

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Appropriations Committee on Transportation, Tourism, and Economic Development

BILL: CS/SB 654

INTRODUCER: Transportation Committee and Senator DiCeglie

SUBJECT: Traffic Infraction Enforcement

DATE: January 27, 2026

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Johnson</u>	<u>Vickers</u>	<u>TR</u>	<u>Fav/CS</u>
2.	<u>Wells</u>	<u>Nortelus</u>	<u>ATD</u>	<u>Pre-meeting</u>
3.	<u> </u>	<u> </u>	<u>FP</u>	<u> </u>

Please see Section IX. for Additional Information:

COMMITTEE SUBSTITUTE - Substantial Changes

I. Summary:

CS/SB 654 relates to the automated (camera-based) enforcement of traffic infractions and amends the various statutory provisions governing these programs to address a range of issues, including programmatic consistency and transparency.

For traffic infraction detectors, commonly referred to as red light cameras, the bill:

- Authorizes clerks of court to retain 10 percent of the revenues it receives from penalties related to red light cameras, consistent with the processing of other traffic infractions.
- Defines the term “careful and prudent manner” as it relates to right turns on red.
- Authorizes virtual hearings to allow motorists to challenge a notice of violation.
- Requires counties and municipalities to retain certain records for a minimum of two years.
- Prohibits the use of traffic infraction detectors for remote surveillance and limits the use of data recorded by such detectors.

For speed detection systems in school zones, the bill:

- Limits the use of such systems to times when the restrictive school zone speed limit is in effect and requires any applicable flashing beacon to be activated during periods of enforcement.
- Suspends a county or municipal program for not meeting certain reporting requirements.
- Requires the Department of Highway Safety and Motor Vehicles (DHSMV) to post on its website program data submitted by counties and municipalities.

- Prohibits individuals and vendors from receiving a commission or being paid on a per violation basis, consistent with other camera-enforcement programs.
- Authorizes virtual hearings to allow motorists to challenge a notice of violation.

For school bus infraction detection systems, the bill:

- Requires school board approval of the installation of school bus infraction detection systems on district school buses.
- Authorizes the use of traffic infraction enforcement officers to enforce violations.
- Removes a provision providing that sufficiency of signage may not be used to challenge a violation.
- Removes the preponderance of evidence standard for administrative hearings.
- Requires a school district to provide an annual report on the operation of a school bus camera program at a school board meeting.
- Requires the DHSMV to post on its website, program data submitted by school districts.
- Requires traffic infraction enforcement officers to meet specified standards.
- Requires infraction data to be transmitted to the local hearing officer during the same time frames as required for other camera-enforcement programs.
- Clarifies that the clerk of court receives 10 percent of the certain penalties, consistent with other traffic violations.

The bill also:

- Clarifies the DHSMV's authority to withhold a driver license for the nonpayment of a traffic citation issued using an automated enforcement system.
- Resets the one-year time limitation for camera-enforced traffic violations if an affidavit is submitted to the appropriate entity transferring liability for the violation to another person.
- Repeals obsolete provisions and makes other technical changes.

While the bill does not fundamentally change the authorization and operation of these programs, provisions of the bill may result in indeterminate fiscal impacts to the private and governmental sectors. *See* Section V., Fiscal Impact Statement for details.

This bill takes effect October 1, 2026.

II. Present Situation:

For ease of organization and readability, the present situation is discussed below with the effect of proposed changes.

III. Effect of Proposed Changes:

Background

Prior to 2010, some counties and municipalities enacted local ordinances authorizing the use of cameras to enforce red light running. While these ordinances were broadly similar, they varied in the amount of the fine, the nature of the required signage, the notice requirements to a motor

vehicle owner for an alleged violation, and the process for a motor vehicle owner to challenge a violation.¹

In 2010, the Legislature preempted the state the regulation of the use of cameras to enforce the Florida Uniform Traffic Control Law,² and authorized the use of traffic infraction detectors, commonly known as red light cameras, to enforce red light running.³

In 2023, the Legislature authorized the use of speed detection systems to enforce unlawful speed in school zones,⁴ and the use of school bus infraction detection systems to enforce the unlawful passing of a stopped school bus.⁵

The table below summarizes the current penalties and the associated distribution schedule for each of the camera-based enforcement programs:

Camera Program	Penalty	Penalty Distribution
Traffic Infraction Detectors (Red Light Cameras) ⁶	\$158	\$70 – General Revenue Fund \$10 – Emergency Medical Services Trust Fund \$3 – Brain and Spinal Cord Injury Trust Fund \$75 – County or Municipality
Speed Detection Systems in School Zones (School Zone Cameras) ⁷	\$100	\$20 – General Revenue Fund \$60 – County or Municipality \$3 – Criminal Justice Standards and Training Trust Fund \$12 – County School District \$5-County or municipality’s School Crossing Guard Recruitment and Retention Program
School Bus Infraction Detection Systems (School Bus Cameras) ⁸	\$225 (\$200 +\$25 to the school district)	Paid to school district student transportation safety initiatives, bus driver recruitment and retention, and administration and enforcement costs for the program.

The table below summarizes key data regarding the deployment of camera-based traffic infraction systems for the state fiscal year 2024-2025:⁹

¹ Florida House of Representatives, Finance & Tax Council, Post Meeting Staff Analysis of CS/CS/HB 325 (2010), April 19, 2010, pp. 2-5., available at: <https://www.flhouse.gov/Sections/Documents/loaddoc.aspx?FileName=h0325e.FTC.doc&DocumentType=Analysis&BillNumber=325&Session=2010> (last visited January 14, 2026).

² Chapter 316, F.S. This preemption is codified in s. 316.0776, F.S.

³ Chapter 2010-80, Laws of Fla.

⁴ Chapter 2023-174, Laws of Fla.

⁵ Chapter 2023-171, Laws of Fla.

⁶ Section 316.0083(1)(c) and 318.18(16), F.S.

⁷ Sections 316.1896(5) and 318.18(3), F.S.

⁸ Sections 316.173(8) and 318.18(5), F.S.

⁹ Department of Highway Safety and Motor Vehicles, *Red Light Camera Programs, Fiscal Year 2024-2025 Summary Report*, December 2025, p. 2-3, available at: <https://www.flhsmv.gov/pdf/cabinetreports/redlightcameraanalysis2025.pdf> (last visited January 9, 2026), and *School Bus & School Zone Cameras Summary Report, December 2025*, p. 2-3, available at: https://www.flhsmv.gov/pdf/cabinetreports/school-bus-school-zone_summary_fy24-25.pdf (last visited January 9, 2026).

Camera Program	Number of Jurisdictions	Number of Cameras	Notices of Violation Issued
Traffic Infraction Detectors (Red Light Cameras)	42	302	923,133
Speed Detection Systems in School Zones (School Zone Cameras)	7	101	645,104
School Bus Infraction Detection Systems (School Bus Cameras)	5	2635	304,220

Program Authorization (Sections 2, 3, 4, 8, and 9)

Present Situation

Traffic Infraction Detectors

Florida law authorizes the Department of Highway Safety and Motor Vehicles (DHSMV),¹⁰ counties, and municipalities to use traffic infraction enforcement officers to issue traffic citations for red light running¹¹ when enforced by traffic infraction detectors.¹² This does not prohibit the DHSMV, a county, or a municipality from issuing notification to the registered owner of the motor vehicle involved in the violation.¹³

However, a traffic infraction enforcement officer may not issue a notice of violation and a traffic citation for failing to stop at a red light while making a right-turn on red, if the driver makes such a turn in a careful and prudent manner at an intersection where right-hand turns are permissible.¹⁴ A notice of violation and a traffic citation may not be issued if the driver came to a complete stop after crossing the stop line and before turning right if permissible at a red light but failed to stop before crossing over the stop line or other point at which a stop is required.¹⁵

Speed Detection Systems in School Zones

Florida law authorizes counties and municipalities to use traffic infraction enforcement officers to issue uniform traffic citations for speed violations evidenced by a speed detection system,¹⁶ in excess of 10 miles per hour over the speed limit in a school zone as follows:

- For unlawful speed in a school zone¹⁷ within 30 minutes before, through 30 minutes after the start of a regularly scheduled breakfast program.

¹⁰ The Department of Highway Safety and Motor Vehicles has never used its authority.

¹¹ Running a red light is a violation of s. 316.074(1), F.S., or s. 317.075(1)(c)1., F.S.

¹² Section 316.003(101), F.S., defines the term “traffic infraction detector” to mean a vehicle sensor installed to work in conjunction with a traffic control signal and a camera or cameras synchronized to automatically record two or more sequenced photographic or electronic images or streaming video of only the rear of a motor vehicle at the time the vehicle fails to stop behind the stop bar or clearly marked stop line when facing a traffic control signal steady red light.

¹³ Section 316.0083(1)(a), F.S.

¹⁴ Sections 316.0083(1)(a) and (2), F.S.

¹⁵ Section 316.0083(1)(a), F.S.

¹⁶ Section 316.003(84), F.S., defines the term “speed detection system” to mean a portable or fixed automated system used to detect a motor vehicle's speed using radar or LiDAR and to capture a photograph or video of the rear of a motor vehicle that exceeds the speed limit in force at the time of the violation.

¹⁷ Unlawful speed in a school zone is a violation of s. 316.1895, F.S.

- For unlawful speed in a school zone which occurs within 30 minutes before through 30 minutes after the start of a regularly scheduled school session.
- For an unlawful speed¹⁸ during the entirety of a regularly scheduled school session.
- For unlawful speed in a school zone within 30 minutes before through 30 minutes after the end of a regularly scheduled school session.¹⁹

School Bus Infraction Detection Systems

Florida law authorizes a school district to contract with a private vendor or manufacturer to install school bus infraction detection systems²⁰ on any of its school buses.²¹ District school boards, after considering recommendations from the district school superintendent, may install and operate, or enter into an agreement with a private vendor or manufacturer to provide, a school bus infraction detection system.²²

In order to operate school bus infraction detection systems, a school district must enter into an interlocal agreement with one or more law enforcement agencies authorized to enforce school bus passing violations²³ within the school district. This agreement jointly establishes enforcement responsibilities and the reimbursement of costs.²⁴

Effect of Proposed Changes

Traffic Infraction Detectors – Right Turns on Red

As it relates to right turns on red enforced by traffic infraction detectors, the bill defines the term “careful and prudent manner” to mean that the driver made a right-hand turn after coming to a complete stop and without interfering with the operation of any oncoming vehicular traffic or pedestrians in a crosswalk.

The bill also repeals a provision regarding vehicles coming to a complete stop after passing the stop line or other point where a stop is required.

Speed Detection Systems

The bill limits the use of speed detection systems to the times when the school zone speed limit is in effect. Such times are only during those times 30 minutes before, during, and 30 minutes after the periods of time when pupils are arriving at a regularly scheduled breakfast program or a regularly scheduled school session and leaving a regularly scheduled school session.²⁵

¹⁸ Unlawful speed is a violation of s. 316.183, F.S.

¹⁹ Sections 316.008(9)(a) and 316.1896(1)(a), F.S.

²⁰ Section 316.003(79), F.S., defines the term “school bus infraction detection system” to mean a camera system affixed to a school bus with two or more camera sensors or computers that produce a recorded video and two or more film or digital photographic still images for the purpose of documenting a motor vehicle being used or operated in a manner that allegedly violates s. 316.172(1)(a) or (b), F.S.

²¹ Section 316.173(1), F.S.

²² Section 1006.21(3)(h), F.S.

²³ School bus passing violations are codified in ss. 316.172(1)(a) and (b), F.S.

²⁴ Section 316.173(1)(d), F.S.

²⁵ Section 316.1896(5), F.S.

In doing so, the bill removes references to s. 316.183, F.S., relating to unlawful speed in speed detection system-related statutes, including:

- Section 316.008(9), F.S., authorizing counties and municipalities to install speed detection systems;
- Section 316.0776(3), F.S., providing for the placement of speed detection systems;
- Section 316.1896, F.S., implementing speed detection in school zones;
- Section 316.1906(1)(d), F.S., defining the term “traffic infraction enforcement officer”;
- Section 316.1906(3), F.S., providing testing requirements for speed detection systems;
- Section 318.18(3)(d), F.S., providing penalties traffic infractions enforced by speed detection systems; and
- Section 322.27(3)(d), F.S., prohibiting the assessment of driver license points for traffic violations enforced by speed detection systems.

The bill also amends the definition of the term “speed detection system” to limit their use to an active school speed zone.

The bill also requires any applicable flashing beacon used to provide notice of the enforcement restrictive school zone speed limit to be activated at the time of the violation.

School Bus Infraction Detection Systems

The bill authorizes traffic infraction enforcement officers to issue uniform traffic citations for school bus passing violations enforced by a school bus infraction detection system. This does not prohibit a law enforcement agency or its designee from issuing a notice of violation to the registered owner of the motor vehicle involved in a school bus passing violation.

Authorizing Ordinance/Contract Requirements (Sections 3,7, 8, and 18)

Traffic Infraction Detectors and Speed Detection Systems

For traffic infraction detectors and speed detection systems, a county or municipality wishing to place or install one or more such systems must enact an ordinance authorizing the placement or installation of or contracting with a vendor for the placement or installation of such systems. The county or municipality must consider traffic data or other evidence supporting the installation and operation of each such system and determine that the location at which the system is to be placed or installed constitutes a heightened safety risk that warrants additional enforcement measures.²⁶

Before a county or municipality contracts or renews a contract to place or install one or more traffic infraction detectors or speed detection systems, the governing body of the county or municipality must approve the contract or contract renewal. The public must be allowed to comment regarding the contract, or contract renewal under the county's or municipality's public

²⁶ Sections 316.0083(4)(a)1. and 316.008(9)(b) and (c), F.S.

comment policies or formats. Additionally, the governing body may not consider the contract or contract renewal as part of a consent agenda.²⁷

School Bus Infraction Detection Systems

Current law only requires the school district's decision to install school bus infraction detection systems to be based solely on the need to increase public safety.²⁸ A district school board is not required to hold hearings or approve any contract to install and operate such systems.

Effect of Proposed Changes

The bill requires the district's school board to specifically authorize the use of school bus infraction detectors before the school district places or installs, or contract with a vendor to operate, install, and maintain such systems. As part of the board's public hearing on such authorization, the board must consider evidence supporting the installation and operation of such detectors. Interested members of the public must be allowed to comment regarding the contract or its renewal and the contract or its renewal may not be considered as part of a consent agenda.

The bill amends s. 1006.21(3)(h), F.S., to conform requirements of the district school board as it relates to transportation.

The bill also makes technical changes to the ordinance and public comment requirements for traffic infraction detectors and speed detection systems.

Public Awareness Campaigns – Warning Period (Section 7)

Present Situation

For all three camera enforcement programs, if an entity (DHSMV, municipality, county, or school district) begins such a program, the appropriate entity must make a public announcement and conduct a public awareness campaign on its proposed use of traffic infraction detectors at least 30 days before beginning enforcement.²⁹

For school bus infraction detection systems and speed detection systems, only a warning may be given for the camera-enforced violation, and a penalty may not be imposed during the public awareness campaign.³⁰ However, this requirement does not exist for traffic infraction detectors.

Effect of Proposed Changes

The bill requires that for a new traffic infraction detector program only a warning may be given for violations enforced by such detectors during the 30-day public awareness period and that penalties may not be assessed for such violations.

²⁷ Section 316.0083(4)(a)2.a., and 316.0776(3)(c), F.S.

²⁸ Section 316.173(1)(b), F.S.

²⁹ Sections 316.0776(2)(b) and (3)(b) and 316.173(3), F.S.

³⁰ Sections 316.0776(3)(b) and 316.173(3), F.S.

Signage Requirements – School Bus Infraction Detection Systems (Section 8)

Present Situation

For school bus infraction detection systems, the school district must post signage on the rear of each school bus where a system is installed and operational indicating the use of such system, with requirements for size and wording of the signs.³¹ However, the sufficiency of signage or compliance with signage requirements may not be raised in a proceeding challenging a violation.³²

Effect of Proposed Changes

The bill repeals the sufficiency of signage provision related to school bus infraction detection systems. Thus, insufficient signage may be raised in a proceeding challenging a violation.

Placement and Testing Requirements (Sections 6, 8, and 10)

Present Situation

Traffic Infraction Detectors and Speed Detection Systems

Counties and municipalities may install and operate traffic infraction detectors and speed detection systems on streets and highways under their jurisdictions.³³ When permitted by the FDOT, a county, or a municipality may install and operate such systems on state roads.³⁴ All traffic infraction detectors and speed detection systems must meet the FDOT's placement, installation, and testing specifications.³⁵

For traffic infraction detectors, the FDOT was required to establish such specifications by December 31, 2010. However, any such equipment acquired by a county or municipality on or before July 1, 2011, or equipment used to enforce an ordinance enacted by a county or municipality on or before July 1, 2011, had until July 1, 2011, to meet the FDOT's specifications.³⁶

For speed detection systems, the FDOT was required to establish such specifications by December 31, 2023.³⁷ Speed detection systems must perform a self-test at least once every 30 days and must have an independent calibration test at least once every 12 months.³⁸

School Bus Infraction Detection Systems

A school bus infraction detection system must meet State Board of Education-established specifications and must be tested at regular intervals according to specifications prescribed by

³¹ Sections 316.173(2)(a) and (b), F.S.

³² Section 316.173(2)(c), F.S.

³³ Sections 316.008(8)(a), and 316.0773(3), F.S. F.S.

³⁴ Sections 316.008(8)(c), 316.07456, 316.0776(1) and (3), and 321.50, F.S.

³⁵ Sections 316.07456 and 316.0776(3)(a), F.S.

³⁶ Section 316.07456, F.S.

³⁷ Section 316.0776(3)(a), F.S.

³⁸ Section 316.1906(3), F.S.

state board rule. The state board was required to establish such specifications by rule on or before December 31, 2023. However, any such equipment acquired by a school district on or before December 31, 2023, was not required to meet the specifications established by the state board until July 1, 2024.³⁹

Effect of Proposed Changes

The bill removes obsolete dates associated with the placement of various detectors and deadlines for developing specifications.

Notices of Violation (Sections 4, 5, and 9)

Present Situation

Traffic Infraction Detectors

Within 30 days after a traffic infraction detector detects a violation, a notice of violation must be sent by first class mail to the registered owner of the motor vehicle involved in the violation. The notice of violation must specify the available remedies and that the violator must, within 60 days following the date of the notice of violation, in order to avoid the issuance of a traffic citation:

- Pay the \$158 penalty to the DHSMV, county, or municipality;
- Furnish an affidavit providing an exemption;⁴⁰ or
- Request a hearing.⁴¹

The \$158 penalty, less the amount retained by the county or municipality, is remitted to the Department of Revenue (DOR) weekly.⁴² To transition from local ordinances to a state law regarding the camera enforcement of red light running, the 2010 law establishing the state framework for traffic infraction detectors required the DHSMV or any county or municipality that collected the penalties from traffic infraction detectors after the effective date of that act (May 13, 2010), but before the DOR could accept and distribute those funds, to retain the portion of the penalty distributed to the DOR until after it was notified that the DOR could accept and distribute those funds.⁴³

Speed Detection Systems

Within 30 days after a violation, notice must be sent to the registered owner of the motor vehicle involved in the violation specifying the remedies available and that the violator must:

- Pay the \$100 penalty to the county or municipality; or
- Furnish an affidavit claiming an exemption.

This must be done within 30 days after the date of the notice of violation in order to avoid court fees, costs, and the issuance of a uniform traffic citation.⁴⁴

³⁹ Section 316.173(19), F.S. These specifications are codified in Rule 6A-3.003(5), F.A.C.

⁴⁰ Exemptions are listed in s. 316.0083(1)(d), F.S.,

⁴¹ Section 316.0083(1)(b)1.a., F.S.

⁴² Section 316.0083(1)(b)2., F.S.

⁴³ Section 316.00831, F.S.

⁴⁴ Section 316.1896(2), F.S.

A person who receives a notice of violation may request a hearing within 30 days after the notice of violation or may pay the \$100 penalty on the notice of violation.⁴⁵ Penalties assessed and collected, less the amount retained by the county or municipality and the amount remitted to the county school district, are paid to the DOR weekly.

School Bus Infraction Detection System

Within 30 days after a school bus infraction detection system records an alleged violation, the school district or its private vendor or manufacturer must submit information related to the alleged violation to a law enforcement agency with an interlocal agreement with the school district and traffic infraction enforcement jurisdiction at the location of the alleged violation.⁴⁶

Within 30 days after receiving the required information, the law enforcement agency or its designee must, if it determines that a violation was committed, send a notice of violation to the registered owner of the motor vehicle involved in the violation specifying the available remedies and that within 60 days after the notice of violation was sent, the violator must pay the \$225 penalty, furnish an affidavit providing an exemption, or request an administrative hearing with the applicable school district or county in order to avoid court fees, costs, and the issuance of a uniform traffic citation.⁴⁷

Points may not be assessed against a driver license for any camera-enforced traffic violations, and such violations may not be used to set motor vehicle insurance rates.⁴⁸

Effect of Proposed Changes

Traffic Infraction Detectors

The bill repeals obsolete s. 316.00831, F.S., which required the DHSMV, counties, and municipalities to retain certain camera-related penalties until the DOR had a system in place to collect and distribute such penalties.

Speed Detection Systems

The bill provides 60 days, instead of the current 30 days, for the registered owner of a motor vehicle to address a notice of violation from a speed detection system to be consistent with other camera enforcement provisions.

⁴⁵ Section 316.1896(3), F.S. This is notwithstanding any other provision of law.

⁴⁶ Section 316.173(4), F.S.

⁴⁷ Section 316.173(5), F.S.

⁴⁸ Section 322.27(3)(d), F.S.

Timeline for Uniform Traffic Citations – Speed Detection Systems (Section 9)

Present Situation

Traffic Infraction Detectors

If, within 60 days after the notice of violation, the registered owner of the motor vehicle has not paid the \$158 penalty, submitted an affidavit claiming an exemption, or requested a hearing, a traffic citation must be issued by certified mail to the address of the registered owner of the motor vehicle involved in the violation.⁴⁹

Speed Detection Systems

A uniform traffic citation must be issued by mailing the citation by certified mail to the address of the registered owner of the motor vehicle involved in the violation. This occurs if payment has not been made within 30 days after notification, if the registered owner has not requested a hearing, or if the registered owner has not submitted an affidavit claiming an exemption.⁵⁰

School Bus Infraction Detection Systems

A uniform traffic citation for a school bus passing violation enforced by a school bus infraction detection system must be issued by mailing, by certified mail, the citation to the address of the registered owner of the motor vehicle involved in the violation if, within 60 days after the notice of violation, payment has not been made, the registered owner has not submitted an affidavit claiming an exemption, or the registered owner has not requested an administrative hearing contesting the notice of violation.⁵¹

Effect of Proposed Changes

The bill changes 30 days to 60 days for speed detection systems to conform to changes in the bill related to notices of violation.

Commission Prohibition – Speed Detection Systems (Sections 9 and 14)

Present Situation

For traffic infraction detectors and school bus infraction detection systems, current law provides that an individual may not receive a commission from any revenue collected through the use of a traffic infraction detector. A manufacturer or vendor may not be paid based upon the number of violations detected through the camera enforcement of traffic violations.⁵²

The school bus infraction detection system statute provides that the above may not be construed to prohibit a private vendor or manufacturer from receiving a fixed amount of collected proceeds

⁴⁹ Section 316.0083(1)(c)1.b., F.S.

⁵⁰ Section 316.1896(6), F.S.

⁵¹ Section 316.173(9), F.S.

⁵² Sections 316.0083(1)(b)4., 316.173(1)(b), and 318.18(16)(d), F.S.

for services rendered in relation to the installation, operation, or maintenance of school bus infraction detection systems.⁵³

The statutes regarding the use of speed detection systems does not prohibit such commissions.

Effect of Proposed Changes

For speed detection systems, the bill prohibits an individual from receiving a commission or per-ticket fee from revenue collected from violations detected through the use of speed detection system. Additionally, a manufacturer or vendor may not receive a fee or remuneration based upon the number of violations collected through the use of a speed detection system.

Hearing Procedures and Requirements (Sections 3, 4, 8, 9, and 14)

Present Situation

Definition of Local Hearing Officer

The term “local hearing officer” is defined to mean the person, designated by the DHSMV, a county, or municipality to conduct hearings related to a notice of violation issued pursuant to s. 316.0083, F.S., or s. 316.1896, F.S. The charter county, noncharter county, or municipality may use its currently appointed code enforcement board or special magistrate to serve as the local hearing officer. The DHSMV may enter into an interlocal agreement to use the local hearing officer of a county or municipality.⁵⁴

Traffic Infraction Detectors and Speed Detection Systems

For traffic infraction detectors and speed detection systems, the DHSMV must publish and make electronically available to each county and municipality a model Request for Hearing form to assist in administering the hearing process.⁵⁵ A county or municipality authorizing traffic infraction enforcement officers to issue traffic citations must, by resolution, designate existing staff to serve as its clerk to the local hearing officer.⁵⁶

The clerk to the local hearing officer must provide notice of the hearing to any person (petitioner) who requests a hearing. Upon receiving the notice, the petitioner may reschedule the hearing once by submitting a written request to the clerk to the local hearing officer at least five calendar days before the date of the originally scheduled hearing. Before the hearing, the petitioner may cancel his or her hearing by paying the statutory penalty, plus \$50 in administrative costs.⁵⁷

All hearing testimony must be under oath and recorded. The local hearing officer must take testimony from a traffic infraction enforcement officer and the petitioner and may take testimony from others. The local hearing officer must review the images or video showing the alleged

⁵³ Section 316.173(1)(b), F.S.

⁵⁴ Section 316.003(38), F.S.

⁵⁵ Sections 316.0083(5)(a), and 316.1896(14)(a), F.S.

⁵⁶ Sections 316.0083(5)(b), and 316.1896(14)(b), F.S.

⁵⁷ Sections 316.0083(5)(c), and 316.1896(14)(c), F.S.

violation. Formal rules of evidence do not apply, but due process must be observed and governs the proceedings.⁵⁸

At the conclusion of the hearing, the local hearing officer determines whether or not a violation has occurred, in which case the hearing officer must uphold or dismiss the violation. The local hearing officer must issue a final administrative order including his or her determination and, if the he or she upholds the notice of violation, require the petitioner to pay the statutory penalty. The local hearing officer may also require the petitioner to pay county or municipal costs, not to exceed \$250. The final administrative order is mailed to the petitioner by first-class mail.

The only difference in the hearing procedures for traffic infraction detectors and speed detection systems is that the petitioner may reschedule his or her hearing up to two times prior to the date of the originally scheduled hearing for a speed detection system.

School Bus Infraction Detection Systems

For school bus infraction detection systems, a school district or county appointed local hearing officer administers an administrative hearing process for a contested notice of violation. The school district may appoint an attorney who is, and has been for the preceding five years, a member in good standing with The Florida Bar to serve as a local hearing officer. The county in which a school district has entered into an interlocal agreement with a law enforcement agency to issue uniform traffic citations may designate by resolution existing staff to serve as its local hearing officer.⁵⁹

At the hearing, the local hearing officer determines whether or not violation has occurred. If the local hearing officer finds by a preponderance of the evidence⁶⁰ that a violation has occurred, the local hearing officer must uphold the notice of violation and require the petitioner to pay the \$225 penalty. The local hearing officer must also require the petitioner to pay \$250 in administrative costs.⁶¹

The DHSMV must make available electronically to the school district or its designee or the county a Request for Hearing form to assist in administering the hearing process.⁶² A person (petitioner) who elects to request a hearing must be scheduled for a hearing. The hearing may be conducted either virtually via live video conferencing or in person.⁶³

Within 120 days after receiving a timely request for a hearing, the law enforcement agency or its designee must provide violation-related data to the school district or county. Then the school district or its designee or the county must mail a notice of hearing, which must include a hearing date and may at the discretion of the district or county include virtual and in-person hearing options, to the petitioner by first-class mail. Mailing of the notice of hearing constitutes

⁵⁸ Sections 316.0083(5)(d) and 316.1896(14)(d), F.S.

⁵⁹ Section 316.173(6)(a), F.S.

⁶⁰ Section 318.14(6), F.S., provides that the commission of a charged infraction under ch. 318, F.S.; relating to the disposition of traffic infractions, must be proved by a reasonable doubt.

⁶¹ Section 316.173(6)(a), F.S. These are the costs assessed in s. 316.0083(5), F.S., associated with red light camera costs.

⁶² Section 316.173(6)(b)1., F.S.

⁶³ Section 316.173(6)(b)2., F.S.

notification. Upon receiving the notice, the petitioner may reschedule the hearing once by submitting a written request to the local hearing officer at least five calendar days before the date of the originally scheduled hearing. The petitioner may cancel his or her hearing by paying the penalty assessed in the notice of violation.⁶⁴

All hearing testimony must be under oath but is not required to be recorded. The local hearing officer must take testimony from the law enforcement agency and the petitioner and may take testimony from others. The local hearing officer must review the video and images recorded by a school bus infraction detection system. Formal rules of evidence do not apply, but due process must be observed and govern the proceedings.⁶⁵

At the conclusion of the hearing, the local hearing officer determines by a preponderance of the evidence whether a violation has occurred and must uphold or dismiss the violation. The local hearing officer must issue a final administrative order including the determination and, if the notice of violation is upheld, require the petitioner to pay the civil penalty previously assessed in the notice of violation, and must also require the petitioner to pay costs, not to exceed \$250.⁶⁶

These costs must be used by the county for operational costs relating to the hearing process or by the school district for technology and operational costs relating to the hearing process as well as school transportation safety-related initiatives.⁶⁷ However, if a county's local hearing officer administers the administrative hearing process for a contested notice of violation, the costs imposed resulting from notice of violation are remitted to the county.⁶⁸

Hearing Costs

Sections 316.0083(5) and 318.18(23), F.S., provide that in addition to the penalty prescribed for a red light camera violation which is upheld, the local hearing officer may also order the payment of county or municipal costs not to exceed \$250. The assessment of \$250 in hearing costs is required for school bus infractions that are upheld by the local hearing officer.

While hearing provisions for school bus and school zone violations authorize the assessment of up to \$250 in local costs by referring to s. 316.0083(5), F.S.,⁶⁹ those hearing provisions are not mentioned in s. 318.18(23), F.S.

Effect of Proposed Changes

Definition of Local Hearing Officer

The bill amends the definition of the term “local hearing officer” to incorporate school bus infraction detection systems into that definition. The bill moves the qualifications for a school district local hearing officer to this provision and authorizes a school district to enter into an

⁶⁴ Section 316.173(6)(b)3., F.S.

⁶⁵ Section 316.173(6)(b)4., F.S.

⁶⁶ The statute cross-references s. 316.0083(5), F.S., relating to hearings regarding traffic infraction detectors.

⁶⁷ Section 316.173(6)(b)5., F.S.

⁶⁸ Sections 316.173(6)(b)5., and 318.18(5)(c)1., F.S.

⁶⁹ See ss. 316.173(6)(b)5., and 316.1896(14)(e), F.S.

interlocal agreement to use the county's local hearing officer. The bill also makes technical changes.

Traffic Infraction Detectors and Speed Detection Systems

The bill authorizes hearings to be conducted virtually through live video conferencing or in person, with the notice of the hearing including the option for a virtual or in person hearing. For traffic infraction detectors, the bill authorizes the petitioner to reschedule the hearing up to two times, consistent with the requirements governing speed detection systems.

School Bus Infraction Detection Systems

The bill moves the qualifications for school district local hearing officers in the administrative hearing provision and places them in the definition of local hearing officer. The bill also removes references to administrative hearings and the preponderance of the evidence standards for hearings. The bill also adds a clerk to the local hearing officer, consistent with other hearing provisions. The bill also requires hearing testimony to be recorded and clarifies that a representative of a law enforcement agency testifies at the hearing.

Hearing Costs

The bill amends s. 318.18(23), F.S., relating to hearing costs for traffic infraction detectors to incorporate speed detection systems and school bus infraction detection systems. The bill also reenacts 318.121, F.S., preempting the assessment of additional municipal or county fees related to traffic violations to incorporate this change.

Privacy Protections (Section 4)

Present Situation

School bus infraction detection system and speed detection system statutes contain various provisions regarding the use of data from such systems. Data from such systems may not be used for remote surveillance. The collection of evidence by such systems to enforce specific traffic violations does not constitute remote surveillance.⁷⁰

Video and images recorded as part of such systems may only be used for traffic enforcement and for purposes of determining criminal or civil liability for incidents captured by such systems incidental to the permissible use of such systems.⁷¹ To the extent practicable, such systems must use necessary technology to ensure that personal identifying information contained in the video or still images recorded by the system which is not relevant to the alleged violation is sufficiently obscured so as not to reveal such personal identifying information.⁷²

⁷⁰ Sections 316.173(17)(a)1., and 316.1896(15)(a), F.S.

⁷¹ Sections 316.173(17)(a)2., F.S.

⁷² Section 316.173(17)(a)3, and 316.1896(15)(b), F.S.

A notice of a violation or uniform traffic citation issued may not be dismissed solely because a recorded video or still images reveal personal identifying information as long as a reasonable effort has been made to comply with these requirements.⁷³

Any recorded video or still image obtained through the use of such systems must be destroyed within 90 days after the final disposition of the recorded event. The system's vendor must provide the authorizing entity (county, municipality, or school district) with written notice by December 31 of each year that it has destroyed such records.⁷⁴

However, motor vehicle owner registration information obtained as a result of the operation of such systems is not the property of the system's manufacturer or vendor and may be used only for specified purposes.⁷⁵

Effect of Proposed Changes

The bill establishes surveillance and privacy provisions for traffic infraction detectors that are identical to requirements for other camera-based enforcement programs.

Local Reporting Requirements (Sections 2, 7, and 8)

Present Situation

Traffic Infraction Detectors and Speed Detection Systems

A county or municipality operating one or more traffic infraction detectors or speed detection systems must annually report the results of all of its systems by placing its annual report to the DSHMV as a single reporting item on the agenda of a regular or special meeting of its governing body.⁷⁶ The public must be allowed to comment regarding the report, under the county's or municipality's public comment policies or formats, and the report may not be considered as part of a consent agenda.⁷⁷

The report to the governing body must include a written summary, which must be read aloud at the meeting, which must contain, for the same time period as its annual report to DHSMV, the number of notices of violation issued, the number that were contested, the number that were upheld, the number that were dismissed, the number that were issued as uniform traffic citations, and the number that were paid and how collected funds were distributed and in what amounts. The county or municipality must report to the DHSMV that its annual report was considered, including the date of the meeting at which the report was considered.⁷⁸

The compliance or sufficiency of compliance with the above reporting requirements may not be raised in a proceeding challenging a violation enforced by an automated system.⁷⁹

⁷³ Sections 316.173(17)(a)4., and 316.1896(15)(c), F.S.

⁷⁴ Section 316.173(17)(b), F.S.

⁷⁵ Section 316.173(17)(c), F.S.

⁷⁶ Section 316.0083(4)(a)2., F.S.

⁷⁷ Section 316.0083(4)(a)2.a., F.S.

⁷⁸ Section 316.0083(4)(a)2.b., F.S.

⁷⁹ Section 316.0083(4)(a)3., F.S.

For traffic infraction detectors, a county or municipality that does not comply with the above reporting requirements may not operate traffic infraction detectors until such noncompliance is corrected.⁸⁰

There are no such requirements for school bus infraction detection systems.

Effect of Proposed Changes

Speed Detection Systems

The bill amends reporting requirements to provide that if a county or municipality does not comply with requirements for the public discussion of its annual report during a meeting of its governing board, the county or municipality is suspended from operating speed detection systems until it corrects such noncompliance.

School Bus Infraction Detection Systems

The bill requires each school district with a school bus infraction detection system to present an annual report to the district school board, similar to the one currently required for municipalities and counties for other camera-related enforcement provisions. Interested members of the public must be allowed to comment on the report and the report may not be considered as part of a consent agenda.

The bill also makes technical changes relating to the reporting requirements for traffic infraction detectors.

Local Reports to DHSMV and Data Retention (Sections 4, 8, and 9)

Present Situation

Traffic Infraction Detectors

By October 1, annually, each county or municipality operating traffic infraction detectors must submit a report to the DHSMV detailing its use of such detectors and its procedures for enforcement for the preceding state fiscal year. The information submitted by the counties and municipalities must include information regarding violations, alternative safety countermeasures, and any additional data required by the DHSMV. The DHSMV must publish each report submitted by a county or municipality on its website.⁸¹

Speed Detection Systems

By October 1, annually, each county or municipality that operates one or more speed detection systems must submit a report to the DHSMV identifying the public safety objectives used to identify a school zone for enforcement, reports compliance with annual reporting requirements,

⁸⁰ Section 316.0083(4)(a)4., F.S.

⁸¹ Section 316.0083(4)(b), F.S. Copies of these reports are available at: <https://www.flhsmv.gov/resources/cabinet-and-legislature-reports/red-light-camera-program-analysis/> (last visited November 7, 2025).

and details the results of the speed detection system in the school zone and the procedures for enforcement. The DHSMV may require data components to be submitted quarterly. The report must include certain information regarding locations and use of systems, violations issued, and any other information required by the DHSMV.⁸²

School Bus Infraction Detection Systems

By October 1, 2023, and quarterly thereafter, each school district operating a school bus infraction detection system must submit to the DHSMV, in consultation with the law enforcement agencies with which it has interlocal agreements, a report detailing the results of its school bus infraction detection system for the preceding quarter. The information from the school districts must include certain information regarding such systems and their use.⁸³

For speed detection systems and school bus infraction detection systems, each entity operating such systems is responsible for and must maintain its respective data for reporting purposes for at least two years after it reports such data to the DHSMV.⁸⁴

Effect of Proposed Changes

Traffic Infraction Detectors

The bill requires each county or municipality operating a traffic infraction detector to be responsible for and maintain its data for the DHSMV reporting purposes for at least two years after the data is reported to the DHSMV.

Speed Detection Systems

The bill clarifies that each county or municipality's annual report to the DHSMV is for the preceding state fiscal year. The bill also requires the DHSMV to post on its website each report it receives from a municipality or county regarding the use of speed detection systems.

School Bus Infraction Detection Systems

The bill also amends the school district report to the DHSMV to make it annually by October 1, and to align the reporting period to the preceding state fiscal year. The bill also requires the DHSMV to place the reports it receives from school districts on its website.

The bill also repeals obsolete dates regarding reporting requirements.

DHSMV's Reports to the Governor and Legislature (Sections 4, 8, and 9)

Present Situation

For each camera enforcement program, annually, on or before December 31, the DHSMV must submit a report to the Governor, the President of the Senate, and the Speaker of the House of

⁸² Section 316.1896(16)(a), F.S.

⁸³ Section 316.173(18)(a), F.S.

⁸⁴ Section 316.173(18)(b), F.S.

Representatives regarding each camera enforcement program. These reports must review information it receives from counties and municipalities and provide any recommendations, including any recommended legislative changes.⁸⁵

Effect of Proposed Changes

The bill makes technical changes to reporting requirements for consistency between programs and for ease of understanding.

Distribution of Court Fines (Sections 1 and 14)

Present Situation

Under Florida law, 10 percent of all court-related fines collected by the clerks of court are deposited into the fine and forfeiture fund to be used for the clerk's court-related functions. The only exception is for penalties or fines distributed to counties or municipalities from violations enforced by traffic infraction detectors.⁸⁶

Florida law requires the \$200 penalty for a notice of violation or uniform traffic citation for school bus passing violation detected using school bus infraction detection system to be remitted to the school district at least monthly. This penalty must be used to administer the program, student transportation safety initiatives, and school bus driver recruitment and retention stipends. This is notwithstanding any other provision of law.⁸⁷

Effect of Proposed Changes

The bill removes the exception for penalties from traffic infraction detectors distributed to municipalities and counties. This amount will now be deposited into the clerk's fine and forfeiture fund.

The bill provides that the \$200 penalty remitted to the school district for violations detected using school bus infraction detection system, while notwithstanding any other provision of law, this does not include s. 28.37(6), F.S., distributing 10 percent of court-related fines to the clerk's fine and forfeiture fund.

Qualifications of Traffic Infraction Enforcement Officers (Section 11)

Present Situation

Any sheriff's department or municipal police department is authorized to employ traffic infraction enforcement officers. These officers must successfully complete instruction in traffic enforcement procedures and court presentation through the Selective Traffic Enforcement Program, approved by the Department of Law Enforcement's Division of Criminal Justice Standards and Training or a similar program. These officers are not otherwise required to meet

⁸⁵ Sections 316.0083(4)(c), 316.173(18)(c), and 316.1896(16)(c), F.S.

⁸⁶ Section 28.37(6), F.S.

⁸⁷ Section 318.18(5)(a)2., and (b)2., F.S.

the uniform minimum standards for law enforcement officers of auxiliary law enforcement officers.⁸⁸

A traffic infraction enforcement officer may issue a traffic citation for violations enforced by a traffic infraction detector or a speed detection system. For purposes of enforcing these violations, any sheriff's department or municipal police department may designate employees as traffic infraction enforcement officers. Traffic infraction enforcement officers must be physically located in the county of the respective sheriff's or municipal police department.⁸⁹

Effect of Proposed Changes

The bill authorizes traffic infraction enforcement officers to issue traffic citations enforced by school bus infraction detection systems. The bill also makes technical changes to that provision.

Courts – Traffic Citations – School Bus Infraction Detection Systems (Section 12)

Present Situation

Except for camera-enforced traffic violations,⁹⁰ each traffic enforcement officer, upon issuing a traffic citation, must deposit the original citation or an electronic replica of the citation data to the court with jurisdiction over the alleged offense or with its traffic violations bureau within five business days after the citation is issued to the violator.⁹¹

If a traffic citation is issued by the use of a traffic infraction detector or a speed detection system, the traffic infraction enforcement officer must electronically transmit a replica of the traffic citation data to the court with jurisdiction over the alleged offense or its traffic violations bureau within five business days after the date the traffic citation is issued to the violator. If a hearing is requested, the traffic infraction enforcement officer must provide a replica of the notice of violation data to the clerk for the local hearing officer with jurisdiction over the alleged offense within 14 days.⁹²

Effect of Proposed Changes

The bill adds violations detected by school bus infraction detection systems to the requirement that certain data be supplied to the clerk for the local hearing officer within 14 days. This corresponds with the repeal of the 120 day transmission requirement in the school bus infraction detection system's hearing provisions.

Failure to Comply or Failure to Appear – Driver License Suspension (Section 13)

Present Situation

For violations enforced by traffic infraction detectors, the clerk of court must notify the DHSMV of persons who were mailed a notice of violation and who failed to enter into or comply with the

⁸⁸ Section 316.640(5)(a), F.S.

⁸⁹ *Id.*

⁹⁰ This also includes toll violations.

⁹¹ Section 316.650(3)(a), F.S.

⁹² Section 316.650(3)(c), F.S.

terms of a penalty payment plan, order with the clerk to the local hearing officer, or failed to appear at a scheduled hearing. This notification must take place within 10 days after such failure and reference the person's driver's license number, or in the case of a business entity, vehicle registration number.⁹³

Upon receiving such notice, the DHSMV, or its authorized agent, may not issue a license plate or revalidation sticker for any motor vehicle owned or co-owned by that person until that person has fully paid the assessed amounts.⁹⁴

Effect of Proposed Changes

The bill requires clerks of court to notify the DHSMV of persons who were mailed notices of violation related to school bus and school zone camera violations, comply with certain orders, or failed to appear at the hearing. After such notification, the bill prohibits the DHSMV, or its authorized agent, from issuing a driver license to such person.

Withholding of a Motor Vehicle Registration (Section 16)

Present Situation

Except as otherwise provided by law, every motor vehicle operated or driven on Florida's roads must be registered.⁹⁵ The DHSMV is authorized to withhold any motor vehicle registration or re-registration if the vehicle's owner, or one of its co-owners, has a suspended driver license for failure to pay any traffic fine or driver license-related fines.⁹⁶

Effect of Proposed Changes

The bill authorizes the DHSMV to withhold a motor vehicle's registration or reregistration if the vehicle's owner or co-owner received a camera-enforced uniform traffic citation and did not request a hearing, submit an affidavit claiming an exemption, or pay the citation as provided in each camera enforcement program authorizing statute.

Time Limitations for Noncriminal Traffic Infractions (Section 17)

Present Situation

Among the exemptions from liability for a camera-enforced traffic infraction is that the vehicle was in the care, custody, and control of another person at the time of the violation. This can be established by submitting an affidavit providing specified information to the entity that issued the notice of violation or uniform traffic citation.⁹⁷

Section 775.15, F.S., provides time limitations for the prosecution of various offenses. Except as otherwise provided, the prosecution of a noncriminal violation must commence within one year

⁹³ Section 318.15(3), F.S.

⁹⁴ Section 318.15(3)(a), F.S.

⁹⁵ Section 322.02(1), F.S.

⁹⁶ Section 320.02(12), F.S. Traffic fines are administered pursuant to ch. 318, F.S., and driver licenses are administered pursuant to ch. 322, F.S.

⁹⁷ Sections 316.0083(1)(d), 316.173(11), and 316.173(8), F.S.

after the offense is committed.⁹⁸ This one year limitation starts to run on the day after the offense is committed.⁹⁹

Effect of Proposed Changes

The bill provides that for camera enforced traffic violations, the one year period of limitation for noncriminal violations resets upon receipt by the appropriate county, municipality, or law enforcement agency of an affidavit indicating that the motor vehicle was in the care, custody, and control of another person at the time of the violation, as authorized in the statutes providing exemptions from liability related to each camera enforcement program.

Effective Date (Section 20)

This bill takes effect on October 1, 2026.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

The bill does not appear to require counties and municipalities to expend funds or further limit their authority to raise revenue or receive state-shared revenues as specified by Article VII, s. 18 of the State Constitution.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None identified.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

⁹⁸ Section 775.15(2)(d), F.S.

⁹⁹ Section 775.15(3), F.S.

B. Private Sector Impact:

While the bill does not change the fundamental parameters of these camera-enforcement programs, changes made by the bill may have an indeterminate fiscal impact on the program vendors and contractors.

C. Government Sector Impact:

The Revenue Estimating Conference has not evaluated this bill. While the bill does not change the overall authorization and operational requirements associated with these camera-enforcement programs, the bill may have an indeterminate, negative fiscal impact on the state, counties, municipalities, and school districts.

The bill reduces the timeframes in which speed detection systems may be used in school zones to the times when the restrictive school zone speed limit is active. This may result in fewer notices of violation and traffic citations, resulting in a reduction in revenue to the state, counties or municipalities, and school districts.

The bill provides enhanced consistency and uniformity between these programs and could make their operations more efficient, thus reducing the administrative costs of the programs.

Additionally, the bill authorizes the clerks to retain 10 percent of all court-related fines collected by the clerk under ss. 316.0083(1)(b)3. and s. 318.18(16), F.S.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends the following sections of the Florida Statutes: 28.37, 316.003, 316.008, 316.0083, 316.07456, 316.0776, 316.173, 316.1896, 316.1906, 316.640, 316.650, 318.15, 318.18, 320.02, 322.27, 775.15, and 1006.21.

This bill repeals section 316.00831 of the Florida Statutes.

This bill reenacts section 318.121 of the Florida Statutes.

IX. Additional Information:**A. Committee Substitute – Statement of Substantial Changes:**

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

CS by Transportation on January 20, 2026:

The amendment:

- Clarifies that a county or municipality's annual report to the DHSMV is for the preceding state fiscal year;
- Provides that the clerks of court receive 10 percent of penalties assessed for infractions detected by a school bus infraction detection system; and
- Clarifies that the affidavit to extend the time limitation of a camera-enforced traffic violation must be received by the appropriate county, municipality, or law enforcement agency.

B. Amendments:

None.