle
471 registration and the replacement of the motor vehicle
472 registration or license plate, but does not apply to the
473 transfer of a registration of a motor vehicle sold by a motor
474 vehicle dealer licensed under this chapter, except for the
475 transfer of registrations which includes the annual renewals.

476 This section does not affect the issuance of the title to a
477 motor vehicle, notwithstanding s. 319.23(8)(b).

478 **Section 15. Paragraph (d) of subsection (3) of section**
479 **322.27, Florida Statutes, is amended to read:**

480 322.27 Authority of department to suspend or revoke driver
481 license or identification card.—

482 (3) There is established a point system for evaluation of
483 convictions of violations of motor vehicle laws or ordinances,
484 and violations of applicable provisions of s. 403.413(6)(b) when
485 such violations involve the use of motor vehicles, for the
486 determination of the continuing qualification of any person to
487 operate a motor vehicle. The department is authorized to suspend
488 the license of any person upon showing of its records or other
489 good and sufficient evidence that the licensee has been
490 convicted of violation of motor vehicle laws or ordinances, or
491 applicable provisions of s. 403.413(6)(b), amounting to 12 or
492 more points as determined by the point system. The suspension
493 shall be for a period of not more than 1 year.

494 (d) The point system shall have as its basic element a
495 graduated scale of points assigning relative values to
496 convictions of the following violations:

- 497 1. Reckless driving, willful and wanton—4 points.
498 2. Leaving the scene of a crash resulting in property
499 damage of more than \$50—6 points.
500 3. Unlawful speed, or unlawful use of a wireless

communications device, resulting in a crash—6 points.

4. Passing a stopped school bus:

a. Not causing or resulting in serious bodily injury to or death of another—4 points.

b. Causing or resulting in serious bodily injury to or death of another—6 points.

c. Points may not be imposed for a violation of passing a stopped school bus as provided in s. 316.172(1)(a) or (b) when enforced by a school bus infraction detection system pursuant to s. 316.173. In addition, a violation of s. 316.172(1)(a) or (b) when enforced by a school bus infraction detection system pursuant to s. 316.173 may not be used for purposes of setting motor vehicle insurance rates.

5. Unlawful speed:

a. Not in excess of 15 miles per hour of lawful or posted speed—3 points.

b. In excess of 15 miles per hour of lawful or posted speed—4 points.

c. Points may not be imposed for a violation of unlawful speed as provided in s. 316.1895 or s. 316.183 when enforced by a traffic infraction enforcement officer pursuant to s. 316.1896. In addition, a violation of s. 316.1895 or s. 316.183 when enforced by a traffic infraction enforcement officer pursuant to s. 316.1896 may not be used for purposes of setting motor vehicle insurance rates.

526 6. A violation of a traffic control signal device as
527 provided in s. 316.074(1) or s. 316.075(1)(c)1.—4 points.
528 ~~However, points may not be imposed for a violation of s.~~
529 ~~316.074(1) or s. 316.075(1)(c)1. when a driver has failed to~~
530 ~~stop at a traffic signal and when enforced by a traffic~~
531 ~~infraction enforcement officer. In addition, a violation of s.~~
532 ~~316.074(1) or s. 316.075(1)(c)1. when a driver has failed to~~
533 ~~stop at a traffic signal and when enforced by a traffic~~
534 ~~infraction enforcement officer may not be used for purposes of~~
535 ~~setting motor vehicle insurance rates.~~

536 7. Unlawfully driving a vehicle through a railroad-highway
537 grade crossing—6 points.

538 8. All other moving violations (including parking on a
539 highway outside the limits of a municipality)—3 points. However,
540 points may not be imposed for a violation of s. 316.2065(11);
541 and points may be imposed for a violation of s. 316.1001 only
542 when imposed by the court after a hearing pursuant to s.
543 318.14(5).

544 9. Any moving violation covered in this paragraph,
545 excluding unlawful speed and unlawful use of a wireless
546 communications device, resulting in a crash—4 points.

547 10. Any conviction under s. 403.413(6)(b)—3 points.

548 11. Any conviction under s. 316.0775(2)—4 points.

549 12. A moving violation covered in this paragraph which is
550 committed in conjunction with the unlawful use of a wireless

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551 | communications device within a school safety zone—2 points, in
552 | addition to the points assigned for the moving violation.

553 | **Section 16.** This act shall take effect July 1, 2026.