

Amendment No.

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	___	(Y/N)
ADOPTED AS AMENDED	___	(Y/N)
ADOPTED W/O OBJECTION	___	(Y/N)
FAILED TO ADOPT	___	(Y/N)
WITHDRAWN	___	(Y/N)
OTHER	_____	

1 Committee/Subcommittee hearing bill: State Affairs Committee
2 Representative McFarland offered the following:

Amendment to Amendment (286453) by Representative McFarland

6 Remove lines 71-404 of the amendment and insert:

7 **Section 3. Effective upon becoming a law, subsection (38)**
8 **of section 316.003, Florida Statutes, is amended to read:**

9 316.003 Definitions.—The following words and phrases, when
10 used in this chapter, shall have the meanings respectively
11 ascribed to them in this section, except where the context
12 otherwise requires:

13 (38) LOCAL HEARING OFFICER.—The person, designated by a
14 department, county, or municipality that elects to authorize
15 traffic infraction enforcement officers to issue traffic
16 citations under ss. 316.0083(1)(a) and 316.1896(1), who is

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17 authorized to conduct hearings related to a notice of violation
18 issued pursuant to s. 316.0083 or s. 316.1896. A The charter
19 county, noncharter county, or municipality may use its currently
20 appointed code enforcement board or special magistrate to serve
21 as the local hearing officer. Pursuant to s. 316.173, a school
22 district may appoint an attorney who is, and has been for the
23 preceding 5 years, a member in good standing of the Florida Bar
24 to serve as a local hearing officer, or the county in which a
25 school district has entered into an interlocal agreement with a
26 law enforcement agency to issue uniform traffic citations may
27 designate by resolution existing staff to serve as the local
28 hearing officer. The department may enter into an interlocal
29 agreement to use the local hearing officer of a county or
30 municipality. The local hearing officer need not reside in the
31 county or municipality where a violation occurred.

32 **Section 4. Paragraphs (a) and (b) of subsection (9) of**
33 **section 316.008, Florida Statutes, are amended to read:**

34 316.008 Powers of local authorities.-

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

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

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

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42 3. During the entirety of a regularly scheduled school
43 session; and

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

46
47 through the use of a speed detection system for the detection of
48 speed and capturing of photographs or videos for violations in
49 excess of 10 miles per hour over the speed limit in force in the
50 school zone at the time of the violation. A school zone's
51 compliance with s. 316.1895 creates a rebuttable presumption
52 that the school zone is properly maintained. The school zone
53 restricted speed limit may be enforced through the use of a
54 speed detection system when any flashing beacon used to provide
55 the notice of the restricted school speed limit is activated.
56 For speed detection systems installed before July 1, 2026,
57 capturing the beacon status in photographic, video, or by other
58 evidence is not required for proof of the beacon status until
59 January 1, 2028. An area maintained as a school zone that has no
60 beacon installed before July 1, 2026, has until January 1, 2028,
61 to place and install a beacon and until a beacon is installed
62 the county or municipality may provide poof of the school zone
63 speed limit in force at the time of violation without evidence
64 of the beacon status.

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

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

79 **Section 5. Subsection (3) of section 316.0776, Florida**
80 **Statutes, is amended to read:**

81 316.0776 Traffic infraction detectors; speed detection
82 systems; placement and installation.—

83 (3) A speed detection system authorized by s. 316.008(9)
84 may be placed or installed anywhere in an area maintained, as
85 defined in s. 316.1895(3)(d), as a school zone on a state road
86 when permitted by the Department of Transportation and in
87 accordance with placement and installation specifications
88 developed by the Department of Transportation. The speed
89 detection system may be placed or installed anywhere in an area
90 maintained, as defined in s. 316.1895(3)(d), as a school zone on
91 a street or highway under the jurisdiction of a county or a

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92 municipality in accordance with placement and installation
93 specifications established by the Department of Transportation.
94 The placement and installation specifications must allow the
95 placement of a speed detection system or components thereof
96 outside the boundaries of the school zone but within the area
97 maintained as a school zone. The speed detection system may only
98 capture violations occurring within the school zone and during
99 the times authorized under s. 316.008(9), regardless of the
100 placement of the speed detection system or its components ~~The~~
101 ~~Department of Transportation must establish such placement and~~
102 ~~installation specifications by December 31, 2023.~~

103 (a) If a county or municipality places or installs a speed
104 detection system as authorized by s. 316.008(9), the county or
105 municipality must notify the public that a speed detection
106 system may be in use by posting signage indicating photographic
107 or video enforcement of the school zone speed limits. Such
108 signage shall clearly designate the time period during which the
109 school zone speed limits are enforced using a speed detection
110 system and must meet the placement and installation
111 specifications established by the Department of Transportation.
112 For a speed detection system enforcing violations of s. 316.1895
113 or s. 316.183 on a roadway maintained as a school zone, this
114 paragraph governs the signage notifying the public of the use of
115 a speed detection system.

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

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117 detection system program in a county or municipality that has
118 never conducted such a program, the respective county or
119 municipality must make a public announcement and conduct a
120 public awareness campaign of the proposed use of speed detection
121 systems at least 30 days before commencing enforcement under the
122 speed detection system program and must notify the public of the
123 specific date on which the program will commence. During the 30-
124 day public awareness campaign, only a warning may be issued to
125 the registered owner of a motor vehicle for a violation of s.
126 316.1895 or s. 316.183 enforced by a speed detection system, and
127 liability may not be imposed for the civil penalty under s.
128 318.18(3)(d).

129 (c) A county or municipality that operates one or more
130 school zone speed detection systems must annually report the
131 results of all systems within the county's or municipality's
132 jurisdiction by placing the report required under s.
133 316.1896(16)(a) as a single reporting item on the agenda of a
134 regular or special meeting of the county's or municipality's
135 governing body. Before a county or municipality contracts or
136 renews a contract to place or install a speed detection system
137 in a school zone pursuant to s. 316.008(9), the county or
138 municipality must approve the contract or contract renewal at a
139 regular or special meeting of the county's or municipality's
140 governing body.

141 1. Interested members of the public must be allowed to

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142 comment regarding the report, contract, or contract renewal
143 under the county's or municipality's public comment policies or
144 formats, and the report, contract, or contract renewal may not
145 be considered as part of a consent agenda.

146 2. The report required under this paragraph must include a
147 written summary, which must be read aloud at the regular or
148 special meeting, and the summary must contain, for the same time
149 period pertaining to the annual report to the department under
150 s. 316.1896(16)(a), the number of notices of violation issued,
151 the number that were contested, the number that were upheld, the
152 number that were dismissed, the number that were issued as
153 uniform traffic citations, and the number that were paid and how
154 collected funds were distributed and in what amounts. The county
155 or municipality must report to the department that the county's
156 or municipality's annual report was considered in accordance
157 with this paragraph, including the date of the regular or
158 special meeting at which the annual report was considered.

159 3. The compliance or sufficiency of compliance with this
160 paragraph may not be raised in a proceeding challenging a
161 violation of s. 316.1895 or s. 316.183 enforced by a speed
162 detection system in a school zone.

163 **Section 6. Effective October 1, 2026, subsections (3),**
164 **(4), and (5) of section 316.0777, Florida Statutes, are**
165 **renumbered as subsections (4), (5), and (6), respectively, and a**
166 **new subsection (3) is added to that section to read:**

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167 316.0777 Automated license plate recognition systems;
168 installation within rights-of-way of State Highway System and on
169 and within property owned or controlled by private entity;
170 public records exemption.—

171 (3) A private property owner may install an automated
172 license plate recognition system solely for use on and within
173 the property owned or controlled by the property owner. A
174 private property owner that installs or directs the installation
175 of such a system:

176 (a) May not access vehicle registration or title data for
177 vehicles identified by the system, unless the private property
178 owner is acting to the extent permitted by the Driver's Privacy
179 Protection Act, 18 U.S.C. ss. 2721-2725, or for the limited
180 purpose of providing notice to vehicle owners that they failed
181 to pay for parking and that such failure has resulted in a
182 parking charge pursuant to s. 715.075.

183 (b) May not share or sell images, personal identifying
184 information, VIN or license plate numbers, or any data that
185 could be reasonably connected to an individual collected or
186 generated by the system, except:

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

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

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191 3. To the extent sharing such information is necessary to
192 report suspicious activity or suspected criminal activity to a
193 criminal justice agency.

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

196 (c) Must contractually obligate any third party that
197 installs, maintains, or operates the system or receives
198 information pursuant to subparagraph (b)2. to protect the images
199 or data collected or generated by the system from disclosure,
200 including a prohibition on sharing or selling such images or
201 data, except to the extent authorized under paragraph (b).

202 (d) Must implement, and must contractually obligate any
203 third-party that installs, maintains, or operates the system or
204 receives information pursuant to subparagraph (b)2. to
205 implement:

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

209 2. An auditable access control system that records access
210 to images and associated data.

211 3. A data retention schedule that provides for deletion of
212 images and data no later than 30 days after the images or data
213 is collected or generated by the system, except to the extent
214 needed to comply with a court order, subpoena, or comply with
215 the appeal process detailed in 715.075(1)(c)&(d) or to collect

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216 an unpaid invoice for parking enhancement. Records detailing
217 disclosure logs or transaction information may be retained
218 longer in accordance with federal law.

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

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

229 **Section 7. Effective upon becoming a law, section 316.173,**
230 **Florida Statutes, is amended, to read:**

231 316.173 School bus infraction detection systems.—

232 (1) (a) As used in this section, the term "school district"
233 means educational institutions limited to those governed by:

234 1. Article IX, s. 4 of the State Constitution.

235 2. S. 1002.01(3).

236 3. S. 1002.33.

237 4. Federally funded Head Start programs.

238 (b) A school district may install and operate a school bus
239 infraction detection system on a school bus for the purpose of

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240 enforcing s. 316.172(1) (a) and (b) as provided in and consistent
241 with this section.

242 (c)~~(b)~~ The school district may contract with a private
243 vendor or manufacturer to install a school bus infraction
244 detection system on any school bus within its fleet, whether
245 owned, contracted, or leased, and for services including, but
246 not limited to, the installation, operation, and maintenance of
247 the system. Notwithstanding any other provision of law, a
248 private school bus contractor that provides busing services for
249 a school district may not charge a fee or receive remuneration
250 from a district, or private vendor or manufacturer of a school
251 bus infraction detection system with respect to installation,
252 operation, or maintenance of a system, and may not unreasonably
253 impede installation, operation, or maintenance of a system if
254 selected by the school district. The school district's decision
255 to install school bus infraction detection systems must be based
256 solely on the need to increase public safety. An individual may
257 not receive a commission from any revenue collected from
258 violations detected through the use of a school bus infraction
259 detection system. A private vendor or manufacturer may not
260 receive a fee or remuneration based upon the number of
261 violations detected through the use of a school bus infraction
262 detection system. This paragraph may not be construed to
263 prohibit a private vendor or manufacturer from receiving a fixed
264 amount of collected proceeds for service rendered in relation to

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265 the installation, operation, or maintenance of school bus
266 infraction detection systems.

267 (d)~~(e)~~ The school district must ensure that each school
268 bus infraction detection system meets the requirements of
269 subsection (19).

270 (e)~~(d)~~ The school district must enter into an interlocal
271 agreement with one or more law enforcement agencies authorized
272 to enforce violations of s. 316.172(1)(a) and (b) within the
273 school district which jointly establishes the responsibilities
274 of enforcement and the reimbursement of costs associated with
275 school bus infraction detection systems consistent with this
276 section.

277 (f) Review of information from a school bus infraction
278 detection system by an authorized employee or a designee of the
279 school district or law enforcement agency is not prohibited
280 before issuance of a notice of violation or uniform traffic
281 citation.

282 (6)

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

285 1. The department shall make available electronically to
286 the school district or its designee or the county a Request for
287 Hearing form to assist each district or county with
288 administering this subsection.

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289 2. The school district shall assign existing staff or a
290 designee to serve as the clerk to the local hearing officer. A
291 person, referred to in this paragraph as the petitioner, who
292 elects to request a hearing under this subsection shall be
293 scheduled for a hearing by the clerk to the local hearing
294 officer. The hearing may be conducted either virtually via live
295 video conferencing or in person.

296 3. Within 120 days after receipt of a timely request for a
297 hearing, the law enforcement agency or its designee shall
298 provide a replica of the notice of violation data to the school
299 district or county by manual or electronic transmission, and
300 thereafter the school district or its designee or the county
301 shall mail a notice of hearing, which shall include a hearing
302 date and may at the discretion of the district or county include
303 virtual and in-person hearing options, to the petitioner by
304 first-class mail. Mailing of the notice of hearing constitutes
305 notification. Upon receipt of the notice of hearing, the
306 petitioner may reschedule the hearing twice ~~once~~ by submitting a
307 written request to the local hearing officer at least 5 calendar
308 days before the day of the ~~originally~~ scheduled hearing. The
309 petitioner may cancel his or her hearing by paying the penalty
310 assessed in the notice of violation.

311 4. All testimony at the hearing shall be under oath. The
312 local hearing officer shall take testimony from a representative
313 of the law enforcement agency and the petitioner, and may take

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314 testimony from others. The local hearing officer shall review
315 the video and images recorded by a school bus infraction
316 detection system. Formal rules of evidence do not apply, but due
317 process shall be observed and govern the proceedings.

318 5. At the conclusion of the hearing, the local hearing
319 officer shall determine by a preponderance of the evidence
320 whether a violation has occurred and shall uphold or dismiss the
321 violation. The local hearing officer shall issue a final
322 administrative order including the determination and, if the
323 notice of violation is upheld, require the petitioner to pay the
324 civil penalty previously assessed in the notice of violation,
325 and shall also require the petitioner to pay costs, not to
326 exceed \$250 ~~those established in s. 316.0083(5)(e)~~, to be used
327 by the county for operational costs relating to the hearing
328 process or by the school district for technology and operational
329 costs relating to the hearing process as well as school
330 transportation safety-related initiatives. The final
331 administrative order shall be mailed to the petitioner by first-
332 class mail. Mailing of the final administrative order
333 constitutes notification.

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

336 (c) Notwithstanding any other provision of law, any
337 hearing for a contested notice of violation, or uniform traffic
338 citation that is pending issuance, that has not occurred been

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/CS/HB 543 (2026)

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339 | ~~conducted~~ before July 1, 2025, may be conducted or issued
340 | pursuant to the procedures in this section ~~subsection~~
341 |