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LEGISLATIVE ACTION

Senate

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House

Senator DiCeglie moved the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

Section 1. The Department of Transportation and any impacted local government shall increase the minimum perception-reaction time for each steady yellow signal located at an intersection equipped with a traffic infraction detector by 0.4 seconds.

Section 2. Subsection (38) of section 316.003, Florida Statutes, is amended to read:



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12 316.003 Definitions.—The following words and phrases, when
13 used in this chapter, shall have the meanings respectively
14 ascribed to them in this section, except where the context
15 otherwise requires:

16 (38) LOCAL HEARING OFFICER.—The person, designated by a
17 department, county, or municipality that elects to authorize
18 traffic infraction enforcement officers to issue traffic
19 citations under ss. 316.0083(1)(a) and 316.1896(1), who is
20 authorized to conduct hearings related to a notice of violation
21 issued pursuant to s. 316.0083 or s. 316.1896. A ~~The charter~~
22 county, ~~noncharter county,~~ or municipality may use its ~~currently~~
23 appointed code enforcement board or special magistrate to serve
24 as the local hearing officer. Pursuant to s. 316.173, a school
25 district may appoint an attorney who is, and has been for the
26 preceding 5 years, a member in good standing of The Florida Bar
27 to serve as a local hearing officer, or the county in which a
28 school district has entered into an interlocal agreement with a
29 law enforcement agency to issue uniform traffic citations may
30 designate by resolution existing staff to serve as the local
31 hearing officer. The department may enter into an interlocal
32 agreement to use the local hearing officer of a county or
33 municipality. The local hearing officer must be located in this
34 state.

35 Section 3. Paragraphs (a) and (b) of subsection (9) of
36 section 316.008, Florida Statutes, are amended to read:

37 316.008 Powers of local authorities.—

38 (9) (a) A county or municipality may enforce the applicable
39 speed limit on a roadway properly maintained as a school zone
40 pursuant to s. 316.1895:



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41 1. Within 30 minutes before through 30 minutes after the
42 start of a regularly scheduled breakfast program;

43 2. Within 30 minutes before through 30 minutes after the
44 start of a regularly scheduled school session;

45 3. During the entirety of a regularly scheduled school
46 session; and

47 4. Within 30 minutes before through 30 minutes after the
48 end of a regularly scheduled school session

49
50 through the use of a speed detection system for the detection of
51 speed and capturing of photographs or videos for violations in
52 excess of 10 miles per hour over the speed limit in force in the
53 school zone at the time of the violation. A school zone's
54 compliance with s. 316.1895 creates a rebuttable presumption
55 that the school zone is properly maintained. The restricted
56 school zone speed limit may only be enforced through the use of
57 a speed detection system when any flashing beacon used to
58 provide the notice of the restricted school zone speed limit is
59 activated. For speed detection systems installed before July 1,
60 2026, capturing the beacon status photographically, on video, or
61 by other evidence is not required for proof of the beacon status
62 until January 1, 2028. An area maintained as a school zone that
63 has no beacon installed before July 1, 2026, has until January
64 1, 2028, to place and install a beacon and, until a beacon is
65 installed, the county or municipality may provide proof of the
66 restricted school zone speed limit in force at the time of
67 violation without evidence of the beacon status.

68 (b) A county or municipality may place or install, or
69 contract with a vendor to place or install, a speed detection



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70 system within a roadway maintained as a school zone as provided
71 in s. 316.1895 to enforce unlawful speed limit violations in the
72 school zone, as specified in s. 316.1895 ~~s. 316.1895(10)~~ or s.
73 316.183 which are in excess of 10 miles per hour over the school
74 zone speed limit in force at the time of violation, on that
75 roadway. The physical placement of a speed detection system may
76 be outside the boundaries of the school zone but within the
77 roadway maintained as a school zone. Any notice of violation or
78 uniform traffic citation issued using a speed detection system
79 must be based solely on a violation occurring within the
80 boundaries of the school zone and during the times authorized
81 under this subsection.

82 Section 4. Present paragraph (c) of subsection (4) of
83 section 316.0083, Florida Statutes, is redesignated as paragraph
84 (d), a new paragraph (c) is added to that subsection, and
85 paragraph (a) of subsection (1), subsection (2), and paragraph
86 (b) of subsection (4) of that section are amended, to read:

87 316.0083 Mark Wandall Traffic Safety Program;
88 administration; report.-

89 (1) (a) For purposes of administering this section, the
90 department, a county, or a municipality may authorize a traffic
91 infraction enforcement officer under s. 316.640 to issue a
92 traffic citation for a violation of s. 316.074(1) or s.
93 ~~316.075(1)(c)1. A notice of violation and a traffic citation may~~
94 ~~not be issued for failure to stop at a red light if the driver~~
95 ~~is making a right-hand turn in a careful and prudent manner at~~
96 ~~an intersection where right-hand turns are permissible. A notice~~
97 ~~of violation and a traffic citation may not be issued under this~~
98 ~~section if the driver of the vehicle came to a complete stop~~



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99 ~~after crossing the stop line and before turning right if~~
100 ~~permissible at a red light, but failed to stop before crossing~~
101 ~~over the stop line or other point at which a stop is required.~~
102 This paragraph does not prohibit a review of information from a
103 traffic infraction detector by an authorized employee or agent
104 of the department, a county, or a municipality before issuance
105 of the traffic citation by the traffic infraction enforcement
106 officer. This paragraph does not prohibit the department, a
107 county, or a municipality from issuing notification as provided
108 in paragraph (b) to the registered owner of the motor vehicle
109 involved in the violation of s. 316.074(1) or s. 316.075(1)(c)1.

110 (2) A notice of violation and a traffic citation may not be
111 issued for failure to stop at a red light if the driver is
112 making a right-hand turn in a careful and prudent manner at an
113 intersection where right-hand turns are permissible. For
114 purposes of this subsection, the term "careful and prudent
115 manner" means that the driver made a right-hand turn after
116 coming to a complete stop and, in the traffic enforcement
117 officer's determination, yielded to any pedestrian or bicyclist
118 and did not place a pedestrian or bicyclist in danger of injury
119 as a result of the right-hand turn, yielded to any other
120 vehicle, and substantially reduced the speed of the motor
121 vehicle before making the right-hand turn.

122 (4)

123 (b) Each county or municipality that operates a traffic
124 infraction detector shall submit a report by October 1,
125 annually, to the department which details the results of using
126 the traffic infraction detector and the procedures for
127 enforcement for the preceding state fiscal year. The information



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128 submitted by the counties and municipalities must include:

129 1. The number of notices of violation issued, the number
130 that were contested, the number that were upheld, the number
131 that were dismissed, the number that were issued as uniform
132 traffic citations, the number that were paid, and the number in
133 each of the preceding categories for which the notice of
134 violation was issued for a right-hand turn violation.

135 2. A description of alternative safety countermeasures
136 taken before and after the placement or installation of a
137 traffic infraction detector.

138 3. Statistical data and information required by the
139 department to complete the summary report required under
140 paragraph (d) ~~(e)~~.

141
142 The department must publish each report submitted by a county or
143 municipality pursuant to this paragraph on its website.

144 (c) Each county or municipality that operates a traffic
145 infraction detector is responsible for and shall maintain its
146 respective data for reporting purposes under this subsection for
147 at least 2 years after such data is reported to the department.

148 Section 5. Subsection (3) of section 316.0776, Florida
149 Statutes, is amended to read:

150 316.0776 Traffic infraction detectors; speed detection
151 systems; placement and installation.-

152 (3) A speed detection system authorized by s. 316.008(9)
153 may be placed or installed anywhere in an area maintained, as
154 defined in s. 316.1895(3)(d), as a school zone on a state road
155 when permitted by the Department of Transportation and in
156 accordance with placement and installation specifications



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157 developed by the Department of Transportation. The speed
158 detection system may be placed or installed anywhere in an area
159 maintained, as defined in s. 316.1895(3)(d), as a school zone on
160 a street or highway under the jurisdiction of a county or a
161 municipality in accordance with placement and installation
162 specifications established by the Department of Transportation.
163 The placement and installation specifications must allow the
164 placement of a speed detection system or components thereof
165 outside the boundaries of the school zone but within the area
166 maintained as a school zone. The speed detection system may only
167 capture violations occurring within the school zone and during
168 the times authorized under s. 316.008(9), regardless of the
169 placement of the speed detection system or its components ~~The~~
170 ~~Department of Transportation must establish such placement and~~
171 ~~installation specifications by December 31, 2023.~~

172 (a) If a county or municipality places or installs a speed
173 detection system as authorized by s. 316.008(9), the county or
174 municipality must notify the public that a speed detection
175 system may be in use by posting signage indicating photographic
176 or video enforcement of the school zone speed limits. Such
177 signage shall clearly designate the time period during which the
178 school zone speed limits are enforced using a speed detection
179 system and must meet the placement and installation
180 specifications established by the Department of Transportation.
181 For a speed detection system enforcing violations of s. 316.1895
182 or s. 316.183 on a roadway maintained as a school zone, this
183 paragraph governs the signage notifying the public of the use of
184 a speed detection system.

185 (b) If a county or municipality begins a school zone speed



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186 detection system program in a county or municipality that has
187 never conducted such a program, the respective county or
188 municipality must make a public announcement and conduct a
189 public awareness campaign of the proposed use of speed detection
190 systems at least 30 days before commencing enforcement under the
191 speed detection system program and must notify the public of the
192 specific date on which the program will commence. During the 30-
193 day public awareness campaign, only a warning may be issued to
194 the registered owner of a motor vehicle for a violation of s.
195 316.1895 or s. 316.183 enforced by a speed detection system, and
196 liability may not be imposed for the civil penalty under s.
197 318.18(3)(d).

198 (c) A county or municipality that operates one or more
199 school zone speed detection systems must annually report the
200 results of all systems within the county's or municipality's
201 jurisdiction by placing the report required under s.
202 316.1896(16)(a) as a single reporting item on the agenda of a
203 regular or special meeting of the county's or municipality's
204 governing body. Before a county or municipality contracts or
205 renews a contract to place or install a speed detection system
206 in a school zone pursuant to s. 316.008(9), the county or
207 municipality must approve the contract or contract renewal at a
208 regular or special meeting of the county's or municipality's
209 governing body.

210 1. Interested members of the public must be allowed to
211 comment regarding the report, contract, or contract renewal
212 under the county's or municipality's public comment policies or
213 formats, and the report, contract, or contract renewal may not
214 be considered as part of a consent agenda.



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215 2. The report required under this paragraph must include a
216 written summary, which must be read aloud at the regular or
217 special meeting, and the summary must contain, for the same time
218 period pertaining to the annual report to the department under
219 s. 316.1896(16) (a), the number of notices of violation issued,
220 the number that were contested, the number that were upheld, the
221 number that were dismissed, the number that were issued as
222 uniform traffic citations, and the number that were paid and how
223 collected funds were distributed and in what amounts. The county
224 or municipality must report to the department that the county's
225 or municipality's annual report was considered in accordance
226 with this paragraph, including the date of the regular or
227 special meeting at which the annual report was considered.

228 3. The compliance or sufficiency of compliance with this
229 paragraph may not be raised in a proceeding challenging a
230 violation of s. 316.1895 or s. 316.183 enforced by a speed
231 detection system in a school zone.

232 Section 6. Effective October 1, 2026, present subsections
233 (3), (4), and (5) of section 316.0777, Florida Statutes, are
234 redesignated as subsections (4), (5), and (6), respectively, and
235 a new subsection (3) and subsections (7) and (8) are added to
236 that section, to read:

237 316.0777 Automated license plate recognition systems;
238 installation within rights-of-way of State Highway System and on
239 and within property owned or controlled by private entity;
240 public records exemption.—

241 (3) A private property owner may install an automated
242 license plate recognition system solely for use on and within
243 the property owned or controlled by the property owner. A



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244 private property owner that installs or directs the installation
245 of such a system:

246 (a) May not access vehicle registration or title data for
247 vehicles identified by the system, unless the private property
248 owner is acting to the extent permitted by the Driver's Privacy
249 Protection Act, 18 U.S.C. ss. 2721-2725, or for the limited
250 purpose of providing notice to a vehicle owner that he or she
251 failed to pay for parking and that such failure has resulted in
252 a parking charge pursuant to s. 715.075.

253 (b) May not share or sell images, personal identifying
254 information, vehicle identification numbers or license plate
255 numbers, or any data that could be reasonably connected to an
256 individual which is collected or generated by the system,
257 except:

258 1. To the extent required to respond to a lawful request
259 from a criminal justice agency;

260 2. To the extent required to control or enforce access to
261 the property or for parking enforcement;

262 3. To the extent sharing such information is necessary to
263 report suspicious activity or suspected criminal activity to a
264 criminal justice agency; or

265 4. To the extent permitted by the Driver's Privacy
266 Protection Act, 18 U.S.C. ss. 2721-2725.

267 (c) Must contractually obligate any third party that
268 installs, maintains, or operates the system or receives
269 information pursuant to subparagraph (b)2. to protect the images
270 or data collected or generated by the system from disclosure,
271 including a prohibition on sharing or selling such images or
272 data, except to the extent authorized under paragraph (b).



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273 (d) Must implement, and must contractually obligate any
274 third party that installs, maintains, or operates the system or
275 receives information pursuant to subparagraph (b)2. to
276 implement:

277 1. Industry-recognized encryption protocols to ensure that
278 images and associated data collected or generated by the system
279 are encrypted in transmission and at rest.

280 2. An auditable access control system that records access
281 to images and associated data.

282 3. A data retention schedule that provides for deletion of
283 images and data no later than 30 days after the images or data
284 is collected or generated by the system, except to the extent
285 needed to comply with a court order, subpoena, or the appeal
286 process detailed in s. 715.075(1)(c) and (d) or to collect an
287 unpaid invoice for parking enforcement. Records detailing
288 disclosure logs or transaction information may be retained
289 longer in accordance with federal law.

290 (e) May not offer or provide as payment or other
291 consideration any portion of the proceeds derived from a fine or
292 charge imposed based on images or data collected or generated by
293 the system to any third party that installs, maintains, or
294 operates the system, except to the extent the fine or violation
295 is issued in connection with controlling or enforcing access to
296 such property or for parking enforcement.

297 (7) A person who uses or releases information in violation
298 of this section commits a noncriminal infraction, punishable by
299 a fine not exceeding \$2,000.

300 (8) This section does not apply to an authorized
301 investigative partner. For purposes of this subsection, the term



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302 "authorized investigative partner" means a private entity, loss
303 prevention organization, or licensed investigative firm which is
304 operating under a written coordination agreement with, or at the
305 documented direction of, a criminal justice agency for the
306 purpose of investigating, identifying, or reporting suspected
307 criminal activity.

308 Section 7. Paragraph (b) of subsection (6), paragraph (a)
309 of subsection (17), and paragraph (a) of subsection (18) of
310 section 316.173, Florida Statutes, are amended to read:

311 316.173 School bus infraction detection systems.-

312 (6)

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

315 1. The department shall make available electronically to
316 the school district or its designee or the county a Request for
317 Hearing form to assist each district or county with
318 administering this subsection.

319 2. The school district shall assign existing staff or a
320 designee to serve as the clerk to the local hearing officer. A
321 person, referred to in this paragraph as the petitioner, who
322 elects to request a hearing under this subsection shall be
323 scheduled for a hearing by the clerk to the local hearing
324 officer. The hearing may be conducted either virtually via live
325 video conferencing or in person.

326 3. Within 120 days after receipt of a timely request for a
327 hearing, the law enforcement agency or its designee shall
328 provide a replica of the notice of violation data to the school
329 district or county by manual or electronic transmission, and
330 thereafter the school district or its designee or the county



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331 shall mail a notice of hearing, which shall include a hearing
332 date and may at the discretion of the district or county include
333 virtual and in-person hearing options, to the petitioner by
334 first-class mail. Mailing of the notice of hearing constitutes
335 notification. Upon receipt of the notice of hearing, the
336 petitioner may reschedule the hearing twice ~~once~~ by submitting a
337 written request to the local hearing officer at least 5 calendar
338 days before the day of the ~~originally~~ scheduled hearing. The
339 petitioner may cancel his or her hearing by paying the penalty
340 assessed in the notice of violation.

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

348 5. At the conclusion of the hearing, the local hearing
349 officer shall determine by a preponderance of the evidence
350 whether a violation has occurred and shall uphold or dismiss the
351 violation. The local hearing officer shall issue a final
352 administrative order including the determination and, if the
353 notice of violation is upheld, require the petitioner to pay the
354 civil penalty previously assessed in the notice of violation,
355 and shall also require the petitioner to pay costs, not to
356 exceed \$250 ~~those established in s. 316.0083(5)(e)~~, to be used
357 by the county for operational costs relating to the hearing
358 process or by the school district for technology and operational
359 costs relating to the hearing process as well as school



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360 transportation safety-related initiatives. The final
361 administrative order shall be mailed to the petitioner by first-
362 class mail.

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

365 (17) (a)1. A school bus infraction detection system may not
366 be used for remote surveillance. The collection of evidence by a
367 school bus infraction detection system to enforce violations of
368 s. 316.172 does not constitute remote surveillance.

369 2. Notwithstanding any other provision of law, video and
370 images recorded as part of a school bus infraction detection
371 system may only be used for traffic enforcement and for purposes
372 of determining criminal or civil liability for incidents
373 captured by the school bus infraction detection system
374 incidental to the permissible use of the school bus infraction
375 detection system.

376 3. To the extent practicable, a school bus infraction
377 detection system must use necessary technology to ensure that
378 personal identifying information contained in the video or still
379 images recorded by the system which is not relevant to the
380 alleged violation, including, but not limited to, the identity
381 of the driver and any passenger of a motor vehicle, the interior
382 or contents of a motor vehicle, the identity of an uninvolved
383 person, a number identifying the address of a private residence,
384 and the contents or interior of a private residence, is
385 sufficiently obscured so as not to reveal such personal
386 identifying information.

387 4. A notice of a violation or uniform traffic citation
388 issued under this section may not be dismissed solely because a



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389 recorded video or still images reveal personal identifying
390 information as provided in subparagraph 3. as long as a
391 reasonable effort has been made to comply with this subsection.

392 (18)(a) By October 1, 2023, and annually ~~quarterly~~
393 thereafter, each school district operating a school bus
394 infraction detection system must submit, in consultation with
395 the law enforcement agencies with which it has interlocal
396 agreements pursuant to this section, a report to the department
397 which details the results of the school bus infraction detection
398 systems in the school district in the preceding state fiscal
399 year ~~quarter~~. The department shall publish each report on its
400 website. The information from the school districts must be
401 submitted in a form and manner determined by the department,
402 ~~which the department must make available to the school districts~~
403 ~~by August 1, 2023,~~ 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
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 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.



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

420 Section 8. Subsection (2) of section 316.183, Florida
421 Statutes, is amended to read:

422 316.183 Unlawful speed.—

423 (2) On all streets or highways, the maximum speed limits
424 for all vehicles must be 30 miles per hour in business or
425 residence districts, and 55 miles per hour at any time at all
426 other locations. However, with respect to a residence district,
427 a county or municipality may set a lower maximum speed limit ~~of~~
428 ~~20 or 25 miles per hour~~ on local streets and highways after an
429 investigation determines that such a limit is reasonable. It is
430 not necessary to conduct a separate investigation for each
431 residence district. The minimum speed limit on all highways that
432 comprise a part of the National System of Interstate and Defense
433 Highways and have not fewer than four lanes is 40 miles per
434 hour, except that when the posted speed limit is 70 miles per
435 hour, the minimum speed limit is 50 miles per hour.

436 Section 9. Paragraph (a) of subsection (2) of section
437 316.189, Florida Statutes, is amended to read:

438 316.189 Establishment of municipal and county speed zones.—

439 (2) SPEED ON COUNTY ROADS.—The maximum speed on any county-
440 maintained road is:

441 (a) In any business or residence district, 30 miles per
442 hour in the daytime or nighttime; provided that with respect to
443 residence districts a county may set a lower maximum speed limit
444 ~~of 25 miles per hour~~ after an investigation determines that such
445 a limit is reasonable; and it shall not be necessary to conduct
446 a separate investigation in each residence district.



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447
448 However, the board of county commissioners may set speed zones
449 altering such speeds, both as to maximum and minimum, after
450 investigation determines such a change is reasonable and in
451 conformity to criteria promulgated by the Department of
452 Transportation, except that no such speed zone shall permit a
453 speed of more than 60 miles per hour.

454 Section 10. Subsection (6) of section 316.1895, Florida
455 Statutes, is amended to read:

456 316.1895 Establishment of school speed zones, enforcement;
457 designation.-

458 (6) Permanent signs designating school zones and school
459 zone speed limits shall be uniform in size and color, and shall
460 have the times during which the restrictive speed limit is
461 enforced clearly designated thereon. Flashing beacons activated
462 by a time clock, or other automatic device, or manually
463 activated may be used as an alternative to posting the times
464 during which the restrictive school speed limit is enforced.
465 However, if a restricted school zone speed limit is enforced
466 through a speed detection system as provided in s. 316.1896,
467 then the school zone and restricted school zone speed limit must
468 be designated using flashing beacons. An area maintained as a
469 school zone that has no flashing beacon installed before July 1,
470 2026, has until January 1, 2028, to place and install a beacon.
471 Beginning July 1, 2008, for any newly established school zone or
472 any school zone in which the signing has been replaced, a sign
473 stating "Speeding Fines Doubled" shall be installed within the
474 school zone. The Department of Transportation shall establish
475 adequate standards for the signs and flashing beacons.



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476 Section 11. Subsections (1), (2), (3), (6), and (8),
477 paragraph (a) of subsection (15), and paragraph (a) of
478 subsection (16) of section 316.1896, Florida Statutes, are
479 amended to read:

480 316.1896 Roadways maintained as school zones; speed
481 detection system enforcement; penalties; appeal procedure;
482 privacy; reports.—

483 (1) For purposes of administering this section, a county or
484 municipality may authorize a traffic infraction enforcement
485 officer under s. 316.640 to issue uniform traffic citations for
486 violations of ss. 316.1895 and 316.183 as authorized by s.
487 316.008(9), as follows:

488 (a) For a violation of s. 316.1895 in excess of 10 miles
489 per hour over the school zone speed limit which occurs within 30
490 minutes before through 30 minutes after the start of a regularly
491 scheduled breakfast program.

492 (b) For a violation of s. 316.1895 in excess of 10 miles
493 per hour over the school zone speed limit which occurs within 30
494 minutes before through 30 minutes after the start of a regularly
495 scheduled school session.

496 (c) For a violation of s. 316.183 in excess of 10 miles per
497 hour over the posted speed limit during the entirety of a
498 regularly scheduled school session.

499 (d) For a violation of s. 316.1895 in excess of 10 miles
500 per hour over the school zone speed limit which occurs within 30
501 minutes before through 30 minutes after the end of a regularly
502 scheduled school session.

503
504 Such violation must be evidenced by a speed detection system



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505 described in ss. 316.008(9) and 316.0776(3). This subsection
506 does not prohibit a review of information from a speed detection
507 system by an authorized employee or agent of a county or
508 municipality before issuance of the uniform traffic citation by
509 the traffic infraction enforcement officer. This subsection does
510 not prohibit a county or municipality from issuing notices as
511 provided in subsection (2) to the registered owner of the motor
512 vehicle for a violation of s. 316.1895 or s. 316.183. The
513 restricted school zone speed limit may only be enforced through
514 the use of a speed detection system when any flashing beacon
515 used to provide notice of the restricted school zone speed limit
516 is activated. For speed detection systems installed before July
517 1, 2026, capturing the beacon status photographically, on video,
518 or by other evidence is not required for proof of the beacon
519 status until January 1, 2028. An area maintained as a school
520 zone that has no beacon installed before July 1, 2026, has until
521 January 1, 2028, to place and install a beacon and, until the
522 beacon is installed, the county or municipality may provide
523 proof of the restricted school zone speed limit in force at the
524 time of violation without evidence of the beacon status.

525 (2) Within 30 days after a violation, notice must be sent
526 to the registered owner of the motor vehicle involved in the
527 violation specifying the remedies available under s. 318.14 and
528 that the violator must pay the penalty under s. 318.18(3)(d) to
529 the county or municipality, or furnish an affidavit in
530 accordance with subsection (8), within 60 ~~30~~ days after the date
531 of the notice of violation in order to avoid court fees, costs,
532 and the issuance of a uniform traffic citation. The notice of
533 violation must:



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534 (a) Be sent by first-class mail.

535 (b) Include a photograph or other recorded image showing
536 the license plate of the motor vehicle; the date, time, and
537 location of the violation; the maximum speed at which the motor
538 vehicle was traveling within the school zone; and the speed
539 limit within the school zone at the time of the violation.

540 (c) Include a notice that the owner has the right to
541 review, in person or remotely, the photograph or video captured
542 by the speed detection system and the evidence of the speed of
543 the motor vehicle detected by the speed detection system which
544 constitute a rebuttable presumption that the motor vehicle was
545 used in violation of s. 316.1895 or s. 316.183.

546 (d) State the time when, and the place or website at which,
547 the photograph or video captured and evidence of speed detected
548 may be examined and observed.

549 (3) Notwithstanding any other law, a person who receives a
550 notice of violation under this section may request a hearing
551 within 60 ~~30~~ days after the notice of violation or may pay the
552 penalty pursuant to the notice of violation, but a payment or
553 fee may not be required before the hearing requested by the
554 person. The notice of violation must be accompanied by, or
555 direct the person to a website that provides, information on the
556 person's right to request a hearing and on all costs related
557 thereto and a form used for requesting a hearing. As used in
558 this subsection, the term "person" includes a natural person,
559 the registered owner or co-owner of a motor vehicle, or the
560 person identified in an affidavit as having actual care,
561 custody, or control of the motor vehicle at the time of the
562 violation.



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563 (6) A uniform traffic citation must be issued by mailing
564 the uniform traffic citation by certified mail to the address of
565 the registered owner of the motor vehicle involved in the
566 violation if payment has not been made within 60 ~~30~~ days after
567 notification under subsection (2), if the registered owner has
568 not requested a hearing as authorized under subsection (3), and
569 if the registered owner has not submitted an affidavit in
570 accordance with subsection (8).

571 (a) Delivery of the uniform traffic citation constitutes
572 notification of a violation under this subsection. If the
573 registered owner or co-owner of the motor vehicle; the person
574 identified as having care, custody, or control of the motor
575 vehicle at the time of the violation; or a duly authorized
576 representative of the owner, co-owner, or identified person
577 initiates a proceeding to challenge the citation pursuant to
578 this section, such person waives any challenge or dispute as to
579 the delivery of the uniform traffic citation.

580 (b) In the case of joint ownership of a motor vehicle, the
581 uniform traffic citation must be mailed to the first name
582 appearing on the motor vehicle registration, unless the first
583 name appearing on the registration is a business organization,
584 in which case the second name appearing on the registration may
585 be used.

586 (c) The uniform traffic citation mailed to the registered
587 owner of the motor vehicle involved in the infraction must be
588 accompanied by the information described in paragraphs (2)(b)-
589 (d).

590 (8) To establish such facts under subsection (7), the
591 registered owner of the motor vehicle must, within 60 ~~30~~ days



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592 after the date of issuance of the notice of violation or the
593 uniform traffic citation, furnish to the appropriate
594 governmental entity an affidavit setting forth information
595 supporting an exception under subsection (7).

596 (a) An affidavit supporting the exception under paragraph
597 (7) (a) must include the name, address, date of birth, and, if
598 known, the driver license number of the person who leased,
599 rented, or otherwise had care, custody, or control of the motor
600 vehicle at the time of the alleged violation. If the motor
601 vehicle was stolen at the time of the alleged violation, the
602 affidavit must include the police report indicating that the
603 motor vehicle was stolen.

604 (b) If a uniform traffic citation for a violation of s.
605 316.1895 or s. 316.183 was issued at the location of the
606 violation by a law enforcement officer, the affidavit must
607 include the serial number of the uniform traffic citation.

608 (c) If the motor vehicle's owner to whom a notice of
609 violation or a uniform traffic citation has been issued is
610 deceased, the affidavit must include a certified copy of the
611 owner's death certificate showing that the date of death
612 occurred on or before the date of the alleged violation and one
613 of the following:

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

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



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621 the alleged violation.

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

626
627 Upon receipt of the affidavit and documentation required under
628 paragraphs (b) and (c), or 60 ~~30~~ days after the date of issuance
629 of a notice of violation sent to a person identified as having
630 care, custody, or control of the motor vehicle at the time of
631 the violation under paragraph (a), the county or municipality
632 must dismiss the notice or citation and provide proof of such
633 dismissal to the person who submitted the affidavit. If, within
634 30 days after the date of a notice of violation sent to a person
635 under subsection (9), the county or municipality receives an
636 affidavit under subsection (10) from the person sent a notice of
637 violation affirming that the person did not have care, custody,
638 or control of the motor vehicle at the time of the violation,
639 the county or municipality must notify the registered owner that
640 the notice or citation will not be dismissed due to failure to
641 establish that another person had care, custody, or control of
642 the motor vehicle at the time of the violation.

643 (15) (a) A speed detection system in a school zone may not
644 be used for remote surveillance. The collection of evidence by a
645 speed detection system to enforce violations of ss. 316.1895 and
646 316.183, or user-controlled pan or tilt adjustments of speed
647 detection system components, do not constitute remote
648 surveillance. Notwithstanding any other provision of law,
649 recorded video or photographs collected as part of a speed



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650 detection system in a school zone may only be used to document
651 violations of ss. 316.1895 and 316.183 and for purposes of
652 determining criminal or civil liability ~~for incidents~~ captured
653 by the speed detection system incidental to the permissible use
654 of the speed detection system.

655 (16) (a) Each county or municipality that operates one or
656 more speed detection systems shall ~~must~~ submit a report by
657 October 1, ~~2024,~~ and annually ~~thereafter,~~ to the department
658 which identifies the public safety objectives used to identify a
659 school zone for enforcement under this section, reports
660 compliance with s. 316.0776(3)(c), and details the results of
661 the speed detection system in the school zone during the
662 preceding state fiscal year and the procedures for enforcement.
663 The information from counties and municipalities must be
664 submitted in a form and manner determined by the department,
665 ~~which the department must make available to the counties and~~
666 ~~municipalities by August 1, 2023, and the department may require~~
667 ~~data components to be submitted quarterly.~~ The report must
668 include at least the following:

669 1. Information related to the location of each speed
670 detection system, including the geocoordinates of the school
671 zone, the directional approach of the speed detection system,
672 the school name, the school level, the times the speed detection
673 system was active, the restricted school zone speed limit
674 enforced pursuant to s. 316.1895(5), the posted speed limit
675 enforced at times other than those authorized by s. 316.1895(5),
676 the date the systems were activated to enforce violations of ss.
677 316.1895 and 316.183, and, if applicable, the date the systems
678 were deactivated.



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679 2. The number of notices of violation issued, the number,
680 if any, that were issued outside of the enforcement periods
681 authorized in subsection (1), the number that were contested,
682 the number that were upheld, the number that were dismissed, the
683 number that were issued as uniform traffic citations, and the
684 number that were paid.

685 3. Any other statistical data and information related to
686 the procedures for enforcement which is required by the
687 department to complete the report required under paragraph (c).

688 Section 12. Subsection (3) of section 316.1906, Florida
689 Statutes, is amended to read:

690 316.1906 Radar speed-measuring devices; speed detection
691 systems; evidence, admissibility.—

692 (3) A speed detection system is exempt from the design
693 requirements for radar or LiDAR units established by the
694 department, and the radar or LiDAR units used in the speed
695 detection system are not required to be on any approved list of
696 the department. A speed detection system must have the ability
697 to perform self-tests as to its detection accuracy. The system
698 must perform a self-test at least once every 30 days. The law
699 enforcement agency, or an agent acting on behalf of the law
700 enforcement agency, operating a speed detection system must
701 maintain a log of the results of the system's self-tests. The
702 law enforcement agency, or an agent acting on behalf of the law
703 enforcement agency, operating a speed detection system must also
704 perform an independent calibration test on the speed detection
705 system at least once every 12 months. The self-test logs, as
706 well as the results of the annual calibration test, are
707 admissible in any court proceeding for a uniform traffic



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708 citation issued for a violation of s. 316.1895 or s. 316.183
709 enforced pursuant to s. 316.1896. Notwithstanding subsection
710 (2), evidence of the speed of a motor vehicle detected by a
711 speed detection system compliant with this subsection and the
712 determination by a traffic enforcement officer that a motor
713 vehicle is operating in excess of the applicable speed limit is
714 admissible in any proceeding with respect to an alleged
715 violation of law regulating the speed of motor vehicles in
716 school zones.

717 Section 13. Present subsections (5) through (9) of section
718 316.212, Florida Statutes, are redesignated as subsections (6)
719 through (10), respectively, a new subsection (5) is added to
720 that section, and paragraph (b) of present subsection (8) and
721 present subsection (9) of that section are amended, to read:

722 316.212 Operation of golf carts on certain roadways.—The
723 operation of a golf cart upon the public roads or streets of
724 this state is prohibited except as provided herein:

725 (5) Notwithstanding any other provision of this section, a
726 golf cart may be operated for the purpose of crossing a street
727 or highway at a signalized intersection, provided that:

728 (a) The intersection is located wholly within the
729 boundaries of a single local governmental entity.

730 (b) The local governmental entity has designated, for the
731 operation of golf carts, the street or road located on both
732 sides of the intersection with the street or highway.

733 (c) The local governmental entity has approved the
734 operation of golf carts for the purpose of crossing at the
735 intersection and has posted appropriate signs at the
736 intersection to indicate that such operation is authorized.



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737 (9)~~(8)~~ A local governmental entity may enact an ordinance
738 relating to:

739 (b) Golf cart operation on sidewalks adjacent to specific
740 segments of municipal streets, county roads, or state highways
741 within the jurisdictional territory of the local governmental
742 entity if:

743 1. The local governmental entity determines, after
744 considering the condition and current use of the sidewalks, the
745 character of the surrounding community, and the locations of
746 authorized golf cart crossings, that golf carts, bicycles, and
747 pedestrians may safely share the sidewalk;

748 2. The local governmental entity consults with the
749 Department of Transportation before adopting the ordinance;

750 3. The ordinance restricts golf carts to a maximum speed of
751 15 miles per hour and permits such use on sidewalks adjacent to
752 state highways only if the sidewalks are at least 8 feet wide;

753 4. The ordinance requires the golf carts to meet the
754 equipment requirements in subsection (7) ~~(6)~~. However, the
755 ordinance may require additional equipment, including horns or
756 other warning devices required by s. 316.271; and

757 5. The local governmental entity posts appropriate signs or
758 otherwise informs residents that the ordinance exists and
759 applies to such sidewalks.

760 (10)~~(9)~~ A violation of this section is a noncriminal
761 traffic infraction, punishable pursuant to chapter 318 as a
762 moving violation for infractions of subsections (1)-(6) ~~(1)-(5)~~
763 or a local ordinance corresponding thereto and enacted pursuant
764 to subsection (9) ~~(8)~~, or punishable pursuant to chapter 318 as
765 a nonmoving violation for infractions of subsection (7) ~~(6)~~,



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766 subsection (8) ~~(7)~~, or a local ordinance corresponding thereto
767 and enacted pursuant to subsection (9) ~~(8)~~.

768 Section 14. Sections 316.272 and 316.293, Florida Statutes,
769 are repealed.

770 Section 15. Present subsections (2) through (5) of section
771 316.3045, Florida Statutes, are redesignated as subsections (3)
772 through (6), respectively, and a new subsection (2) is added to
773 that section, to read:

774 316.3045 Operation of radios or other mechanical or
775 electronic soundmaking devices or instruments in vehicles;
776 exhaust systems; prevention of noise; exemptions.-

777 (2) Every motor vehicle that is required by federal law or
778 regulation to be equipped with an exhaust system shall at all
779 times be equipped with and maintain an exhaust system in good
780 working order including muffler, manifold pipe, and tailpiping
781 to prevent excessive or unusual noise. It is a violation of this
782 subsection to intentionally increase the revolutions per minute
783 or unreasonably accelerate in a manner that would produce
784 excessive or unusual noise. This subsection does not apply to a
785 motorcycle or moped that does not exceed United States
786 Environmental Protection Agency noise emissions standards in 40
787 C.F.R. s. 205.152.

788 Section 16. Paragraph (c) of subsection (3) of section
789 316.650, Florida Statutes, is amended to read:

790 316.650 Traffic citations.-

791 (3)

792 (c) If a traffic citation is issued under s. 316.0083 or s.
793 316.1896, the traffic infraction enforcement officer, or if the
794 citation is issued under s. 316.173 the sworn law enforcement



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795 officer, must ~~shall~~ provide by electronic transmission a replica
796 of the traffic citation data to the court having jurisdiction
797 over the alleged offense or its traffic violations bureau within
798 5 business days after the date of issuance of the traffic
799 citation to the violator. If a hearing is requested, the traffic
800 infraction enforcement officer or sworn law enforcement officer,
801 as applicable, must ~~shall~~ provide a replica of the traffic
802 notice of violation data to the clerk to ~~for~~ the local hearing
803 officer having jurisdiction over the alleged offense within 14
804 days.

805 Section 17. Subsection (3) of section 318.15, Florida
806 Statutes, is amended to read:

807 318.15 Failure to comply with civil penalty or to appear;
808 penalty.—

809 (3) The clerk of the court or the clerk to the local
810 hearing officer shall notify the department of persons who were
811 mailed a notice of violation of s. 316.074(1) or s.
812 316.075(1)(c)1. pursuant to s. 316.0083, s. 316.172(1)(a) or (b)
813 pursuant to s. 316.173, or s. 316.183 or s. 316.1895(10)
814 pursuant to s. 316.1896 and who failed to enter into, or comply
815 with the terms of, a penalty payment plan, or order with the
816 clerk to the local hearing officer or failed to appear at a
817 scheduled hearing within 10 days after such failure, and shall
818 reference the person's driver license number, or in the case of
819 a business entity, vehicle registration number.

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



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824 have been fully paid.

825 (b) After the issuance of the person's license plate or
826 revalidation sticker is withheld pursuant to paragraph (a), the
827 person may challenge the withholding of the license plate or
828 revalidation sticker only on the basis that the outstanding
829 fines and civil penalties have been paid pursuant to s.
830 320.03(8).

831 Section 18. Paragraphs (a), (b), and (c) of subsection (5)
832 and subsections (23) and (24) of section 318.18, Florida
833 Statutes, are amended to read:

834 318.18 Amount of penalties.—The penalties required for a
835 noncriminal disposition pursuant to s. 318.14 or a criminal
836 offense listed in s. 318.17 are as follows:

837 (5)(a)1. Except as provided in subparagraph 2., \$200 for a
838 violation of s. 316.172(1)(a), failure to stop for a school bus.
839 If, at a hearing, the alleged offender is found to have
840 committed this offense, the court shall impose a minimum civil
841 penalty of \$200. In addition to this penalty, for a second or
842 subsequent offense within a period of 5 years, the department
843 shall suspend the driver license of the person for not less than
844 180 days and not more than 1 year.

845 2. If a violation of s. 316.172(1)(a) is enforced by a
846 school bus infraction detection system pursuant to s. 316.173,
847 the penalty of \$200 shall be imposed. If, at an administrative
848 hearing contesting a notice of violation or uniform traffic
849 citation, the alleged offender is found to have committed this
850 offense, a minimum civil penalty of \$200 shall be imposed.
851 Notwithstanding any other provision of law except s. 28.37(6),
852 the civil penalties assessed under this subparagraph resulting



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853 from a notice of violation or uniform traffic citation shall be
854 remitted to the school district at least monthly and used
855 pursuant to s. 316.173(8).

856 (b)1. Except as provided in subparagraph 2., \$400 for a
857 violation of s. 316.172(1)(b), passing a school bus on the side
858 that children enter and exit when the school bus displays a stop
859 signal. If, at a hearing, the alleged offender is found to have
860 committed this offense, the court shall impose a minimum civil
861 penalty of \$400.

862 2. If a violation of s. 316.172(1)(b) is enforced by a
863 school bus infraction detection system pursuant to s. 316.173,
864 the penalty under this subparagraph is a minimum of \$200. If, at
865 a hearing contesting a notice of violation or uniform traffic
866 citation, the alleged offender is found to have committed this
867 offense, the court shall impose a minimum civil penalty of \$200.
868 Notwithstanding any other provision of law except s. 28.37(6),
869 the civil penalties assessed under this subparagraph resulting
870 from notice of violation or uniform traffic citation shall be
871 remitted to the school district at least monthly and used
872 pursuant to s. 316.173(8).

873 3. In addition to this penalty, for a second or subsequent
874 offense within a period of 5 years, the department shall suspend
875 the driver license of the person for not less than 360 days and
876 not more than 2 years.

877 (c)1. In addition to the penalty under subparagraph (a)2.
878 or subparagraph (b)2., if, at an administrative hearing
879 contesting a notice of violation, the alleged offender is found
880 to have committed this offense, costs shall be imposed, not to
881 exceed those established in s. 316.0083(5)(e), to be paid by the



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882 petitioner and to be used by the county for the operational
883 costs related to the hearing or the school district for
884 technology and operational costs relating to the hearing as well
885 as school transportation safety-related initiatives.
886 Notwithstanding any other provision of law, if a county's local
887 hearing officer administers the administrative hearing process
888 for a contested notice of violation, the costs imposed under
889 this subparagraph resulting from notice of violation shall be
890 remitted to the county at least monthly.

891 2. In addition to the penalty under paragraph (a) or
892 paragraph (b), \$65 for a violation of s. 316.172(1)(a) or (b).
893 If the alleged offender is found to have committed the offense,
894 the court shall impose the civil penalty under paragraph (a) or
895 paragraph (b) plus an additional \$65. The additional \$65
896 collected under this subparagraph shall be remitted to the
897 Department of Revenue for deposit into the Emergency Medical
898 Services Trust Fund of the Department of Health to be used as
899 provided in s. 395.4036. If a violation of s. 316.172(1)(a) or
900 (b) is enforced by a school bus infraction detection system
901 pursuant to s. 316.173, an the additional civil penalty amount
902 imposed on a notice of violation, on a uniform traffic citation,
903 or by the court under this paragraph must be \$25, in lieu of the
904 additional \$65, and, notwithstanding any other provision of law,
905 the additional civil penalties and ~~additional~~ costs must be
906 remitted to the participating school district at least monthly
907 and used pursuant to s. 316.173(8).

908 (23) In addition to the penalty prescribed under s.
909 316.0083, s. 316.173, or s. 316.1896 for violations enforced
910 under those sections ~~s. 316.0083~~ which are upheld by the local



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911 hearing officer, the local hearing officer may also order the
912 payment of county, ~~or~~ municipal, or school district costs, not
913 to exceed \$250.

914 ~~(24) In addition to any penalties imposed, a fine of \$200~~
915 ~~for a first offense and a fine of \$500 for a second or~~
916 ~~subsequent offense for a violation of s. 316.293(5).~~

917 Section 19. Section 319.1401, Florida Statutes, is created
918 to read:

919 319.1401 Titling and registering golf carts converted to
920 low-speed vehicles.—A golf cart converted to a low-speed vehicle
921 may be titled and registered for operation on certain roads. A
922 motor vehicle dealer, a motor vehicle repair shop, or the
923 department shall affirm in writing that the low-speed vehicle
924 complies with the requirements of chapter 316, and the vehicle
925 shall be assigned an identification number by the department.
926 The identification number shall be unique to the low-speed
927 vehicle and used for the issuance of a title and registration
928 for the vehicle.

929 Section 20. Subsection (12) of section 320.02, Florida
930 Statutes, is amended to read:

931 320.02 Registration required; application for registration;
932 forms.—

933 (12) The department is authorized to withhold registration
934 or reregistration of any motor vehicle if the owner, or one of
935 the co-owners of the vehicle: 7

936 (a) Has a driver license which is under suspension for the
937 failure to remit payment of any fines levied in this state
938 pursuant to chapter 318 or chapter 322; or

939 (b) Received a traffic citation for a violation of s.



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940 316.074(1) or s. 316.075(1)(c)1. as enforced by s. 316.0083, s.
941 316.172(1)(a) or (b) as enforced by s. 316.173, or s. 316.183 or
942 s. 316.1895(10) as enforced by s. 316.1896 and did not request a
943 hearing, submit an affidavit claiming an exception, or pay the
944 traffic citation.

945 Section 21. Paragraph (b) of subsection (1) of section
946 320.0848, Florida Statutes, is amended, and paragraph (a) of
947 subsection (1) of that section, as amended by section 5 of
948 chapter 2025-125, Laws of Florida, is republished, to read:

949 320.0848 Persons who have disabilities; issuance of
950 disabled parking permits; temporary permits; permits for certain
951 providers of transportation services to persons who have
952 disabilities.—

953 (1)(a) The Department of Highway Safety and Motor Vehicles
954 or its authorized agents shall, upon application and receipt of
955 the fee:

956 1. Issue a disabled parking permit for a period of up to 4
957 years, which period ends on the applicant's birthday, to any
958 person who has long-term mobility impairment;

959 2. Issue a temporary disabled parking permit for up to 6
960 months to a person who has a temporary mobility impairment; or

961 3. Issue a lifetime disabled parking permit to a person who
962 is certified as permanently disabled due to permanent
963 dismemberment or an amputation and is in need of the disabled
964 parking permit due to that permanent dismemberment or
965 amputation. A lifetime disabled parking permit is valid from the
966 date of issuance until the person's death and is not subject to
967 renewal under paragraph (d).

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969 A person is not required to pay a fee for a parking permit for
970 disabled persons more than once in a 12-month period from the
971 date of the prior fee payment.

972 (b)1. The person must be currently certified as being
973 legally blind or as having any of the following disabilities
974 that render him or her unable to walk 200 feet without stopping
975 to rest:

976 a. Inability to walk without the use of or assistance from
977 a brace, cane, crutch, prosthetic device, or other assistive
978 device, or without the assistance of another person. If the
979 assistive device significantly restores the person's ability to
980 walk to the extent that the person can walk without severe
981 limitation, the person is not eligible for the exemption parking
982 permit.

983 b. The need to permanently use a wheelchair.

984 c. Restriction by lung disease to the extent that the
985 person's forced (respiratory) expiratory volume for 1 second,
986 when measured by spirometry, is less than 1 liter, or the
987 person's arterial oxygen is less than 60 mm/hg on room air at
988 rest.

989 d. Use of portable oxygen.

990 e. Restriction by cardiac condition to the extent that the
991 person's functional limitations are classified in severity as
992 Class III or Class IV according to standards set by the American
993 Heart Association.

994 f. Severe limitation in the person's ability to walk due to
995 an arthritic, neurological, or orthopedic condition, including
996 any pregnancy-related condition.

997 2. The certification of disability which is required under



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998 subparagraph 1. must be provided by a physician licensed under
999 chapter 458, chapter 459, or chapter 460, by a podiatric
1000 physician licensed under chapter 461, by an optometrist licensed
1001 under chapter 463, by an advanced practice registered nurse
1002 licensed under chapter 464 under the protocol of a licensed
1003 physician as stated in this subparagraph, by a physician
1004 assistant licensed under chapter 458 or chapter 459, or by a
1005 similarly licensed physician from another state if the
1006 application is accompanied by documentation of the physician's
1007 licensure in the other state and a form signed by the out-of-
1008 state physician verifying his or her knowledge of this state's
1009 eligibility guidelines.

1010 Section 22. Section 320.0849, Florida Statutes, is
1011 repealed.

1012 Section 23. Subsection (5) is added to section 320.262,
1013 Florida Statutes, to read:

1014 320.262 License plate obscuring device prohibited;
1015 penalties.—

1016 (5) The use of a license plate frame or decorative border
1017 device is not an offense under this section, provided that the
1018 device does not obscure the visibility of the following:

1019 (a) The alphanumeric designation or license plate number.

1020 (b) The registration decal or validation sticker located in
1021 the upper right corner.

1022 Section 24. Present paragraphs (c) through (n) of
1023 subsection (4) of section 322.142, Florida Statutes, are
1024 redesignated as paragraphs (d) through (o), respectively, a new
1025 paragraph (c) is added to that subsection, and subsections (5),
1026 (6), and (7) are added to that section, to read:



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1027 322.142 Color photographic or digital imaged licenses.-
1028 (4) The department may maintain a film negative or print
1029 file. The department shall maintain a record of the digital
1030 image and signature of the licensees, together with other data
1031 required by the department for identification and retrieval.
1032 Reproductions from the file or digital record are exempt from
1033 the provisions of s. 119.07(1) and may be made and issued only:
1034 (c) For identity verification by a state agency pursuant to
1035 an interagency agreement, subject to the licensee's consent.
1036 (5) An identity verification service provider may use
1037 department data for the department's or another agency's
1038 internal identity verification purposes in a manner consistent
1039 with this section only if such data remains in the possession of
1040 the department.
1041 (6) An identity verification service provider may not sell,
1042 share, or retain any information outside of the purposes of this
1043 section.
1044 (7) The department may not allow the use of digital imaged
1045 licenses for a private entity's business purposes.
1046 Section 25. Subsection (10) of section 332.007, Florida
1047 Statutes, is amended to read:
1048 332.007 Administration and financing of aviation and
1049 airport programs and projects; state plan.-
1050 ~~(10) Subject to the availability of appropriated funds, and~~
1051 ~~unless otherwise provided in the General Appropriations Act or~~
1052 ~~the substantive bill implementing the General Appropriations~~
1053 ~~Act,~~ The department may fund up to 100 percent of eligible
1054 project costs of projects under this section ~~all of the~~
1055 ~~following~~ at a public-use airport located in a rural community



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1056 as defined in s. 288.0656 which does not have any scheduled
1057 commercial service. The department may not require matching
1058 funds for any eligible project at such airports located in rural
1059 areas of opportunity designated under s. 288.0656. Funds
1060 provided pursuant to this section may be provided as matching
1061 funds for eligible projects funded by the Federal Government or
1062 any state agency.†

1063 ~~(a) The capital cost of runway and taxiway projects that~~
1064 ~~add capacity. Such projects must be prioritized based on the~~
1065 ~~amount of available nonstate matching funds.~~

1066 ~~(b) Economic development transportation projects pursuant~~
1067 ~~to s. 339.2821.~~

1068
1069 ~~Any remaining funds must be allocated for projects specified in~~
1070 ~~subsection (6).~~

1071 Section 26. Paragraph (d) is added to subsection (11) of
1072 section 337.11, Florida Statutes, to read:

1073 337.11 Contracting authority of department; bids; emergency
1074 repairs, supplemental agreements, and change orders; combined
1075 design and construction contracts; progress payments; records;
1076 requirements of vehicle registration.—

1077 (11)

1078 (d)1. Without creating any enforceable third-party
1079 beneficiary rights, the department may make direct payments to
1080 first-tier subcontractors. The department shall adopt by rule
1081 procedures to implement this subsection. Such procedures shall
1082 establish the conditions under which such payments may be made
1083 and shall consider, at a minimum, whether:

1084 a. The contractor has not requested payment from the



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1085 department for at least 6 months.

1086 b. There is a binding, written subcontract between the
1087 contractor and the subcontractor, and the department is in
1088 possession of a complete copy of the subcontract.

1089 c. The subcontractor has performed work that is unpaid by
1090 the contractor, and the department has sufficient documentation
1091 of such unpaid work.

1092 d. There is no legitimate dispute between the contractor
1093 and the subcontractor.

1094 e. The department has provided written notice to the
1095 payment and performance bond surety at least 30 days before
1096 releasing any payment under this paragraph, and the surety has
1097 not objected in writing within that 30-day period based on a
1098 documented dispute or claim regarding the work or payment.

1099 2. Any amounts paid by the department under this paragraph
1100 shall be deducted from amounts otherwise due the contractor.

1101 Section 27. Present subsection (6) of section 337.18,
1102 Florida Statutes, is redesignated as subsection (7), and a new
1103 subsection (6) is added to that section, to read:

1104 337.18 Surety bonds for construction or maintenance
1105 contracts; requirement with respect to contract award; bond
1106 requirements; defaults; damage assessments.—

1107 (6) If the department and the surety enter into a takeover
1108 agreement, the agreement shall set forth procedures regarding
1109 the surety's certification of disbursement of payment to
1110 subcontractors.

1111 Section 28. Paragraph (j) is added to subsection (6) of
1112 section 339.175, Florida Statutes, to read:

1113 339.175 Metropolitan planning organization.—



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1114 (6) POWERS, DUTIES, AND RESPONSIBILITIES.—The powers,
1115 privileges, and authority of an M.P.O. are those specified in
1116 this section or incorporated in an interlocal agreement
1117 authorized under s. 163.01. Each M.P.O. shall perform all acts
1118 required by federal or state laws or rules, now and subsequently
1119 applicable, which are necessary to qualify for federal aid. It
1120 is the intent of this section that each M.P.O. be involved in
1121 the planning and programming of transportation facilities,
1122 including, but not limited to, airports, intercity and high-
1123 speed rail lines, seaports, and intermodal facilities, to the
1124 extent permitted by state or federal law. An M.P.O. may not
1125 perform project production or delivery for capital improvement
1126 projects on the State Highway System.

1127 (j) By December 31, 2026, the M.P.O.'s serving Charlotte,
1128 Collier, and Lee Counties must submit to the Governor, the
1129 President of the Senate, and the Speaker of the House of
1130 Representatives a feasibility report exploring the benefits,
1131 costs, and process of consolidation into a single M.P.O. serving
1132 the contiguous urbanized area, the goal of which is to:

1133 1. Coordinate transportation projects deemed to be
1134 regionally significant.

1135 2. Review the impact of regionally significant land use
1136 decisions on the region.

1137 3. Review all proposed regionally significant
1138 transportation projects in the transportation improvement
1139 programs.

1140 Section 29. Paragraphs (a) and (i) of subsection (3) and
1141 paragraphs (b), (d), and (r) of subsection (7) of section
1142 337.401, Florida Statutes, are amended to read:



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1143 337.401 Use of right-of-way for utilities subject to
1144 regulation; permit; fees.—

1145 (3) (a) Because of the unique circumstances applicable to
1146 providers of communications services, including, but not limited
1147 to, the circumstances described in paragraph (e) and the fact
1148 that federal and state law require the nondiscriminatory
1149 treatment of providers of telecommunications services, and
1150 because of the desire to promote competition among providers of
1151 communications services, it is the intent of the Legislature
1152 that municipalities and counties treat providers of
1153 communications services in a nondiscriminatory and competitively
1154 neutral manner when imposing rules or regulations governing the
1155 placement or maintenance of communications facilities in the
1156 public roads or rights-of-way. Rules or regulations imposed by a
1157 municipality or county relating to providers of communications
1158 services placing or maintaining communications facilities in its
1159 roads or rights-of-way must be generally applicable to all
1160 providers of communications services, taking into account the
1161 distinct engineering, construction, operation, maintenance,
1162 public works, and safety requirements of the provider's
1163 facilities, and, notwithstanding any other law, may not require
1164 a provider of communications services to apply for or enter into
1165 an individual license, franchise, or other agreement with the
1166 municipality or county as a condition of placing or maintaining
1167 communications facilities in its roads or rights-of-way. In
1168 addition to other reasonable rules or regulations that a
1169 municipality or county may adopt relating to the placement or
1170 maintenance of communications facilities in its roads or rights-
1171 of-way under this subsection or subsection (7), a municipality



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1172 or county may require a provider of communications services that
1173 places or seeks to place facilities in its roads or rights-of-
1174 way to register with the municipality or county. To register, a
1175 provider of communications services may be required only to
1176 provide its name; the name, address, and telephone number of a
1177 contact person for the registrant; the number of the
1178 registrant's current certificate of authorization issued by the
1179 Florida Public Service Commission, the Federal Communications
1180 Commission, or the Department of State; a statement of whether
1181 the registrant is a pass-through provider as defined in
1182 subparagraph (6)(a)1.; the registrant's federal employer
1183 identification number; and any required proof of insurance or
1184 self-insuring status adequate to defend and cover claims. A
1185 municipality or county may not require a registrant to renew a
1186 registration more frequently than every 5 years but may require
1187 during this period that a registrant update the registration
1188 information provided under this subsection within 90 days after
1189 a change in such information. A municipality or county may not
1190 require the registrant to provide an inventory of communications
1191 facilities, maps, locations of such facilities, or other
1192 information by a registrant as a condition of registration,
1193 renewal, or for any other purpose; provided, however, that a
1194 municipality or county may require as part of a permit
1195 application that the applicant identify at-grade communications
1196 facilities within 50 feet of the proposed installation location
1197 for the placement of at-grade communications facilities. A
1198 municipality or county may not require that a provider locate or
1199 perform a survey of any facilities except its own or any right-
1200 of-way boundary when requesting a permit consistent with chapter



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1201 556. If the owner of a facility fails to locate their facilities
1202 as required under chapter 556, a provider may proceed with the
1203 work but must use reasonable care and detection equipment or
1204 other acceptable means to avoid damaging existing underground
1205 facilities. A municipality or county may not require a provider
1206 to pay any fee, cost, or other charge for registration or
1207 renewal thereof. A municipality or county may not limit the
1208 number of permits in any way, including by project size or by
1209 limiting the number of open permits or applications, provided
1210 that the permit is closed out within 45 days after the
1211 provider's completion of work. A municipality or county may
1212 require the submission or maintenance of a bond or other
1213 financial instrument as set out in this section but may not
1214 require a cash deposit or other escrow, payment, or exaction as
1215 a condition of issuing a permit. It is the intent of the
1216 Legislature that the placement, operation, maintenance,
1217 upgrading, and extension of communications facilities not be
1218 unreasonably interrupted or delayed through the permitting or
1219 other local regulatory process. Except as provided in this
1220 chapter or otherwise expressly authorized by chapter 202,
1221 chapter 364, or chapter 610, a municipality or county may not
1222 adopt or enforce any ordinance, regulation, or requirement as to
1223 the placement or operation of communications facilities in a
1224 right-of-way by a communications services provider authorized by
1225 state or local law to operate in a right-of-way; regulate any
1226 communications services; or impose or collect any tax, fee,
1227 cost, charge, or exaction for the placement of communications
1228 facilities or the provision of communications services over the
1229 communications services provider's communications facilities in



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1230 a right-of-way.

1231 (i) Except as expressly provided in this section, this
1232 section does not modify the authority of municipalities and
1233 counties to levy the tax authorized in chapter 202 or the duties
1234 of providers of communications services under ss. 337.402-
1235 337.404. This section does not apply to ~~building permits~~, pole
1236 attachments, ~~or~~ private roads, private easements, ~~and~~ private
1237 rights-of-way, or building permits unrelated to the placement of
1238 communications facilities.

1239 (7)

1240 (b) As used in subsections (3)-(9) ~~this subsection~~, the
1241 term:

1242 1. "Antenna" means communications equipment that transmits
1243 or receives electromagnetic radio frequency signals used in
1244 providing wireless services.

1245 2. "Applicable codes" means uniform building, fire,
1246 electrical, plumbing, or mechanical codes adopted by a
1247 recognized national code organization or local amendments to
1248 those codes enacted solely to address threats of destruction of
1249 property or injury to persons, and includes the National
1250 Electric Safety Code and the 2017 edition of the Florida
1251 Department of Transportation Utility Accommodation Manual.

1252 3. "Applicant" means a person who submits an application
1253 and is a wireless provider.

1254 4. "Application" means a request submitted by an applicant
1255 to an authority for a permit to collocate small wireless
1256 facilities, ~~or to~~ place a new utility pole used to support a
1257 small wireless facility, or place other communications
1258 facilities. An authority's permit application form or process



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1259 must include all required permissions, however designated,
1260 required by the authority to grant a permit to place
1261 communications facilities, including, but not limited to, right-
1262 of-way occupancy, building permits, electrical permits, or
1263 historic review.

1264 5. "Authority" means a county or municipality having
1265 jurisdiction and control of the rights-of-way of any public
1266 road. The term does not include the Department of
1267 Transportation. Rights-of-way under the jurisdiction and control
1268 of the department are excluded from this subsection.

1269 6. "Authority utility pole" means a utility pole owned by
1270 an authority in the right-of-way. The term does not include a
1271 utility pole owned by a municipal electric utility, a utility
1272 pole used to support municipally owned or operated electric
1273 distribution facilities, or a utility pole located in the right-
1274 of-way within:

1275 a. A retirement community that:

1276 (I) Is deed restricted as housing for older persons as
1277 defined in s. 760.29(4) (b);

1278 (II) Has more than 5,000 residents; and

1279 (III) Has underground utilities for electric transmission
1280 or distribution.

1281 b. A municipality that:

1282 (I) Is located on a coastal barrier island as defined in s.
1283 161.053(1) (b)3.;

1284 (II) Has a land area of less than 5 square miles;

1285 (III) Has less than 10,000 residents; and

1286 (IV) Has, before July 1, 2017, received referendum approval
1287 to issue debt to finance municipal-wide undergrounding of its



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1288 utilities for electric transmission or distribution.

1289 7. "Collocate" or "collocation" means to install, mount,
1290 maintain, modify, operate, or replace one or more wireless
1291 facilities on, under, within, or adjacent to a wireless support
1292 structure or utility pole. The term does not include the
1293 installation of a new utility pole or wireless support structure
1294 in the public rights-of-way.

1295 8. "FCC" means the Federal Communications Commission.

1296 9. "Micro wireless facility" means a small wireless
1297 facility having dimensions no larger than 24 inches in length,
1298 15 inches in width, and 12 inches in height and an exterior
1299 antenna, if any, no longer than 11 inches.

1300 10. "Small wireless facility" means a wireless facility
1301 that meets the following qualifications:

1302 a. Each antenna associated with the facility is located
1303 inside an enclosure of no more than 6 cubic feet in volume or,
1304 in the case of antennas that have exposed elements, each antenna
1305 and all of its exposed elements could fit within an enclosure of
1306 no more than 6 cubic feet in volume; and

1307 b. All other wireless equipment associated with the
1308 facility is cumulatively no more than 28 cubic feet in volume.
1309 The following types of associated ancillary equipment are not
1310 included in the calculation of equipment volume: electric
1311 meters, concealment elements, telecommunications demarcation
1312 boxes, ground-based enclosures, grounding equipment, power
1313 transfer switches, cutoff switches, vertical cable runs for the
1314 connection of power and other services, and utility poles or
1315 other support structures.

1316 11. "Utility pole" means a pole or similar structure that



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1317 is used in whole or in part to provide communications services
1318 or for electric distribution, lighting, traffic control,
1319 signage, or a similar function. The term includes the vertical
1320 support structure for traffic lights but does not include a
1321 horizontal structure to which signal lights or other traffic
1322 control devices are attached and does not include a pole or
1323 similar structure 15 feet in height or less unless an authority
1324 grants a waiver for such pole.

1325 12. "Wireless facility" means equipment at a fixed location
1326 which enables wireless communications between user equipment and
1327 a communications network, including radio transceivers,
1328 antennas, wires, coaxial or fiber-optic cable or other cables,
1329 regular and backup power supplies, and comparable equipment,
1330 regardless of technological configuration, and equipment
1331 associated with wireless communications. The term includes small
1332 wireless facilities. The term does not include:

1333 a. The structure or improvements on, under, within, or
1334 adjacent to the structure on which the equipment is collocated;

1335 b. Wireline backhaul facilities; or

1336 c. Coaxial or fiber-optic cable that is between wireless
1337 structures or utility poles or that is otherwise not immediately
1338 adjacent to or directly associated with a particular antenna.

1339 13. "Wireless infrastructure provider" means a person who
1340 has been certificated under chapter 364 to provide
1341 telecommunications service or under chapter 610 to provide cable
1342 or video services in this state, or that person's affiliate, and
1343 who builds or installs wireless communication transmission
1344 equipment, wireless facilities, or wireless support structures
1345 but is not a wireless services provider.



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1346 14. "Wireless provider" means a wireless infrastructure
1347 provider or a wireless services provider.

1348 15. "Wireless services" means any services provided using
1349 licensed or unlicensed spectrum, whether at a fixed location or
1350 mobile, using wireless facilities.

1351 16. "Wireless services provider" means a person who
1352 provides wireless services.

1353 17. "Wireless support structure" means a freestanding
1354 structure, such as a monopole, a guyed or self-supporting tower,
1355 or another existing or proposed structure designed to support or
1356 capable of supporting wireless facilities. The term does not
1357 include a utility pole, pedestal, or other support structure for
1358 ground-based equipment not mounted on a utility pole and less
1359 than 5 feet in height.

1360 (d) An authority may require a registration process and
1361 permit fees in accordance with subsection (3). An authority
1362 shall accept applications for permits and shall process and
1363 issue permits subject to the following requirements:

1364 1. An authority may not directly or indirectly require an
1365 applicant to perform services unrelated to the collocation for
1366 which approval is sought, such as in-kind contributions to the
1367 authority, including reserving fiber, conduit, or pole space for
1368 the authority.

1369 2. An applicant may not be required to provide more
1370 information to obtain a permit than is necessary to demonstrate
1371 the applicant's compliance with applicable codes for the
1372 placement of small wireless facilities in the locations
1373 identified in the application. An applicant may not be required
1374 to provide inventories, maps, or locations of communications



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1375 facilities in the right-of-way other than as necessary to avoid
1376 interference with other at-grade or aerial facilities located at
1377 the specific location proposed for a small wireless facility or
1378 within 50 feet of such location.

1379 3. An authority may not:

1380 a. Require the placement of small wireless facilities on
1381 any specific utility pole or category of poles;

1382 b. Require the placement of multiple antenna systems on a
1383 single utility pole;

1384 c. Require a demonstration that collocation of a small
1385 wireless facility on an existing structure is not legally or
1386 technically possible as a condition for granting a permit for
1387 the collocation of a small wireless facility on a new utility
1388 pole except as provided in paragraph (i);

1389 d. Require compliance with an authority's provisions
1390 regarding placement of communications facilities, including
1391 small wireless facilities or a new utility poles ~~pole~~ used to
1392 support ~~a~~ small wireless facilities, facility in rights-of-way
1393 under the control of the department unless the authority has
1394 received a delegation from the department for the location of
1395 the small wireless facility or utility pole;~~;~~ or require such
1396 compliance as a condition to receive a permit that is ancillary
1397 to the permit for collocation of a small wireless facility,
1398 including an electrical permit;

1399 e. Require a meeting before filing an application;

1400 f. Require direct or indirect public notification or a
1401 public meeting for the placement of communication facilities in
1402 the right-of-way;

1403 g. Limit the size or configuration of a small wireless



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1404 facility or any of its components, if the small wireless
1405 facility complies with the size limits in this subsection;

1406 h. Prohibit the installation of a new utility pole used to
1407 support the collocation of a small wireless facility if the
1408 installation otherwise meets the requirements of this
1409 subsection; ~~or~~

1410 i. Require that any component of a small wireless facility
1411 be placed underground except as provided in paragraph (i); or

1412 j. Require compliance with provisions regarding the
1413 placement of communications facilities, including small wireless
1414 facilities or new utility poles used to support small wireless
1415 facilities, in rights-of-way not owned and controlled by the
1416 authority and public utility easements that are within areas not
1417 owned and controlled by the authority unless a permit delegation
1418 agreement exists between the authority and the owner of the
1419 right-of-way or area that contains the public utility easement.

1420 4. Subject to paragraph (r), an authority may not limit the
1421 placement, by minimum separation distances, of small wireless
1422 facilities, utility poles on which small wireless facilities are
1423 or will be collocated, or other at-grade communications
1424 facilities. However, within 14 days after the date of filing the
1425 application, an authority may request that the proposed location
1426 of a small wireless facility be moved to another location in the
1427 right-of-way and placed on an alternative authority utility pole
1428 or support structure or placed on a new utility pole. The
1429 authority and the applicant may negotiate the alternative
1430 location, including any objective design standards and
1431 reasonable spacing requirements for ground-based equipment, for
1432 30 days after the date of the request. At the conclusion of the



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1433 negotiation period, if the alternative location is accepted by
1434 the applicant, the applicant must notify the authority of such
1435 acceptance and the application shall be deemed granted for any
1436 new location for which there is agreement and all other
1437 locations in the application. If an agreement is not reached,
1438 the applicant must notify the authority of such nonagreement and
1439 the authority must grant or deny the original application within
1440 90 days after the date the application was filed. A request for
1441 an alternative location, an acceptance of an alternative
1442 location, or a rejection of an alternative location must be in
1443 writing and provided by electronic mail.

1444 5. An authority shall limit the height of a small wireless
1445 facility to 10 feet above the utility pole or structure upon
1446 which the small wireless facility is to be collocated. Unless
1447 waived by an authority, the height for a new utility pole is
1448 limited to the tallest existing utility pole as of July 1, 2017,
1449 located in the same right-of-way, other than a utility pole for
1450 which a waiver has previously been granted, measured from grade
1451 in place within 500 feet of the proposed location of the small
1452 wireless facility. If there is no utility pole within 500 feet,
1453 the authority shall limit the height of the utility pole to 50
1454 feet.

1455 6. The installation by a communications services provider
1456 of a utility pole in the public rights-of-way, other than a
1457 utility pole used to support a small wireless facility, is
1458 subject to authority rules or regulations governing the
1459 placement of utility poles in the public rights-of-way.

1460 7. Within 14 days after receiving an application, an
1461 authority must determine and notify the applicant by electronic



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1462 mail as to whether the application is complete. If an
1463 application is deemed incomplete, the authority must
1464 specifically identify the missing information. An application is
1465 deemed complete if the authority fails to provide notification
1466 to the applicant within 14 days.

1467 8. An application must be processed on a nondiscriminatory
1468 basis. A complete application is deemed approved if an authority
1469 fails to approve or deny the application within 60 days after
1470 receipt of the application. If an authority does not use the 30-
1471 day negotiation period provided in subparagraph 4., the parties
1472 may mutually agree to extend the 60-day application review
1473 period. The authority shall grant or deny the application at the
1474 end of the extended period. A permit issued pursuant to an
1475 approved application shall remain effective for 1 year unless
1476 extended by the authority.

1477 9. An authority must notify the applicant of approval or
1478 denial by electronic mail. An authority shall approve a complete
1479 application unless it does not meet the authority's applicable
1480 codes. If the application is denied, the authority must specify
1481 in writing the basis for denial, including the specific code
1482 provisions on which the denial was based, and send the
1483 documentation to the applicant by electronic mail on the day the
1484 authority denies the application. The applicant may cure the
1485 deficiencies identified by the authority and resubmit the
1486 application within 30 days after notice of the denial is sent to
1487 the applicant. The authority shall approve or deny the revised
1488 application within 30 days after receipt or the application is
1489 deemed approved. The review of a revised application is limited
1490 to the deficiencies cited in the denial. If an authority



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1491 provides for administrative review of the denial of an
1492 application, the review must be complete and a written decision
1493 issued within 45 days after a written request for review is
1494 made. A denial must identify the specific code provisions on
1495 which the denial is based. If the administrative review is not
1496 complete within 45 days, the authority waives any claim
1497 regarding failure to exhaust administrative remedies in any
1498 judicial review of the denial of an application.

1499 10. An applicant seeking to collocate small wireless
1500 facilities within the jurisdiction of a single authority may, at
1501 the applicant's discretion, file a consolidated application and
1502 receive a single permit for the collocation of up to 30 small
1503 wireless facilities. If the application includes multiple small
1504 wireless facilities, an authority may separately address small
1505 wireless facility collocations for which incomplete information
1506 has been received or which are denied.

1507 11. An authority may deny an application to collocate a
1508 small wireless facility or place a utility pole used to support
1509 a small wireless facility in the public rights-of-way if the
1510 proposed small wireless facility or utility pole used to support
1511 a small wireless facility:

1512 a. Materially interferes with the safe operation of traffic
1513 control equipment.

1514 b. Materially interferes with sight lines or clear zones
1515 for transportation, pedestrians, or public safety purposes.

1516 c. Materially interferes with compliance with the Americans
1517 with Disabilities Act or similar federal or state standards
1518 regarding pedestrian access or movement.

1519 d. Materially fails to comply with the 2017 edition of the



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1520 Florida Department of Transportation Utility Accommodation
1521 Manual.
1522 e. Fails to comply with applicable codes.
1523 f. Fails to comply with objective design standards
1524 authorized under paragraph (r).
1525 12. An authority may adopt by ordinance provisions for
1526 insurance coverage, indemnification, force majeure, abandonment,
1527 authority liability, or authority warranties. Such provisions
1528 must be reasonable and nondiscriminatory and apply to all
1529 providers of communications services, including, if applicable,
1530 any local government or nonprofit providers. An authority may
1531 require a construction bond to secure restoration of the
1532 postconstruction rights-of-way to the preconstruction condition.
1533 However, such bond must be time-limited to not more than 18
1534 months after the construction to which the bond applies is
1535 completed, and such bond must be reasonably related to the cost
1536 to secure restoration of the rights-of-way. An authority may not
1537 limit the number of permits allowed under the same bond. For any
1538 financial obligation required by an authority allowed under this
1539 section, the authority may not limit the number of permits in
1540 any way, including by project size or by limiting the number of
1541 applications or open permits, provided that the permit is closed
1542 out within 45 days after the provider's completion of work; may
1543 not impose additional requirements based on the scope or linear
1544 feet of the project; and shall accept, at the option of the
1545 applicant, a bond or a letter of credit or similar financial
1546 instrument issued by any financial institution that is
1547 authorized to do business within the United States and, provided
1548 that a claim against the financial instrument may be made by



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1549 electronic means, including by facsimile. An authority may not
1550 require a deposit or escrow of cash as a condition of issuing a
1551 permit or compel the applicant to agree to any additional terms
1552 or agreements not specifically authorized by this act or
1553 directly related to the work set out in the application. A
1554 provider of communications services may add an authority to any
1555 existing bond, insurance policy, or other relevant financial
1556 instrument, and the authority must accept such proof of coverage
1557 without any conditions other than consent to venue for purposes
1558 of any litigation to which the authority is a party. An
1559 authority may not require a communications services provider to
1560 indemnify it for liabilities not caused by the provider, its
1561 agents, or its employees, including liabilities arising from the
1562 authority's negligence, gross negligence, or willful conduct by
1563 an unaffiliated third party.

1564 13. Collocation of a small wireless facility on an
1565 authority utility pole does not provide the basis for the
1566 imposition of an ad valorem tax on the authority utility pole.

1567 14. An authority may reserve space on authority utility
1568 poles for future public safety uses. However, a reservation of
1569 space may not preclude collocation of a small wireless facility.
1570 If replacement of the authority utility pole is necessary to
1571 accommodate the collocation of the small wireless facility and
1572 the future public safety use, the pole replacement is subject to
1573 make-ready provisions and the replaced pole shall accommodate
1574 the future public safety use.

1575 15. A structure granted a permit and installed pursuant to
1576 this subsection shall comply with chapter 333 and federal
1577 regulations pertaining to airport airspace protections.



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1578 (r) An authority may require wireless providers to comply
1579 with objective design standards adopted by ordinance. The
1580 ordinance may only require:

1581 1. A new utility pole that replaces an existing utility
1582 pole to be of substantially similar design, material, and color;

1583 2. Reasonable spacing requirements concerning the location
1584 of a ground-mounted component of a small wireless facility which
1585 does not exceed 15 feet from the associated support structure;
1586 or

1587 3. A small wireless facility to meet reasonable location
1588 context, color, camouflage, and concealment requirements,
1589 subject to the limitations in this subsection; and

1590 4. A new utility pole used to support a small wireless
1591 facility to meet reasonable location context, color, and
1592 material of the predominant utility pole type at the proposed
1593 location of the new utility pole.

1594

1595 Such design standards under this paragraph may be waived by the
1596 authority upon a showing that the design standards are not
1597 reasonably compatible for the particular location of a small
1598 wireless facility or utility pole or are technically infeasible
1599 or that the design standards impose an excessive expense. The
1600 waiver must be granted or denied within 45 days after the date
1601 of the request. An authority may not require landscaping,
1602 landscaping maintenance, or vegetation management other than
1603 that necessary for right-of-way restoration.

1604 Section 30. Subsection (23) is added to section 775.15,
1605 Florida Statutes, to read:

1606 775.15 Time limitations; general time limitations;



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1607 exceptions.-

1608 (23) For a traffic citation enforced pursuant to s.
1609 316.0083, s. 316.173, or s. 316.1896, the 1-year period of
1610 limitation for a noncriminal violation pursuant to paragraph
1611 (2) (d) is extended for 1 year upon receipt of an affidavit
1612 indicating that the motor vehicle was in the care, custody, or
1613 control of another person at the time of the violation, as
1614 authorized in s. 316.0083, s. 316.173, or s. 316.1896,
1615 respectively.

1616 Section 31. Subsection (1) of section 316.1995, Florida
1617 Statutes, is amended to read:

1618 316.1995 Driving upon sidewalk or bicycle path.-

1619 (1) Except as provided in s. 316.008, s. 316.20655, s.
1620 316.212(9) ~~s. 316.212(8)~~, or s. 316.2128, a person may not drive
1621 any vehicle other than by human power upon a bicycle path,
1622 sidewalk, or sidewalk area, except upon a permanent or duly
1623 authorized temporary driveway.

1624 Section 32. Subsection (1) of section 316.2125, Florida
1625 Statutes, is amended to read:

1626 316.2125 Operation of golf carts within a retirement
1627 community.-

1628 (1) Notwithstanding ~~the provisions of~~ s. 316.212, the
1629 reasonable operation of a golf cart, equipped and operated as
1630 provided in s. 316.212(6), (7), and (8) ~~s. 316.212(5), (6), and~~
1631 ~~(7)~~, within any self-contained retirement community is
1632 authorized ~~permitted~~ unless prohibited under subsection (2).

1633 Section 33. Paragraphs (a) and (b) of subsection (1) and
1634 paragraph (c) of subsection (3) of section 316.2126, Florida
1635 Statutes, are amended to read:



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1636 316.2126 Authorized use of golf carts, low-speed vehicles,
1637 and utility vehicles.—

1638 (1) In addition to the powers granted by ss. 316.212 and
1639 316.2125, municipalities are authorized to use golf carts and
1640 utility vehicles, as defined in s. 320.01, upon any state,
1641 county, or municipal roads located within the corporate limits
1642 of such municipalities, subject to the following conditions:

1643 (a) Golf carts and utility vehicles must comply with the
1644 operational and safety requirements in ss. 316.212 and 316.2125,
1645 and with any more restrictive ordinances enacted by the local
1646 governmental entity pursuant to s. 316.212(9) ~~s. 316.212(8)~~, and
1647 shall be operated only by municipal employees for municipal
1648 purposes, including, but not limited to, police patrol, traffic
1649 enforcement, and inspection of public facilities.

1650 (b) In addition to the safety equipment required in s.
1651 316.212(7) ~~s. 316.212(6)~~ and any more restrictive safety
1652 equipment required by the local governmental entity pursuant to
1653 s. 316.212(9) ~~s. 316.212(8)~~, such golf carts and utility
1654 vehicles must be equipped with sufficient lighting and turn
1655 signal equipment.

1656 (3)

1657 (c) All vehicles specified in this subsection must be:

1658 1. Marked in a conspicuous manner with the name of the
1659 delivery service.

1660 2. Equipped with, at a minimum, the equipment required
1661 under s. 316.212(7) ~~s. 316.212(6)~~.

1662 3. Equipped with head lamps and tail lamps, in addition to
1663 the safety requirements in s. 316.212(7) ~~s. 316.212(6)~~, if
1664 operated after sunset.



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1665 Section 34. Subsection (5) of section 316.2128, Florida
1666 Statutes, is amended to read:

1667 316.2128 Micromobility devices, motorized scooters, and
1668 miniature motorcycles; requirements.—

1669 (5) A person who engages in the business of, serves in the
1670 capacity of, or acts as a commercial seller of miniature
1671 motorcycles in this state must prominently display at his or her
1672 place of business a notice that such vehicles are not legal to
1673 operate on public roads, may not be registered as motor
1674 vehicles, and may not be operated on sidewalks unless authorized
1675 by an ordinance enacted pursuant to s. 316.008(7)(a) or s.
1676 316.212(9) ~~s. 316.212(8)~~. The required notice must also appear
1677 in all forms of advertising offering miniature motorcycles for
1678 sale. The notice and a copy of this section must also be
1679 provided to a consumer before ~~prior to~~ the consumer's purchasing
1680 or becoming obligated to purchase a miniature motorcycle.

1681 Section 35. Subsection (6) of section 316.455, Florida
1682 Statutes, is amended to read:

1683 316.455 Other equipment.—Every motorcycle and every motor-
1684 driven cycle when operated upon a highway shall comply with the
1685 requirements and limitations of:

1686 ~~(6) Section 316.272 on the requirement for mufflers and~~
1687 ~~prevention of noise.~~

1688
1689 A violation of this section is a noncriminal traffic infraction,
1690 punishable as a nonmoving violation as provided in chapter 318.

1691 Section 36. Subsection (11) of section 403.061, Florida
1692 Statutes, is amended to read:

1693 403.061 Department; powers and duties.—The department shall



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1694 have the power and the duty to control and prohibit pollution of
1695 air and water in accordance with the law and rules adopted and
1696 promulgated by it and, for this purpose, to:

1697 (11) Establish ambient air quality and water quality
1698 standards for the state as a whole or for any part thereof, and
1699 also standards for the abatement of excessive and unnecessary
1700 noise. The department is authorized to establish reasonable
1701 zones of mixing for discharges into waters. For existing
1702 installations as defined by rule 62-520.200(10), Florida
1703 Administrative Code, effective July 12, 2009, zones of discharge
1704 to groundwater are authorized horizontally to a facility's or
1705 owner's property boundary and extending vertically to the base
1706 of a specifically designated aquifer or aquifers. Such zones of
1707 discharge may be modified in accordance with procedures
1708 specified in department rules. Exceedance of primary and
1709 secondary groundwater standards that occur within a zone of
1710 discharge does not create liability pursuant to this chapter or
1711 chapter 376 for site cleanup, and the exceedance of soil cleanup
1712 target levels is not a basis for enforcement or site cleanup.

1713 (a) When a receiving body of water fails to meet a water
1714 quality standard for pollutants set forth in department rules, a
1715 steam electric generating plant discharge of pollutants that is
1716 existing or licensed under this chapter on July 1, 1984, may
1717 nevertheless be granted a mixing zone, provided that:

1718 1. The standard would not be met in the water body in the
1719 absence of the discharge;

1720 2. The discharge is in compliance with all applicable
1721 technology-based effluent limitations;

1722 3. The discharge does not cause a measurable increase in



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1723 the degree of noncompliance with the standard at the boundary of
1724 the mixing zone; and

1725 4. The discharge otherwise complies with the mixing zone
1726 provisions specified in department rules.

1727 (b) Mixing zones for point source discharges are not
1728 permitted in Outstanding Florida Waters except for:

1729 1. Sources that have received permits from the department
1730 prior to April 1, 1982, or the date of designation, whichever is
1731 later;

1732 2. Blowdown from new power plants certified pursuant to the
1733 Florida Electrical Power Plant Siting Act;

1734 3. Discharges of water necessary for water management
1735 purposes which have been approved by the governing board of a
1736 water management district and, if required by law, by the
1737 secretary; and

1738 4. The discharge of demineralization concentrate which has
1739 been determined permissible under s. 403.0882 and which meets
1740 the specific provisions of s. 403.0882(4)(a) and (b), if the
1741 proposed discharge is clearly in the public interest.

1742 (c) The department, by rule, shall establish water quality
1743 criteria for wetlands which criteria give appropriate
1744 recognition to the water quality of such wetlands in their
1745 natural state.

1746
1747 This act may not be construed to invalidate any existing
1748 department rule relating to mixing zones. ~~The department shall~~
1749 ~~cooperate with the Department of Highway Safety and Motor~~
1750 ~~Vehicles in the development of regulations required by s.~~
1751 ~~316.272(1).~~



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1752
1753 The department shall implement such programs in conjunction with
1754 its other powers and duties and shall place special emphasis on
1755 reducing and eliminating contamination that presents a threat to
1756 humans, animals or plants, or to the environment.

1757 Section 37. Subsection (9) of section 403.415, Florida
1758 Statutes, is amended to read:

1759 403.415 Motor vehicle noise.—

1760 (9) OPERATING VEHICLE NOISE MEASUREMENTS. ~~The department~~
1761 ~~shall establish, with the cooperation of the Department of~~
1762 ~~Highway Safety and Motor Vehicles, measurement procedures for~~
1763 ~~determining compliance of operating vehicles with the noise~~
1764 ~~limits of s. 316.293(2).~~ The department shall advise the
1765 Department of Highway Safety and Motor Vehicles on technical
1766 aspects of motor vehicle noise enforcement regulations, assist
1767 in the training of enforcement officers, and administer a sound-
1768 level meter loan program for local enforcement agencies.

1769 Section 38. Railroad crossing safety technology study.—

1770 (1) (a) The Legislature finds that improving safety at
1771 railroad crossings is critical to protecting the lives of
1772 pedestrians, motorists, railway workers, and the general public.
1773 Advanced detection and monitoring systems using such
1774 technologies as sensors, high-resolution cameras, and data
1775 analytics may provide a reliable means to enhance situational
1776 awareness and reduce collisions at railroad crossings.

1777 (b) The Legislature further finds that additional analysis
1778 is necessary to evaluate the effectiveness, feasibility, costs,
1779 and implementation considerations of such systems.

1780 (c) It is the intent of the Legislature to direct the



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1781 Department of Transportation to study the technologies
1782 referenced in paragraph (a) before considering any statewide
1783 requirements for their deployment.

1784 (2) As used in this section, the term:

1785 (a) "Advanced detection and monitoring system" means a
1786 system capable of detecting and classifying objects, such as
1787 pedestrians, vehicles, or other obstructions at or approaching a
1788 railroad crossing, using technologies including, but not limited
1789 to, sensors, cameras, and data analytics.

1790 (b) "Public railroad-highway grade crossing" has the same
1791 meaning as provided in s. 335.141(1)(b), Florida Statutes.

1792 (3)(a) The Department of Transportation shall conduct a
1793 statewide study on the use of advanced detection and monitoring
1794 systems at public railroad-highway grade crossings in this
1795 state.

1796 (b) The study must include, but is not limited to, an
1797 analysis of all of the following:

1798 1. Available and emerging advanced detection and monitoring
1799 technologies applicable to railroad crossings.

1800 2. The effectiveness of such technologies in improving
1801 safety outcomes, including collision prevention and hazard
1802 mitigation, based on available data from pilot programs,
1803 deployments in other jurisdictions, or academic research.

1804 3. Technical and operational considerations, including
1805 interoperability with existing railroad safety systems and
1806 operating protocols.

1807 4. Costs associated with the deployment of advanced
1808 detection and monitoring systems, including installation,
1809 operation, maintenance, and long-term lifecycle costs.



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1810 5. Potential funding mechanisms, including federal funds,
1811 state funds, grants, or public-private partnerships.

1812 6. Criteria for identifying higher-risk railroad crossings
1813 where such technologies may provide the greatest safety benefit.

1814 7. Legal, regulatory, and operational considerations
1815 related to the deployment and oversight of advanced detection
1816 and monitoring systems.

1817 8. The respective roles of the state, local governments,
1818 and railroad owners in the implementation of such systems.

1819 (4) In conducting the study, the department may consult
1820 with, as appropriate, any of the following:

1821 (a) Railroad owners and railroad industry representatives.
1822 (b) Local governments with jurisdiction over public
1823 railroad-highway grade crossings.

1824 (c) Transportation safety experts and academic
1825 institutions.

1826 (d) Federal agencies or national organizations with
1827 expertise in railroad safety.

1828 (5) By December 1, 2026, the department shall submit a
1829 report of its findings and any recommendations to the Governor,
1830 the President of the Senate, and the Speaker of the House of
1831 Representatives. The report may include policy recommendations
1832 for legislative consideration, but may not recommend or require
1833 the mandatory installation or upgrade of railroad crossings.

1834 Section 39. For the purpose of incorporating the amendment
1835 made by this act to section 318.18, Florida Statutes, in a
1836 reference thereto, section 318.121, Florida Statutes, is
1837 reenacted to read:

1838 318.121 Preemption of additional fees, fines, surcharges,



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1839 and costs.—Notwithstanding any general or special law, or
1840 municipal or county ordinance, additional fees, fines,
1841 surcharges, or costs other than the court costs and surcharges
1842 assessed under s. 318.18(12), (14), (19), (20), and (23) may not
1843 be added to the civil traffic penalties assessed under this
1844 chapter.

1845 Section 40. Except as otherwise expressly provided in this
1846 act, this act shall take effect July 1, 2026.

1847
1848 ===== T I T L E A M E N D M E N T =====

1849 And the title is amended as follows:

1850 Delete everything before the enacting clause
1851 and insert:

1852 A bill to be entitled
1853 An act relating to transportation; requiring the
1854 Department of Transportation and any impacted local
1855 government to increase the minimum perception-reaction
1856 time for steady yellow signals at certain
1857 intersections by a specified amount of time; amending
1858 s. 316.003, F.S.; revising the definition of the term
1859 "local hearing officer"; amending s. 316.008, F.S.;
1860 revising powers of local authorities; amending s.
1861 316.0083, F.S.; deleting a provision prohibiting the
1862 issuance of certain notices of violation and traffic
1863 citations for failure to stop before crossing over a
1864 stop line or other point at which a stop is required
1865 under certain circumstances; defining the term
1866 "careful and prudent manner"; providing that certain
1867 counties and municipalities are responsible for and



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1868 must maintain certain data for a specified period;
1869 amending s. 316.0776, F.S.; revising provisions
1870 relating to speed detection systems in school zones;
1871 amending s. 316.0777, F.S.; authorizing a private
1872 entity to install an automated license plate
1873 recognition system for use on certain property for a
1874 specified purpose and providing requirements therefor;
1875 providing a penalty; providing applicability; defining
1876 the term "authorized investigative partner"; amending
1877 s. 316.173, F.S.; providing and revising procedures
1878 for an administrative hearing; requiring that a
1879 certain report is due annually, rather than quarterly;
1880 amending s. 316.183, F.S.; authorizing a county or
1881 municipality to set a lower maximum speed limit under
1882 certain conditions; amending s. 316.189, F.S.;
1883 authorizing a county to set a lower maximum speed
1884 limit under certain conditions; amending s. 316.1895,
1885 F.S.; requiring the use of flashing beacons in certain
1886 circumstances; requiring certain areas to have placed
1887 and installed flashing beacons by a specified date;
1888 amending s. 316.1896, F.S.; requiring flashing beacons
1889 to be activated during specified times to enforce the
1890 restricted school zone speed limit through a school
1891 zone speed detection system; providing applicability;
1892 revising provisions relating to roadways maintained as
1893 school zones; amending s. 316.1906, F.S.; specifying
1894 that certain radar and LiDAR units are not required to
1895 be on certain lists; amending s. 316.212, F.S.;
1896 authorizing operation of a golf cart for the purpose



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1897 of crossing certain streets and highways under certain
1898 conditions; providing penalties; repealing ss. 316.272
1899 and 316.293, F.S., relating to the prevention of noise
1900 from exhaust systems and motor vehicle noise,
1901 respectively; amending s. 316.3045, F.S.; requiring
1902 certain motor vehicles to be equipped with and
1903 maintain an exhaust system to prevent excessive or
1904 unusual noise; prohibiting certain excessive or
1905 unusual noises; providing applicability; amending s.
1906 316.650, F.S.; revising provisions relating to traffic
1907 citations; amending s. 318.15, F.S.; revising
1908 provisions relating to penalties for certain failures
1909 to comply; amending s. 318.18, F.S.; revising
1910 provisions relating to penalties; conforming a cross-
1911 reference; amending s. 319.1401, F.S.; authorizing
1912 certain golf carts to be titled and registered for
1913 operation on certain roads without an inspection by
1914 the department and providing requirements therefor;
1915 amending s. 320.02, F.S.; revising provisions relating
1916 to withholding motor vehicle registration; amending s.
1917 320.0848, F.S.; including certain pregnancy-related
1918 conditions in the list of disabilities that qualify a
1919 person for a disabled parking permit; repealing s.
1920 320.0849, F.S., relating to expectant mother parking
1921 permits; amending s. 320.262, F.S.; providing that the
1922 use of a license plate frame or decorative border
1923 device is not prohibited under specified conditions;
1924 amending s. 322.142, F.S.; authorizing digital imaged
1925 licenses to be used for a specified purpose with the



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1926 licensee's consent; authorizing identity verification
1927 service providers to use Department of Highway Safety
1928 and Motor Vehicles data under certain conditions;
1929 prohibiting such providers from selling, sharing, or
1930 retaining certain information; prohibiting the
1931 department from allowing the use of digital imaged
1932 licenses for a private entity's business purposes;
1933 amending s. 332.007, F.S.; authorizing the Department
1934 of Transportation to fund certain project costs at
1935 certain airports; prohibiting the department from
1936 requiring certain matching funds; authorizing the
1937 provision of certain funds as matching funds for
1938 certain eligible projects; amending s. 337.11, F.S.;
1939 authorizing the department to make direct payments to
1940 certain subcontractors under specified conditions;
1941 requiring the department to adopt rules; amending s.
1942 337.18, F.S.; providing requirements for a takeover
1943 agreement; amending s. 339.175, F.S.; requiring
1944 metropolitan planning organizations serving specified
1945 counties to submit a certain feasibility report to the
1946 Governor and Legislature by a specified date, with
1947 certain goals; amending s. 337.401, F.S.; prohibiting
1948 municipalities and counties from requiring that
1949 providers locate or perform surveys of certain
1950 facilities; requiring a provider to use certain means
1951 to avoid damaging certain facilities under specified
1952 circumstances; prohibiting municipalities and counties
1953 from taking certain actions relating to certain
1954 facility permits; authorizing municipalities and



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1955 counties to require a bond or other financial
1956 instrument; prohibiting municipalities and counties
1957 from imposing or collecting a tax, fee, cost, charge,
1958 or exaction for the placement of certain
1959 communications facilities; revising applicability;
1960 revising the definition of the term "application";
1961 prohibiting an authority from requiring compliance
1962 with an authority's provisions regarding placement of
1963 communications facilities in certain locations;
1964 providing exceptions; requiring that certain authority
1965 ordinances apply to all providers of communications
1966 services; providing bond requirements; providing
1967 requirements for certain financial obligations
1968 required by an authority; prohibiting an authority
1969 from requiring a deposit or escrow of cash or
1970 agreement with certain terms; prohibiting an authority
1971 from requiring a communications service provider to
1972 indemnify it for certain liabilities; prohibiting an
1973 authority from imposing certain landscaping and
1974 vegetation management requirements; amending s.
1975 775.15, F.S.; providing time limits for certain
1976 traffic violations; amending ss. 316.1995, 316.2125,
1977 316.2126, 316.2128, 316.455, 403.061, and 403.415,
1978 F.S.; conforming cross-references and provisions to
1979 changes made by the act; providing legislative
1980 findings and intent; defining terms; requiring the
1981 department to conduct a statewide study on advanced
1982 detection and monitoring systems at public railroad-
1983 highway crossings; providing requirements for the



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1984 study; authorizing the department to consult with
1985 certain entities; requiring the department to submit a
1986 report to the Governor and Legislature by a specified
1987 date; reenacting s. 318.121, F.S., relating to
1988 preemption of additional fees, fines, surcharges, and
1989 costs, to incorporate the amendment made to s. 318.18,
1990 F.S., in a reference thereto; providing effective
1991 dates.