

Agenda Order

**Tab 1** **CS/SB 382** by **TR, Truenow**; Similar to CS/H 00243 Electric Bicycles

**Tab 2** **SB 628** by **Gaetz**; Identical to H 00403 Transportation Facility Designations/Warrior Sacrifice Way

**Tab 3** **CS/SB 654** by **TR, DiCeglie**; Compare to H 00521 Traffic Infraction Enforcement

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**Tab 4** **SB 696** by **Martin**; Similar to CS/H 00679 Registration of Trademarks

**Tab 5** **SB 880** by **Jones**; Similar to H 00329 Specialty License Plates/Miami Northwestern Alumni Association

**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 382

**INTRODUCER:** Transportation Committee and Senator Truenow

**SUBJECT:** Electric Bicycles

**DATE:** January 27, 2026      **REVISED:** \_\_\_\_\_

ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1. <u>Shutes</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>FP</u>	_____

**Please see Section IX. for Additional Information:**

COMMITTEE SUBSTITUTE - Substantial Changes

## **I. Summary:**

CS/SB 382 provides that a person operating an electric bicycle on certain shared pathways must adhere to certain protocols. It also provides that a person operating an electric bicycle on a sidewalk or other area designated for pedestrians may not operate the electric bicycle at a speed greater than 10 miles per hour if a pedestrian is within 50 feet of the electric bicycle.

The bill creates the Electric Bicycle Safety Task Force, adjunct to the Department of Highway Safety and Motor Vehicles (Department), and provides certain requirements for membership and administrative requirements related to data collection and reporting.

The bill will have an indeterminate fiscal impact on private and governmental sectors. See Section V., Fiscal Impact Statement for details.

The bill shall take effect upon becoming a law.

## **II. Present Situation:**

### **Electric Bicycle Regulations**

An electric bicycle is defined as a bicycle or tricycle equipped with fully operable pedals, a seat or saddle for the use of the rider, and an electric motor of less than 750 watts which meets the requirements of one of the following three classifications:

- “Class 1 electric bicycle” means an electric bicycle equipped with a motor that provides assistance only when the rider is pedaling and that ceases to provide assistance when the electric bicycle reaches the speed of 20 miles per hour.
- “Class 2 electric bicycle” means an electric bicycle equipped with a motor that may be used exclusively to propel the electric bicycle and that ceases to provide assistance when the electric bicycle reaches the speed of 20 miles per hour.
- “Class 3 electric bicycle” means an electric bicycle equipped with a motor that provides assistance only when the rider is pedaling and that ceases to provide assistance when the electric bicycle reaches the speed of 28 miles per hour.<sup>1</sup>

Florida law provides that an electric bicycle or an operator of an electric bicycle shall be afforded all the rights and privileges, and be subject to all of the duties, of a bicycle or the operator of a bicycle, including those of traditional bicycle regulations.<sup>2</sup> An electric bicycle is a vehicle to the same extent as a bicycle.<sup>3</sup> Florida law allows local governments to adopt ordinances governing the operation of electric bicycles on streets, highways, sidewalks, and sidewalk areas under or within the local government’s jurisdiction.<sup>4</sup> It prevents a municipality, county, or agency of the state having jurisdiction over a bicycle path, multiuse path, or trail network from restricting or prohibiting the operation of an electric bicycle on a bicycle path, multiuse path, or trail network.<sup>5</sup> It also prevents a municipality, county, or agency of the state having jurisdiction over a beach or dune, from restricting or prohibiting the operation of an electric bicycle on such beach or dune.<sup>6</sup>

An electric bicycle, or an operator of an electric bicycle, is not subject to the provisions of law relating to financial responsibility, driver or motor vehicle licenses, vehicle registration, title certificates, off-highway motorcycles, or off-highway vehicles.<sup>7</sup>

Beginning in January 2021, manufacturers and distributors of electric bicycles were mandated to apply a label to be permanently affixed in a prominent location to each electric bicycle. The label contains the classification number, top assisted speed, and motor wattage of the electric bicycle.<sup>8</sup> A person is prohibited from tampering with or modifying an electric bicycle so as to change the motor-powered speed capability or engagement of an electric bicycle, unless the label indicating the classification number is replaced under certain requirements.<sup>9</sup>

Under Federal Law, an electric bicycle must comply with the equipment and manufacturing requirements for bicycles adopted by the United States Consumer Product Safety Commission under 16 C.F.R. part 1512.

An electric bicycle must operate in the following manner:

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<sup>1</sup> Section 316.003(23), F.S.

<sup>2</sup> Section 316.20655(1), F.S.

<sup>3</sup> *Id.*

<sup>4</sup> *Id.*

<sup>5</sup> *Id.*

<sup>6</sup> *Id.*

<sup>7</sup> Section 316.20655(2), F.S.

<sup>8</sup> Section 316.20655(3), F.S.

<sup>9</sup> Section 316.20655(4), F.S.

- The electric motor is disengaged or ceases to function when the rider stops pedaling or when the brakes are applied;
- Operators may ride an electric bicycle where bicycles are allowed, including, but not limited to, streets, highways, roadways, shoulders, bicycle lanes, and bicycle or multiuse paths.<sup>10</sup>

A local government may adopt an ordinance providing one or more minimum age requirements to operate an electric bicycle and may adopt an ordinance requiring an operator of an electric bicycle to possess a government-issued photographic identification while operating the electric bicycle.<sup>11</sup> Also, a local government may provide training on the safe operation of electric bicycles and compliance with the traffic laws of this state that apply to electric bicycles.<sup>12</sup>

### **Written Reports of Crashes and Crash Report Forms**

Section 316.066, F.S., provides that a Florida Traffic Crash Report, Long Form must be completed and submitted to the Department within 10 days after an investigation is completed by the law enforcement officer. The Florida Crash Report Long Form must include the following information:

- The date, time, and location of the crash;
- A description of the vehicles involved;
- The names and addresses of the parties involved, including all drivers and passengers, and the identification of the vehicle in which each was a driver or a passenger;
- The names and addresses of witnesses;
- The name, badge number, and law enforcement agency of the officer investigating the crash; and
- The names of the insurance companies for the respective parties involved in the crash.<sup>13</sup>

In any crash for which a Florida Traffic Crash Report, Long Form is not required and which occurs on the public roadways of this state, the law enforcement officer must complete a short-form crash report or provide a driver exchange-of-information form, to be completed by all drivers and passengers involved in the crash, which requires the identification of each vehicle that the drivers and passengers were in.<sup>14</sup> The short-form crash report contains the same information as listed above in the long-form.

Every crash report required to be made in writing must be made on the appropriate form approved by the DHSMV and must contain all the information from the long and short forms.<sup>15</sup>

### **III. Effect of Proposed Changes:**

The bill amends section 316.20655, F.S., to provide that a person operating an electric bicycle that is not located adjacent to a roadway, including a shared pathway located in a park or recreational area, shall yield to pedestrians and shall give an audible signal before overtaking and

<sup>10</sup> Section 316.20655(6) and (7), F.S.

<sup>11</sup> Section 316.20655(8), F.S.

<sup>12</sup> Section 316.20655(9), F.S.

<sup>13</sup> Section 316.066, F.S.

<sup>14</sup> Section 316.066(c), F.S.

<sup>15</sup> Section 316.068, F.S.

passing a pedestrian. Any person operating an electric bicycle on a sidewalk or any other area designated for pedestrian use may not operate the electric bicycle at a speed greater than 10 miles per hour if a pedestrian is within 50 feet of the electric bicycle. A person who fails to comply commits a non-criminal traffic infraction, punishable as a nonmoving violation as provided in chapter 318, F.S.

The bill requires that an Electric Bicycle Safety Task Force be created, adjunct to the Department and shall provide administrative and staff support services related to functions of the task force.

The purpose of this task force is to examine and recommend improvements to state law enforcement and regulatory framework governing electric bicycles in order to encourage the safe operation of electric bicycles and to prevent traffic incidents, injuries, and fatalities involving such bicycles.

The task force shall be composed of the executive director of the Department, his or her designee; the secretary of the Department of Transportation (DOT), or his or her designee; and the following members who shall be appointed by the executive director of the Department:

- A representative from the Florida Sheriff's Association.
- A representative from the Florida Police Chiefs Association.
- A representative from the Florida League of Cities.
- A representative from the Florida Association on Counties.
- A representative from the medical field with experience relating to treating bicycle and pedestrian injuries.
- A representative from an organization involved in efforts to prevent bicycle, including electric bicycle, injuries and fatalities.

Appointments for this task force must be made within 15 days after the effective date of this act.

The executive director of the Department, or his or her designee, must chair the task force. Any vacancy on the task force must be filled in the same manner as the original appointment.

The task force shall convene no later than 30 days after the effective date of this act. The task force shall meet at least monthly but may meet more frequently at the call of the chair. At least one meeting of the task force must occur in each of the following regions of the state: North Florida, Central Florida, and South Florida. All meetings shall be held at the time and place designated by the chair.

Members of the task force shall serve without compensation but are entitled to receive reimbursement for per diem and travel expenses pursuant to section 112.061, F.S.

The task force shall develop a report that includes legislative recommendations for improvements to state law and the regulatory framework governing electric bicycles. The report must consider methods to improve traffic safety for electric bicycle operators and riders, pedestrians, and other vehicle operators through reasonable measures designed to reduce traffic incidents, injuries, and fatalities. Before October 1, 2026, the task force shall submit the report to the Governor, the President of the Senate, and the Speaker of the House of Representatives. Upon submission of the report, the task force is dissolved. This section expires October 1, 2026.

Beginning 30 days after the effective date of this act, the Florida Highway Patrol and each police department and sheriff's office shall maintain a list of all traffic crashes that the respective agency investigates which involve an electric bicycle. Any such traffic crash must be included in the list, regardless of whether the crash is reported on a Florida Traffic Crash Report, Long Form; short-form crash report; or driver exchange-of-information form. The list must contain the following information for each traffic crash:

- Date and time of the crash.
- Class of electric bicycle involved in the crash.
- Age of the electric bicycle operator involved in the crash.
- If known, whether the electric bicycle operator possessed a valid Florida learner's driver license or driver license at the time of the crash.

By October 31, 2026, the Department shall submit to the Governor, the President of the Senate, and the Speaker of the House of Representatives a report summarizing the reports submitted to the Department, and including the list created by the Florida Highway Patrol. The report must separate the traffic crash data by county and list the reporting law enforcement agencies within each county.

The bill takes effect upon becoming a law.

#### **IV. Constitutional Issues:**

##### **A. Municipality/County Mandates Restrictions:**

None.

##### **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.

**B. Private Sector Impact:**

A person operating an electric bike on a shared pathway, sidewalk, or other area designated for pedestrian use in violation of the provisions of the bill would be subject to a noncriminal traffic infraction, punishable as a nonmoving violation.

**C. Government Sector Impact:**

The Department will incur costs associated with providing administrative staffing and support to the newly created Electric Bicycle Safety Task Force. Costs can be absorbed within existing Department resources.

**VI. Technical Deficiencies:**

None.

**VII. Related Issues:**

None.

**VIII. Statutes Affected:**

This bill substantially amends section 316.20655 of the Florida Statutes.

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

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

**CS by Transportation on January 20, 2026:**

The committee substitute removes various provisions in the bill relating to equipment and operational requirements governing electric bicycles, scooters and motorcycles. The committee substitute provides that a person operating an electric bicycle on certain shared pathways must adhere to certain protocols. It also provides that a person operating an electric bicycle on a sidewalk or other area designated for pedestrians may not operate the electric bicycle at a speed greater than 10 miles per hour if a pedestrian is within 50 foot of the electric bicycle. It creates the Electric Bicycle Safety Task Force, adjunct to the Department of Highway Safety and Motor Vehicles and provides certain requirements for membership and administrative requirements related to data collection and reporting.

**B. Amendments:**

None.

**By** the Committee on Transportation; and Senator Truenow

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30 sheriff's office to submit a certain report to the  
31 department by a specified date; requiring the  
32 department to provide a certain report to the Governor  
33 and Legislature by a specified date; providing  
34 effective dates.

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

38           Section 1. Effective July 1, 2026, subsection (10) is added  
39 to section 316.20655, Florida Statutes, to read:

40 316.20655 Electric bicycle regulations.-

41                   (10) (a) A person operating an electric bicycle on a shared  
42 pathway that is not located adjacent to a roadway, including a  
43 shared pathway located in a park or recreational area, shall  
44 yield to pedestrians and shall give an audible signal before  
45 overtaking and passing a pedestrian.

(b) A person operating an electric bicycle on a sidewalk or any other area designated for pedestrian use may not operate the electric bicycle at a speed greater than 10 miles per hour if a pedestrian is within 50 feet of the electric bicycle.

50       (c) A person who fails to comply with this subsection  
51       commits a noncriminal traffic infraction, punishable as a  
52       nonmoving violation as provided in chapter 318.

53 Section 2. Electric Bicycle Safety Task Force.—

54                   (1) CREATION.—The Electric Bicycle Safety Task Force, a  
55                   task force as defined in s. 20.03(5), Florida Statutes, is  
56                   created adjunct to the Department of Highway Safety and Motor  
57                   Vehicles. The department shall provide administrative and staff  
58                   support services related to the functions of the task force.

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59       (2) PURPOSE.—The purpose of the task force is to examine  
60 and recommend improvements to state law and regulatory framework  
61 governing electric bicycles in order to encourage the safe  
62 operation of electric bicycles and to prevent traffic incidents,  
63 injuries, and fatalities involving such bicycles.

64       (3) MEMBERSHIP; MEETINGS.—

65       (a) The task force shall be composed of the executive  
66 director of the Department of Highway Safety and Motor Vehicles,  
67 or his or her designee; the secretary of the Department of  
68 Transportation, or his or her designee; and the following  
69 members, who shall be appointed by the executive director of the  
70 Department of Highway Safety and Motor Vehicles:

71       1. A representative from the Florida Sheriffs Association.

72       2. A representative from the Florida Police Chiefs

73 Association.

74       3. A representative from the electric bicycle industry.

75       4. A representative from the Florida League of Cities.

76       5. A representative from the Florida Association of  
77 Counties.

78       6. A representative from the medical field with experience  
79 relating to treating bicycle and pedestrian injuries.

80       7. A representative from an organization involved in  
81 efforts to prevent bicycle, including electric bicycle, injuries  
82 and fatalities.

83       (b) Appointments to the task force must be made within 15  
84 days after the effective date of this act.

85       (c) The executive director of the department, or his or her  
86 designee, shall chair the task force. Any vacancy on the task  
87 force must be filled in the same manner as the original

596-02023-26

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88 appointment.89 (d) The task force shall convene no later than 30 days  
90 after the effective date of this act. The task force shall meet  
91 at least monthly, but may meet more frequently at the call of  
92 the chair. At least one meeting of the task force must occur in  
93 each of the following regions of the state: North Florida,  
94 Central Florida, and South Florida. All meetings shall be held  
95 at the time and place designated by the chair.96 (e) Members of the task force shall serve without  
97 compensation but are entitled to receive reimbursement for per  
98 diem and travel expenses pursuant to s. 112.061, Florida  
99 Statutes.100 (4) REPORT.—The task force shall develop a report that  
101 includes legislative recommendations for improvements to state  
102 law and the regulatory framework governing electric bicycles.  
103 The report must take into account methods to improve traffic  
104 safety for electric bicycle operators and riders, pedestrians,  
105 and other vehicle operators through reasonable measures designed  
106 to reduce traffic incidents, injuries, and fatalities. Before  
107 October 1, 2026, the task force shall submit the report to the  
108 Governor, the President of the Senate, and the Speaker of the  
109 House of Representatives. Upon submission of the report, the  
110 task force is dissolved.111 (5) EXPIRATION.—This section expires October 1, 2026.112 Section 3. (1) Beginning 30 days after the effective date  
113 of this act, the Florida Highway Patrol and each police  
114 department and sheriff's office shall maintain a list of all  
115 traffic crashes that the respective agency investigates which  
116 involve an electric bicycle. Any such traffic crash must be

596-02023-26

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117     included in the list, regardless of whether the crash is  
118     reported on a Florida Traffic Crash Report, Long Form; short-  
119     form crash report; or driver exchange-of-information form. The  
120     list must contain the following information for each traffic  
121     crash:

122         (a) Date and time of the crash.

123         (b) Class of electric bicycle involved in the crash.

124         (c) Age of the electric bicycle operator involved in the  
125     crash.

126         (d) If known, whether the electric bicycle operator  
127     possessed a valid Florida learner's driver license or driver  
128     license at the time of the crash.

129         (2) By October 15, 2026, each police department and  
130     sheriff's office shall submit a report to the Department of  
131     Highway Safety and Motor Vehicles which contains the list  
132     required under subsection (1) of traffic crashes investigated by  
133     the respective police department or sheriff's office from the  
134     beginning of the reporting period to September 30, 2026. The  
135     report must be submitted in a form and manner determined by the  
136     department.

137         (3) By October 31, 2026, the Department of Highway Safety  
138     and Motor Vehicles shall submit to the Governor, the President  
139     of the Senate, and the Speaker of the House of Representatives a  
140     report summarizing the reports submitted to the department  
141     pursuant to subsection (2) and including the list created by the  
142     Florida Highway Patrol pursuant to subsection (1). The report  
143     must separate the traffic crash data by county and list the  
144     reporting law enforcement agencies within each county.

145         Section 4. Except as otherwise provided in this act, this

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146 act shall take effect upon becoming a law.

**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: SB 628

INTRODUCER: Senator Gaetz

SUBJECT: Transportation Facility Designations/Warrior Sacrifice Way

DATE: January 27, 2026 REVISED: \_\_\_\_\_

ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1. <u>Johnson</u>	<u>Vickers</u>	<u>TR</u>	<u>Favorable</u>
2. <u>Griffin</u>	<u>Nortelus</u>	<u>ATD</u>	<u>Pre-meeting</u>
3. _____	_____	<u>FP</u>	_____

## I. Summary:

SB 628 designates that portion of S.R. 295/Navy Boulevard between Duncan Road and S.R. 292/Gulf Beach Highway in Escambia County as “Warrior Sacrifice Way” and directs the Florida Department of Transportation (FDOT) to erect suitable markers.

The FDOT estimates its cost to install the designation markers is \$2,400. See Section V., Fiscal Impact Statement below for details.

The bill takes effect July 1, 2026.

## II. Present Situation:

Section 334.071, F.S., provides that legislative designations of transportation facilities are for honorary or memorial purposes or to distinguish a particular facility. Such designations may not be construed as requiring any action by local governments or private parties regarding the changing of any street signs, mailing addresses, or 911 emergency telephone number system listings, unless the legislation specifically provides for such changes.<sup>1</sup>

When the Legislature establishes road or bridge designations, the Florida Department of Transportation (FDOT) is required to place markers only at the termini specified for each highway segment or bridge designated and to erect any other markers it deems appropriate for the transportation facility.<sup>2</sup>

The FDOT may not erect the markers for honorary road or bridge designations unless the affected city or county commission enacts a resolution supporting the designation. When the

<sup>1</sup> Section 334.071(1), F.S.

<sup>2</sup> Section 334.071(2), F.S.

designated road or bridge segment is located in more than one city or county, each affected local government must pass resolutions supporting the designations before the installation of the markers.<sup>3</sup>

### **Warrior Sacrifice Way**

Warrior Sacrifice Way honors the victims of the terrorist attack at Naval Air Station Pensacola on December 6, 2019, where three men were killed and eight others were injured.<sup>4</sup>

### **III. Effect of Proposed Changes:**

**Section 1** creates an undesignated section of Florida law designating that portion of S.R. 295/Navy Boulevard between Duncan Road and S.R. 292/Gulf Beach Highway in Escambia County as “Warrior Sacrifice Way” and directs the FDOT to erect suitable markers.

**Section 2** provides that the bill takes effect July 1, 2026.

### **IV. Constitutional Issues:**

#### **A. Municipality/County Mandates Restrictions:**

None.

#### **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.

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<sup>3</sup> Section 334.071(3), F.S.

<sup>4</sup> NBC News, *Suspected shooter at Naval Air Station Pensacola was Saudi Air Force member*, December 6, 2019, <https://www.nbcnews.com/news/us-news/active-shooter-reported-naval-air-station-pensacola-n1096966> (last visited January 5, 2026).

**B. Private Sector Impact:**

None.

**C. Government Sector Impact:**

The FDOT estimates that its cost to erect the designation markers required by this bill to be \$2,400. This assumes that a minimum of two markers are required at the FDOT's cost of no less than \$1,200 each.<sup>5</sup> This estimate includes labor, materials, manufacturing, and installation. The FDOT expects to absorb this cost within existing resources.

**VI. Technical Deficiencies:**

None.

**VII. Related Issues:**

None.

**VIII. Statutes Affected:**

This bill creates an undesignated section of the Florida Statutes.

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

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

None.

**B. Amendments:**

None.

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This Senate Bill Analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.

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<sup>5</sup> Email from Jack Rogers, Legislative Affairs Director, Florida Department of Transportation, RE: Transportation Facility Designation Costs, December 9, 2024. (On file with Senate Committee on Transportation). Confirmed by an email from Jack Rogers, RE SB 174 – Charlie Kirk Designation, October 22, 2025. (On file with Senate Committee on Transportation).

By Senator Gaetz

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A bill to be entitled

An act relating to transportation facility designations; providing an honorary designation of a certain transportation facility in a specified county; directing the Department of Transportation to erect suitable markers; providing an effective date.

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

Section 1. Warrior Sacrifice Way designated; Department of Transportation to erect suitable markers.—

(1) That portion of S.R. 295/Navy Boulevard between Duncan Road and S.R. 292/Gulf Beach Highway in Escambia County is designated as "Warrior Sacrifice Way."

(2) The Department of Transportation is directed to erect suitable markers designating Warrior Sacrifice Way as described in subsection (1).

Section 2. This act shall take effect July 1, 2026.

**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>FP</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.<sup>1</sup>

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

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

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

<b>Camera Program</b>	<b>Penalty</b>	<b>Penalty Distribution</b>
Traffic Infraction Detectors (Red Light Cameras) <sup>6</sup>	\$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) <sup>7</sup>	\$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) <sup>8</sup>	\$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:<sup>9</sup>

<sup>1</sup> 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).

<sup>2</sup> Chapter 316, F.S. This preemption is codified in s. 316.0776, F.S.

<sup>3</sup> Chapter 2010-80, Laws of Fla.

<sup>4</sup> Chapter 2023-174, Laws of Fla.

<sup>5</sup> Chapter 2023-171, Laws of Fla.

<sup>6</sup> Section 316.0083(1)(c) and 318.18(16), F.S.

<sup>7</sup> Sections 316.1896(5) and 318.18(3), F.S.

<sup>8</sup> Sections 316.173(8) and 318.18(5), F.S.

<sup>9</sup> 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](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),<sup>10</sup> counties, and municipalities to use traffic infraction enforcement officers to issue traffic citations for red light running<sup>11</sup> when enforced by traffic infraction detectors.<sup>12</sup> 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.<sup>13</sup>

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.<sup>14</sup> 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.<sup>15</sup>

#### *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,<sup>16</sup> in excess of 10 miles per hour over the speed limit in a school zone as follows:

- For unlawful speed in a school zone<sup>17</sup> within 30 minutes before, through 30 minutes after the start of a regularly scheduled breakfast program.

<sup>10</sup> The Department of Highway Safety and Motor Vehicles has never used its authority.

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

<sup>12</sup> 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.

<sup>13</sup> Section 316.0083(1)(a), F.S.

<sup>14</sup> Sections 316.0083(1)(a) and (2), F.S.

<sup>15</sup> Section 316.0083(1)(a), F.S.

<sup>16</sup> 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.

<sup>17</sup> 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 speed<sup>18</sup> 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.<sup>19</sup>

### *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 systems<sup>20</sup> on any of its school buses.<sup>21</sup> 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.<sup>22</sup>

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 violations<sup>23</sup> within the school district. This agreement jointly establishes enforcement responsibilities and the reimbursement of costs.<sup>24</sup>

### ***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.<sup>25</sup>

<sup>18</sup> Unlawful speed is a violation of s. 316.183, F.S.

<sup>19</sup> Sections 316.008(9)(a) and 316.1896(1)(a), F.S.

<sup>20</sup> 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.

<sup>21</sup> Section 316.173(1), F.S.

<sup>22</sup> Section 1006.21(3)(h), F.S.

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

<sup>24</sup> Section 316.173(1)(d), F.S.

<sup>25</sup> 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.<sup>26</sup>

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

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<sup>26</sup> 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.<sup>27</sup>

#### *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.<sup>28</sup> 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.<sup>29</sup>

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.<sup>30</sup> 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.

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

<sup>28</sup> Section 316.173(1)(b), F.S.

<sup>29</sup> Sections 316.0776(2)(b) and (3)(b) and 316.173(3), F.S.

<sup>30</sup> 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.<sup>31</sup> However, the sufficiency of signage or compliance with signage requirements may not be raised in a proceeding challenging a violation.<sup>32</sup>

### ***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.<sup>33</sup> When permitted by the FDOT, a county, or a municipality may install and operate such systems on state roads.<sup>34</sup> All traffic infraction detectors and speed detection systems must meet the FDOT's placement, installation, and testing specifications.<sup>35</sup>

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.<sup>36</sup>

For speed detection systems, the FDOT was required to establish such specifications by December 31, 2023.<sup>37</sup> 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.<sup>38</sup>

#### *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

<sup>31</sup> Sections 316.173(2)(a) and (b), F.S.

<sup>32</sup> Section 316.173(2)(c), F.S.

<sup>33</sup> Sections 316.008(8)(a), and 316.0773(3), F.S. F.S.

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

<sup>35</sup> Sections 316.07456 and 316.0776(3)(a), F.S.

<sup>36</sup> Section 316.07456, F.S.

<sup>37</sup> Section 316.0776(3)(a), F.S.

<sup>38</sup> 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.<sup>39</sup>

### ***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;<sup>40</sup> or
- Request a hearing.<sup>41</sup>

The \$158 penalty, less the amount retained by the county or municipality, is remitted to the Department of Revenue (DOR) weekly.<sup>42</sup> 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.<sup>43</sup>

#### *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.<sup>44</sup>

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

<sup>40</sup> Exemptions are listed in s. 316.0083(1)(d), F.S.,

<sup>41</sup> Section 316.0083(1)(b)1.a., F.S.

<sup>42</sup> Section 316.0083(1)(b)2., F.S.

<sup>43</sup> Section 316.00831, F.S.

<sup>44</sup> 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.<sup>45</sup> 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.<sup>46</sup>

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.<sup>47</sup>

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.<sup>48</sup>

#### *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.

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

<sup>46</sup> Section 316.173(4), F.S.

<sup>47</sup> Section 316.173(5), F.S.

<sup>48</sup> 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.<sup>49</sup>

#### *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.<sup>50</sup>

#### *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.<sup>51</sup>

### ***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.<sup>52</sup>

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

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<sup>49</sup> Section 316.0083(1)(c)1.b., F.S.

<sup>50</sup> Section 316.1896(6), F.S.

<sup>51</sup> Section 316.173(9), F.S.

<sup>52</sup> 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.<sup>53</sup>

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.<sup>54</sup>

#### *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.<sup>55</sup> 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.<sup>56</sup>

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.<sup>57</sup>

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

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<sup>53</sup> Section 316.173(1)(b), F.S.

<sup>54</sup> Section 316.003(38), F.S.

<sup>55</sup> Sections 316.0083(5)(a), and 316.1896(14)(a), F.S.

<sup>56</sup> Sections 316.0083(5)(b), and 316.1896(14)(b), F.S.

<sup>57</sup> 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.<sup>58</sup>

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.<sup>59</sup>

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 evidence<sup>60</sup> 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.<sup>61</sup>

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.<sup>62</sup> 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.<sup>63</sup>

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

<sup>58</sup> Sections 316.0083(5)(d) and 316.1896(14)(d), F.S.

<sup>59</sup> Section 316.173(6)(a), F.S.

<sup>60</sup> 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.

<sup>61</sup> 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.

<sup>62</sup> Section 316.173(6)(b)1., F.S.

<sup>63</sup> 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.<sup>64</sup>

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.<sup>65</sup>

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.<sup>66</sup>

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.<sup>67</sup> 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.<sup>68</sup>

#### *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.,<sup>69</sup> 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

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<sup>64</sup> Section 316.173(6)(b)3., F.S.

<sup>65</sup> Section 316.173(6)(b)4., F.S.

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

<sup>67</sup> Section 316.173(6)(b)5., F.S.

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

<sup>69</sup> 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.<sup>70</sup>

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.<sup>71</sup> 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.<sup>72</sup>

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<sup>70</sup> Sections 316.173(17)(a)1., and 316.1896(15)(a), F.S.

<sup>71</sup> Sections 316.173(17)(a)2., F.S.

<sup>72</sup> 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.<sup>73</sup>

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.<sup>74</sup>

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.<sup>75</sup>

### ***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 DHSMV as a single reporting item on the agenda of a regular or special meeting of its governing body.<sup>76</sup> 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.<sup>77</sup>

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.<sup>78</sup>

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.<sup>79</sup>

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

<sup>74</sup> Section 316.173(17)(b), F.S.

<sup>75</sup> Section 316.173(17)(c), F.S.

<sup>76</sup> Section 316.0083(4)(a)2., F.S.

<sup>77</sup> Section 316.0083(4)(a)2.a., F.S.

<sup>78</sup> Section 316.0083(4)(a)2.b., F.S.

<sup>79</sup> 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.<sup>80</sup>

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.<sup>81</sup>

#### *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,

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<sup>80</sup> Section 316.0083(4)(a)4., F.S.

<sup>81</sup> 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.<sup>82</sup>

#### *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.<sup>83</sup>

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.<sup>84</sup>

#### ***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

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<sup>82</sup> Section 316.1896(16)(a), F.S.

<sup>83</sup> Section 316.173(18)(a), F.S.

<sup>84</sup> 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.<sup>85</sup>

#### ***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.<sup>86</sup>

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.<sup>87</sup>

#### ***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

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

<sup>86</sup> Section 28.37(6), F.S.

<sup>87</sup> Section 318.18(5)(a)2., and (b)2., F.S.

the uniform minimum standards for law enforcement officers of auxiliary law enforcement officers.<sup>88</sup>

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.<sup>89</sup>

### ***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,<sup>90</sup> 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.<sup>91</sup>

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.<sup>92</sup>

### ***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

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<sup>88</sup> Section 316.640(5)(a), F.S.

<sup>89</sup> *Id.*

<sup>90</sup> This also includes toll violations.

<sup>91</sup> Section 316.650(3)(a), F.S.

<sup>92</sup> 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.<sup>93</sup>

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.<sup>94</sup>

#### ***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.<sup>95</sup> 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.<sup>96</sup>

#### ***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.<sup>97</sup>

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

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<sup>93</sup> Section 318.15(3), F.S.

<sup>94</sup> Section 318.15(3)(a), F.S.

<sup>95</sup> Section 322.02(1), F.S.

<sup>96</sup> 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.

<sup>97</sup> Sections 316.0083(1)(d), 316.173(11), and 316.173(8), F.S.

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

### ***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.

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<sup>98</sup> Section 775.15(2)(d), F.S.

<sup>99</sup> 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.

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This Senate Bill Analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.

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LEGISLATIVE ACTION

Senate

House

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The Appropriations Committee on Transportation, Tourism, and Economic Development (DiCeglie) recommended the following:

1                   **Senate Amendment (with title amendment)**

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3                   Delete lines 248 - 1359

4 and insert:

5                   after coming to a complete stop and, in the traffic enforcement  
6                   officer's determination, failed to yield to a pedestrian or  
7                   bicyclist or placed a pedestrian or bicyclist in danger of  
8                   injury as a result of the right-hand turn, failed to yield to  
9                   another vehicle, or did not substantially reduce the speed of  
10                   the motor vehicle before making the right-hand turn.



190034

11        (4) (a)1. A county or municipality that desires to have one  
12 or more traffic infraction detectors placed or installed on or  
13 after July 1, 2025, in an area where no traffic infraction  
14 detectors are currently placed or installed must enact an  
15 ordinance in order to authorize the placement or installation  
16 of, or to authorize contracting with a vendor for the placement  
17 or installation of, one or more traffic infraction detectors to  
18 enforce s. 316.074(1) or s. 316.075(1)(c)1. As part of the  
19 public hearing on such proposed ordinance, the county or  
20 municipality must consider traffic data or other evidence  
21 supporting the installation and operation of each traffic  
22 infraction detector, and the county or municipality must  
23 determine that the intersection at which a traffic infraction  
24 detector is to be placed or installed constitutes a heightened  
25 safety risk that warrants additional enforcement measures.

26        2. A county or municipality that operates one or more  
27 traffic infraction detectors must annually report the results of  
28 all traffic infraction detectors within the county's or  
29 municipality's jurisdiction by placing the annual report to the  
30 department required under paragraph (b) as a single reporting  
31 item on the agenda of a regular or special meeting of the  
32 county's or municipality's governing body. Before a county or  
33 municipality contracts or renews a contract to place or install  
34 one or more traffic infraction detectors, the county or  
35 municipality must approve the contract or contract renewal at a  
36 regular or special meeting of the county's or municipality's  
37 governing body.

38        a. Interested members of the public must be allowed to  
39 comment regarding the report, contract, or contract renewal



40 under the county's or municipality's public comment policies or  
41 procedures formats, and the report, contract, or contract  
42 renewal may not be considered as part of a consent agenda.

43 b. The report required under this subparagraph must include  
44 a written summary, which must be read aloud at the regular or  
45 special meeting, and the summary must contain, for the same time  
46 period pertaining to the annual report to the department  
47 required under paragraph (b), the number of notices of violation  
48 issued, the number that were contested, the number that were  
49 upheld, the number that were dismissed, the number that were  
50 issued as uniform traffic citations, and the number that were  
51 paid and how collected funds were distributed and in what  
52 amounts. The county or municipality must report to the  
53 department that the county's or municipality's annual report was  
54 considered in accordance with this subparagraph, including the  
55 date of the regular or special meeting at which the annual  
56 report was considered.

57 3. The compliance or sufficiency of compliance with this  
58 paragraph may not be raised in a proceeding challenging a  
59 violation of s. 316.074(1) or s. 316.075(1)(c)1. enforced by a  
60 traffic infraction detector.

61 4. A county or municipality that does not comply with this  
62 paragraph may not operate is suspended from operating traffic  
63 infraction detectors under this subsection until such  
64 noncompliance is corrected.

65 (b) Each county or municipality that operates a traffic  
66 infraction detector shall submit a report by October 1,  
67 annually, to the department which details the results of using  
68 the traffic infraction detector and the procedures for



enforcement for the preceding state fiscal year. The information submitted by the counties and municipalities must include:

1. 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, the number that were paid, and the number in each of the preceding categories for which the notice of violation was issued for a right-hand turn violation.

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

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

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

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

(d) On or before December 31, annually, the department shall provide a summary report to the Governor, the President of the Senate, and the Speaker of the House of Representatives regarding the use and operation of traffic infraction detectors under this section, along with the department's recommendations and any recommended necessary legislation. The summary report must include a review of the information submitted to the



98 department by the counties and municipalities and must describe  
99 the enhancement of the traffic safety and enforcement programs.

100 (5) Procedures for a hearing under this section are as  
101 follows:

102 (a) The department shall publish and make available  
103 electronically to each county and municipality a model Request  
104 for Hearing form to assist each county and municipality local  
105 government administering this section.

106 (b) The ~~charter county, noncharter~~ county, or municipality  
107 electing to authorize traffic infraction enforcement officers to  
108 issue traffic citations under paragraph (1) (a) shall designate  
109 by resolution existing staff to serve as the clerk to the local  
110 hearing officer.

111 (c) Any person, herein referred to as the "petitioner," who  
112 elects to request a hearing under paragraph (1) (b) must shall be  
113 scheduled for a hearing. The hearing may be conducted either  
114 virtually through live video conferencing or in person. The  
115 clerk to the local hearing officer shall provide the petitioner  
116 with notice of the hearing, including the option for a virtual  
117 or in-person hearing, which must by the clerk to the local  
118 hearing officer to appear before a local hearing officer with  
119 notice to be sent by first-class mail. Upon receipt of the  
120 notice, the petitioner may reschedule the hearing up to two  
121 times once by submitting a written request to reschedule to the  
122 clerk to the local hearing officer, at least 5 calendar days  
123 before the day of the originally scheduled hearing. The  
124 petitioner may cancel his or her appearance before the local  
125 hearing officer by paying the penalty assessed under paragraph  
126 (1) (b), plus \$50 in administrative costs, before the start of



127 the hearing.

128 (6) (a)1. A traffic infraction detector may not be used for  
129 remote surveillance. The collection of evidence by a traffic  
130 infraction detector to enforce violations of s. 316.074(1) or s.  
131 316.075(1) (c)1. does not constitute remote surveillance.

132 2. Video and images recorded by a traffic infraction  
133 detector may be used only for the enforcement of violations of  
134 s. 316.074(1) or s. 316.075(1) (c)1. and for purposes of  
135 determining criminal or civil liability captured by the traffic  
136 infraction detector incidental to the permissible use of a  
137 traffic infraction detector.

138 3. To the extent practicable, a traffic infraction detector  
139 must use necessary technology to ensure that personal  
140 identifying information contained in the video and images  
141 recorded by the traffic infraction detector which is not  
142 relevant to the alleged violation is sufficiently obscured so as  
143 to not reveal such personal identifying information.

144 4. A notice of violation or a uniform traffic citation  
145 issued under this section may not be dismissed solely because  
146 the recorded video or images reveal personal identifying  
147 information as provided in subparagraph 3. as long as a  
148 reasonable effort has been made to comply with this subsection.

149 (b) Any recorded video or image obtained through the use of  
150 a traffic infraction detector must be destroyed within 90 days  
151 after the final disposition of the recorded event. The vendor of  
152 the traffic infraction detector must provide the county or  
153 municipality with written notice by December 31 of each year  
154 that such records have been destroyed in accordance with this  
155 paragraph.



190034

156        (c) Notwithstanding any other law, motor vehicle  
157 registration and owner information obtained as the result of the  
158 operation of a traffic infraction detector is not the property  
159 of the manufacturer or vendor of the traffic infraction detector  
160 and may be used only for purposes authorized in this section.

161        Section 5. Section 316.00831, Florida Statutes, is  
162 repealed.

163        Section 6. Section 316.07456, Florida Statutes, is amended  
164 to read:

165        316.07456 Traffic infraction detectors; specifications  
166 ~~Transitional implementation.~~—Any traffic infraction detector  
167 deployed on the highways, streets, and roads of this state must  
168 meet specifications established by the Department of  
169 Transportation, and must be tested at regular intervals  
170 according to specifications prescribed by the Department of  
171 Transportation. ~~The Department of Transportation must establish~~  
172 ~~such specifications on or before December 31, 2010. However, any~~  
173 ~~such equipment acquired by purchase, lease, or other arrangement~~  
174 ~~under an agreement entered into by a county or municipality on~~  
175 ~~or before July 1, 2011, or equipment used to enforce an~~  
176 ~~ordinance enacted by a county or municipality on or before July~~  
177 ~~1, 2011, is not required to meet the specifications established~~  
178 ~~by the Department of Transportation until July 1, 2011.~~

179        Section 7. Paragraph (b) of subsection (2) and subsection  
180 (3) of section 316.0776, Florida Statutes, are amended to read:

181        316.0776 Traffic infraction detectors; speed detection  
182 systems; placement and installation.—

183        (2)

184        (b) If the department, county, or municipality begins a



185 traffic infraction detector program in a county or municipality  
186 that has never conducted such a program, the respective  
187 department, county, or municipality must shall also make a  
188 public announcement and conduct a public awareness campaign of  
189 the proposed use of traffic infraction detectors at least 30  
190 days before commencing the enforcement program. During the 30-  
191 day public awareness campaign, only a warning may be issued to  
192 the registered owner of a motor vehicle for a violation of s.  
193 316.074(1) or s. 316.075(1)(c)1. enforced by a traffic  
194 infraction detector, and a penalty may not be imposed pursuant  
195 to s. 318.18(16)(a)2. or 3.

196 (3) A speed detection system authorized by s. 316.008(9)  
197 may be placed or installed in a school zone on a state road when  
198 permitted by the Department of Transportation and in accordance  
199 with placement and installation specifications developed by the  
200 Department of Transportation. The speed detection system may be  
201 placed or installed in a school zone on a street or highway  
202 under the jurisdiction of a county or a municipality in  
203 accordance with placement and installation specifications  
204 established by the Department of Transportation. ~~The Department~~  
205 ~~of Transportation must establish such placement and installation~~  
206 ~~specifications by December 31, 2023.~~

207 (a) If a county or municipality places or installs a speed  
208 detection system as authorized by s. 316.008(9), the county or  
209 municipality must notify the public that a speed detection  
210 system may be in use by posting signage indicating photographic  
211 or video enforcement of the school zone speed limits. Such  
212 signage must shall clearly designate the time period during  
213 which the school zone speed limits are enforced using a speed



214 detection system and must meet the placement and installation  
215 specifications established by the Department of Transportation.  
216 For a speed detection system enforcing violations of s. 316.1895  
217 ~~or s. 316.183~~ on a roadway maintained as a school zone, this  
218 paragraph governs the signage notifying the public of the use of  
219 a speed detection system.

220 (b) If a county or municipality begins a school zone speed  
221 detection system program in a county or municipality that has  
222 never conducted such a program, the respective county or  
223 municipality must make a public announcement and conduct a  
224 public awareness campaign of the proposed use of speed detection  
225 systems at least 30 days before commencing enforcement under the  
226 speed detection system program and must notify the public of the  
227 specific date on which the program will commence. During the 30-  
228 day public awareness campaign, only a warning may be issued to  
229 the registered owner of a motor vehicle for a violation of s.  
230 316.1895 ~~or s. 316.183~~ enforced by a speed detection system, and  
231 liability may not be imposed for the civil penalty under s.  
232 318.18(3) (d).

233 (c) A county or municipality that operates one or more  
234 school zone speed detection systems shall ~~must~~ annually report  
235 the results of all systems within the county's or municipality's  
236 jurisdiction by placing the report required under s.  
237 316.1896(16) (a) as a single reporting item on the agenda of a  
238 regular or special meeting of the county's or municipality's  
239 governing body. Before a county or municipality contracts or  
240 renews a contract to place or install a speed detection system  
241 in a school zone pursuant to s. 316.008(9), the county or  
242 municipality must approve the contract or contract renewal at a



190034

243 regular or special meeting of the county's or municipality's  
244 governing body.

245 1. Interested members of the public must be allowed to  
246 comment regarding the report, contract, or contract renewal  
247 under the county's or municipality's public comment policies or  
248 procedures formats, and the report, contract, or contract  
249 renewal may not be considered as part of a consent agenda.

250 2. The report required under this paragraph must include a  
251 written summary, which must be read aloud at the regular or  
252 special meeting, and the summary must contain, for the same time  
253 period pertaining to the annual report to the department under  
254 s. 316.1896(16) (a), the number of notices of violation issued,  
255 the number that were contested, the number that were upheld, the  
256 number that were dismissed, the number that were issued as  
257 uniform traffic citations, and the number that were paid and how  
258 collected funds were distributed and in what amounts. The county  
259 or municipality shall ~~must~~ report to the department that the  
260 county's or municipality's annual report was considered in  
261 accordance with this paragraph, including the date of the  
262 regular or special meeting at which the annual report was  
263 considered.

264 3. The compliance or sufficiency of compliance with this  
265 paragraph may not be raised in a proceeding challenging a  
266 violation of s. 316.1895 ~~or s. 316.183~~ enforced by a speed  
267 detection system in a school zone.

268 4. A county or municipality that does not comply with this  
269 paragraph may not operate a speed detection system under this  
270 section until such noncompliance is corrected.

271 Section 8. Subsection (1), paragraph (c) of subsection (2),



190034

272 subsections (4) and (6), paragraph (a) of subsection (17), and  
273 subsections (18) and (19) of section 316.173, Florida Statutes,  
274 are amended to read:

275 316.173 School bus infraction detection systems.—

276 (1) (a) A school district may install and operate a school  
277 bus infraction detection system on a school bus for the purpose  
278 of enforcing s. 316.172(1)(a) and (b) as provided in and  
279 consistent with this section.

280 (b) A school district that desires to install one or more  
281 school bus infraction detection systems on school buses in its  
282 fleet must have specific authorization from the district school  
283 board to place or install, or contract with a vendor to install,  
284 operate, and maintain, school bus infraction detection systems  
285 to enforce s. 316.172(1)(a) and (b). As part of a public hearing  
286 held by the school board on such authorization, the school board  
287 shall consider traffic data or other evidence supporting the  
288 installation and operation of each school bus infraction  
289 detection system, and the school board shall determine whether  
290 the school bus route for which school bus infraction detection  
291 systems are to be placed or installed constitutes a heightened  
292 safety risk that warrants additional enforcement measures.

293 Interested members of the public must be allowed to comment  
294 regarding a contract or renewal of a contract for the  
295 installation, operation, and maintenance of school bus  
296 infraction detection systems under the school board's public  
297 comment policies or procedures, and the contract or contract  
298 renewal may not be considered as part of a consent agenda.

299 (c) After an affirmative vote from the school board  
300 authorizing such a contract, the school district may enter into



190034

301 a contract with a private vendor or manufacturer to install a  
302 school bus infraction detection system on any school bus in  
303 ~~within~~ its fleet, whether owned, contracted, or leased, and for  
304 services including, but not limited to, the installation,  
305 operation, and maintenance of the system. ~~The school district's~~  
306 ~~decision to install school bus infraction detection systems must~~  
307 ~~be based solely on the need to increase public safety.~~ An  
308 individual may not receive a commission from any revenue  
309 collected from violations detected through the use of a school  
310 bus infraction detection system. A private vendor or  
311 manufacturer may not receive a fee or remuneration based upon  
312 the number of violations detected through the use of a school  
313 bus infraction detection system. This paragraph may not be  
314 construed to prohibit a private vendor or manufacturer from  
315 receiving a fixed amount of collected proceeds for service  
316 rendered in relation to the installation, operation, or  
317 maintenance of school bus infraction detection systems.

318 (d) ~~(e)~~ The school district shall ~~must~~ ensure that each  
319 school bus infraction detection system meets the requirements of  
320 subsection (19).

321 (e) ~~(d)~~ The school district must enter into an interlocal  
322 agreement with one or more law enforcement agencies authorized  
323 to enforce violations of s. 316.172(1)(a) and (b) within the  
324 school district which jointly establishes the responsibilities  
325 of enforcement and the reimbursement of costs associated with  
326 school bus infraction detection systems consistent with this  
327 section. For school bus infraction detection system programs  
328 established after October 1, 2026, the school district must  
329 enter into an interlocal agreement before beginning its school



330 bus infraction detection system program.

331 (f) For purposes of administering this section, a law  
332 enforcement agency may authorize a traffic infraction  
333 enforcement officer under s. 316.640 to issue uniform traffic  
334 citations for violations of s. 316.172(1) (a) and (b). This  
335 paragraph does not prohibit the review of information from a  
336 school bus infraction detection system by an authorized employee  
337 or agent of the school district or law enforcement agency before  
338 issuance of the traffic citation by the traffic infraction  
339 enforcement officer. This paragraph does not prohibit the law  
340 enforcement agency or its designee from issuing a notification  
341 as provided in subsection (5) to the registered owner of the  
342 motor vehicle involved in the violation of s. 316.172(1) (a) or  
343 (b).

344 (2)

345 ~~(e) The sufficiency of signage or compliance with the~~  
346 ~~signage requirements under this subsection may not be raised in~~  
347 ~~a proceeding challenging a violation of s. 316.172(1) (a) or (b).~~

348 (4) Within 30 days after an alleged violation of s.  
349 316.172(1) (a) or (b) is recorded by a school bus infraction  
350 detection system, the school district or the private vendor or  
351 manufacturer under paragraph (1) (c) +1)(b) must submit the  
352 following information to a law enforcement agency that has  
353 entered into an interlocal agreement with the school district  
354 pursuant to paragraph (1) (e) +1)(d) and has traffic infraction  
355 enforcement jurisdiction at the location where the alleged  
356 violation occurred:

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



190034

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

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

362        (6) (a) A local hearing officer appointed by the school  
363 district or county shall administer a ~~an administrative~~ hearing  
364 process for a contested notice of violation. ~~The school district~~  
365 ~~may appoint an attorney who is, and has been for the preceding 5~~  
366 ~~years, a member in good standing with The Florida Bar to serve~~  
367 ~~as a local hearing officer.~~ The county in which a school  
368 district has entered into an interlocal agreement with a law  
369 enforcement agency to issue uniform traffic citations may  
370 designate by resolution existing staff to serve as clerk to the  
371 local hearing officer. At the ~~administrative~~ hearing, the local  
372 hearing officer shall determine whether a violation of s.

373        316.172(1) (a) or (b) has occurred. If the local hearing officer  
374 finds ~~by a preponderance of the evidence~~ that a violation has  
375 occurred, the local hearing officer must uphold the notice of  
376 violation and require the petitioner to pay the penalty  
377 previously assessed under s. 318.18(5). The local hearing  
378 officer may ~~shall~~ also require the petitioner to pay costs  
379 consistent with this subsection.

380        (b) Procedures for a ~~an administrative~~ hearing conducted  
381 under this subsection are as follows:

382        1. The department shall make available electronically to  
383 the school district ~~or its designee~~ or the county a Request for  
384 Hearing form to assist each district or county with  
385 administering this subsection.

386        2. A person, referred to in this paragraph as the  
387 petitioner, who elects to request a hearing under this



190034

388 subsection must ~~shall~~ be scheduled for a hearing. The hearing  
389 may be conducted either virtually through ~~via~~ live video  
390 conferencing or in person.

391 3. The clerk to the local hearing officer shall provide the  
392 petitioner with notice of the hearing, including the option for  
393 a virtual or in-person hearing, which must be sent ~~Within 120~~  
394 ~~days after receipt of a timely request for a hearing, the law~~  
395 ~~enforcement agency or its designee shall provide a replica of~~  
396 ~~the notice of violation data to the school district or county by~~  
397 ~~manual or electronic transmission, and thereafter the school~~  
398 ~~district or its designee or the county shall mail a notice of~~  
399 ~~hearing, which shall include a hearing date and may at the~~  
400 ~~discretion of the district or county include virtual and in-~~  
401 ~~person hearing options, to the petitioner~~ by first-class mail.  
402 Mailing of the notice of hearing constitutes notification. Upon  
403 receipt of the notice ~~of hearing~~, the petitioner may reschedule  
404 the hearing up to two times ~~once~~ by submitting a written request  
405 to the local hearing officer at least 5 calendar days before the  
406 day of the originally scheduled hearing. The petitioner may  
407 cancel his or her hearing by paying the penalty assessed in the  
408 notice of violation and any costs authorized in s.  
409 316.0083(5)(c) before the start of the hearing.

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



190034

417 proceedings.

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

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

435           (c) Any hearing for a contested notice of violation that  
436 has not been conducted before July 1, 2025, may be conducted  
437 pursuant to the procedures in this subsection within 1 year  
438 after such date.

439           (17) (a)1. A school bus infraction detection system may not  
440 be used for remote surveillance. The collection of evidence by a  
441 school bus infraction detection system to enforce violations of  
442 s. 316.172 does not constitute remote surveillance.

443           2. Video and images recorded as part of a school bus  
444 infraction detection system may only be used for traffic  
445 enforcement and for purposes of determining criminal or civil



190034

446 liability ~~for incidents~~ captured by the school bus infraction  
447 detection system incidental to the permissible use of the school  
448 bus infraction detection system.

449       3. To the extent practicable, a school bus infraction  
450 detection system must use necessary technology to ensure that  
451 personal identifying information contained in the video or still  
452 images recorded by the system which is not relevant to the  
453 alleged violation, including, but not limited to, the identity  
454 of the driver and any passenger of a motor vehicle, the interior  
455 or contents of a motor vehicle, the identity of an uninvolved  
456 person, a number identifying the address of a private residence,  
457 and the contents or interior of a private residence, is  
458 sufficiently obscured so as not to reveal such personal  
459 identifying information.

460       4. A notice of a violation or uniform traffic citation  
461 issued under this section may not be dismissed solely because a  
462 recorded video or still images reveal personal identifying  
463 information as provided in subparagraph 3. as long as a  
464 reasonable effort has been made to comply with this subsection.

465       (18) (a)1. A school district that operates one or more  
466 school bus infraction detection systems shall annually report  
467 the results of all such systems operated within the school  
468 district by placing the annual report to the department required  
469 under paragraph (b) as a single reporting item on the agenda of  
470 a regular or special meeting of the school board.

471       2. Interested members of the public must be allowed to  
472 comment regarding the report under the school board's public  
473 comment policies or procedures, and the report may not be  
474 considered as part of a consent agenda.



190034

475       3. The report required under this paragraph must include a  
476       written summary, which must be read aloud at the regular or  
477       special meeting, and the summary must contain, for the same time  
478       period as the annual report to the department under paragraph  
479       (b), the number of school buses that have a school bus  
480       infraction detection system installed, including the date of  
481       installation and, if applicable, the date the systems were  
482       removed; the number of notices of violations issued and the  
483       number that were contested, the number that were upheld, the  
484       number that were dismissed, the number that were issued as  
485       uniform traffic citations, and the number that were paid; and  
486       the manner in which collected funds were distributed and in what  
487       amounts.

488       4. The compliance or sufficiency of compliance with this  
489       paragraph may not be raised in a proceeding challenging a  
490       violation of s. 316.172(a) or (b) enforced by a school bus  
491       infraction detection system.

492       5. A school district that does not comply with this  
493       paragraph may not operate school bus infraction detection  
494       systems under this section until such noncompliance is  
495       corrected.

496       (b) By October 1, annually 2023, and quarterly thereafter,  
497       each school district operating a school bus infraction detection  
498       system shall ~~must~~ submit, in consultation with the law  
499       enforcement agencies with which it has interlocal agreements  
500       pursuant to this section, a report to the department which  
501       details the results of the school bus infraction detection  
502       systems in the school district during the preceding state fiscal  
503       year in the preceding quarter. The information from the school



504 districts must be submitted in a form and manner determined by  
505 the department, ~~which the department must make available to the~~  
506 ~~school districts by August 1, 2023,~~ and must include at least  
507 the following:

508 1. The number of school buses that have a school bus  
509 infraction detection system installed, including the date of  
510 installation and, if applicable, the date the systems were  
511 removed.

512 2. The number of notices of violations issued, the number  
513 that were contested, the number that were upheld, the number  
514 that were dismissed, the number that were issued as uniform  
515 traffic citations, and the number that were paid.

516 3. Data for each infraction to determine locations in need  
517 of safety improvements. Such data may include, but is not  
518 limited to, global positioning system coordinates of the  
519 infraction, the date and time of the infraction, and the name of  
520 the school that the school bus was transporting students to or  
521 from.

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

524  
525 The department shall publish on its website each report  
526 submitted by a school district pursuant to this paragraph.

527 (c)(b) Each school district that operates a school bus  
528 infraction detection system is responsible for and shall ~~must~~  
529 maintain its respective data for reporting purposes under this  
530 subsection for at least 2 years after such data is reported to  
531 the department.

532 (d)(e) On or before December 31, ~~2024~~, and annually



190034

533 ~~thereafter~~, the department shall submit a summary report to the  
534 Governor, the President of the Senate, and the Speaker of the  
535 House of Representatives regarding the use and operation of  
536 school bus infraction detection systems under this section,  
537 along with the department's recommendations and any recommended  
538 legislation. The summary report must include a review of the  
539 information submitted to the department by the school districts  
540 and must describe the enhancement of traffic safety and  
541 enforcement programs.

542 (19) A school bus infraction detection system must meet  
543 specifications established by the State Board of Education and  
544 must be tested at regular intervals according to specifications  
545 prescribed by state board rule. ~~The state board must establish~~  
546 ~~such specifications by rule on or before December 31, 2023.~~  
547 ~~However, any such equipment acquired by purchase, lease, or~~  
548 ~~other arrangement under an agreement entered into by a school~~  
549 ~~district on or before December 31, 2023, is not required to meet~~  
550 ~~the specifications established by the state board until July 1,~~  
551 ~~2024.~~

552 Section 9. Subsection (1), paragraphs (b) and (c) of  
553 subsection (2), subsections (3), (5) through (9), (12), and  
554 (13), paragraph (c) of subsection (14), paragraph (a) of  
555 subsection (15), and paragraphs (a) and (c) of subsection (16)  
556 of section 316.1896, Florida Statutes, are amended to read:

557 316.1896 Roadways maintained as school zones; speed  
558 detection system enforcement; penalties; appeal procedure;  
559 privacy; reports.—

560 (1) For purposes of administering this section, a county or  
561 municipality may authorize a traffic infraction enforcement



190034

562 officer under s. 316.640 to issue uniform traffic citations for  
563 violations of s. 316.1895 during the times listed in s.  
564 316.1895(5) ss. 316.1895 and 316.183 as authorized by s.  
565 316.008(9), as follows:

566 ~~(a) For a violation of s. 316.1895 in excess of 10 miles~~  
567 ~~per hour over the school zone speed limit which occurs within 30~~  
568 ~~minutes before through 30 minutes after the start of a regularly~~  
569 ~~scheduled breakfast program.~~

570 ~~(b) For a violation of s. 316.1895 in excess of 10 miles~~  
571 ~~per hour over the school zone speed limit which occurs within 30~~  
572 ~~minutes before through 30 minutes after the start of a regularly~~  
573 ~~scheduled school session.~~

574 ~~(c) For a violation of s. 316.183 in excess of 10 miles per~~  
575 ~~hour over the posted speed limit during the entirety of a~~  
576 ~~regularly scheduled school session.~~

577 ~~(d) For a violation of s. 316.1895 in excess of 10 miles~~  
578 ~~per hour over the school zone speed limit which occurs within 30~~  
579 ~~minutes before through 30 minutes after the end of a regularly~~  
580 ~~scheduled school session.~~

581  
582 Such violation must be evidenced by a speed detection system  
583 described in ss. 316.008(9) and 316.0776(3). This subsection  
584 does not prohibit a review of information from a speed detection  
585 system by an authorized employee or agent of a county or  
586 municipality before issuance of the uniform traffic citation by  
587 the traffic infraction enforcement officer. This subsection does  
588 not prohibit a county or municipality from issuing notices as  
589 provided in subsection (2) to the registered owner of the motor  
590 vehicle for a violation of s. 316.1895. The school zone speed



591 limit may not be enforced through the use of a speed detection  
592 system if any flashing beacon used to provide notice of the  
593 times during which a restrictive school speed limit is being  
594 enforced in the school zone is not activated at the time of the  
595 violation or s. 316.183.

596 (2) Within 30 days after a violation, notice must be sent  
597 to the registered owner of the motor vehicle involved in the  
598 violation specifying the remedies available under s. 318.14 and  
599 that the violator must pay the penalty under s. 318.18(3)(d) to  
600 the county or municipality, or furnish an affidavit in  
601 accordance with subsection (8), within 30 days after the date of  
602 the notice of violation in order to avoid court fees, costs, and  
603 the issuance of a uniform traffic citation. The notice of  
604 violation must:

605 (b) Include a photograph or other recorded image showing  
606 the license plate of the motor vehicle; the date, time, and  
607 location of the violation; the maximum speed at which the motor  
608 vehicle was traveling within the school zone; and the speed  
609 limit within the school zone ~~at the time of the violation~~.

610 (c) Include a notice that the owner has the right to  
611 review, in person or remotely, the photograph or video captured  
612 by the speed detection system and the evidence of the speed of  
613 the motor vehicle detected by the speed detection system which  
614 constitute a rebuttable presumption that the motor vehicle was  
615 used in violation of s. 316.1895 ~~or s. 316.183.~~

616 (3) Notwithstanding any other law, a person who receives a  
617 notice of violation under this section may request a hearing  
618 within 60 30 days after the notice of violation or may pay the  
619 penalty pursuant to the notice of violation, but a payment or



190034

620 fee may not be required before the hearing requested by the  
621 person. The notice of violation must be accompanied by, or  
622 direct the person to a website that provides, information on the  
623 person's right to request a hearing and on all costs related  
624 thereto and a form used for requesting a hearing. As used in  
625 this subsection, the term "person" includes a natural person,  
626 the registered owner or co-owner of a motor vehicle, or the  
627 person identified in an affidavit as having actual care,  
628 custody, or control of the motor vehicle at the time of the  
629 violation.

630 (5) Penalties assessed and collected by the county or  
631 municipality authorized to collect the funds provided for in  
632 this section, less the amount retained by the county or  
633 municipality pursuant to paragraphs (b) and (e) ~~paragraph (b)~~  
634 ~~and paragraph (e)~~ and the amount remitted to the county school  
635 district pursuant to paragraph (d), must be paid to the  
636 Department of Revenue weekly. Such payment must be made by means  
637 of electronic funds transfer. In addition to the payment, a  
638 detailed summary of the penalties remitted must be reported to  
639 the Department of Revenue. Penalties to be assessed and  
640 collected by the county or municipality as established in s.  
641 318.18(3)(d) must be remitted as follows:

642 (a) Twenty dollars must be remitted to the Department of  
643 Revenue for deposit into the General Revenue Fund.

644 (b) Sixty dollars must be retained by the county or  
645 municipality and must be used to administer speed detection  
646 systems in school zones and other public safety initiatives.

647 (c) Three dollars must be remitted to the Department of  
648 Revenue for deposit into the Department of Law Enforcement



649 Criminal Justice Standards and Training Trust Fund.

650 (d) Twelve dollars must be remitted to the county school  
651 district in which the violation occurred and must be used for  
652 school security initiatives, for student transportation, or to  
653 improve the safety of student walking conditions. Funds remitted  
654 under this paragraph must be shared with charter schools in the  
655 district based on each charter school's proportionate share of  
656 the district's total unweighted full-time equivalent student  
657 enrollment and must be used for school security initiatives or  
658 to improve the safety of student walking conditions.

659 (e) Five dollars must be retained by the county or  
660 municipality for the School Crossing Guard Recruitment and  
661 Retention Program pursuant to s. 316.1894.

662

663 Under a school zone speed detection system contract entered into  
664 or renewed on or after October 1, 2026, an individual may not  
665 receive a commission or per-ticket fee from any revenue  
666 collected from violations detected through the use of a speed  
667 detection system. A manufacturer or vendor of speed detection  
668 systems may not receive a fee or remuneration based upon the  
669 number of violations detected through the use of a speed  
670 detection system.

671 (6) A uniform traffic citation must be issued by mailing  
672 the uniform traffic citation by certified mail to the address of  
673 the registered owner of the motor vehicle involved in the  
674 violation if payment has not been made within 60 30 days after  
675 notification under subsection (2), if the registered owner has  
676 not requested a hearing as authorized under subsection (3), and  
677 if the registered owner has not submitted an affidavit in



678 accordance with subsection (8).

679 (a) Delivery of the uniform traffic citation constitutes  
680 notification of a violation under this subsection. If the  
681 registered owner or co-owner of the motor vehicle; the person  
682 identified as having care, custody, or control of the motor  
683 vehicle at the time of the violation; or a duly authorized  
684 representative of the owner, co-owner, or identified person  
685 initiates a proceeding to challenge the citation pursuant to  
686 this section, such person waives any challenge or dispute as to  
687 the delivery of the uniform traffic citation.

688 (b) In the case of joint ownership of a motor vehicle, the  
689 uniform traffic citation must be mailed to the first name  
690 appearing on the motor vehicle registration, unless the first  
691 name appearing on the registration is a business organization,  
692 in which case the second name appearing on the registration may  
693 be used.

694 (c) The uniform traffic citation mailed to the registered  
695 owner of the motor vehicle involved in the infraction must be  
696 accompanied by the information described in paragraphs (2) (b) -  
697 (d).

698 (7) The registered owner of the motor vehicle involved in  
699 the violation is responsible and liable for paying the uniform  
700 traffic citation issued for a violation of s. 316.1895 ~~or s.~~  
701 ~~316.183~~ unless the owner can establish that:

702 (a) The motor vehicle was, at the time of the violation, in  
703 the care, custody, or control of another person;

704 (b) A uniform traffic citation was issued by law  
705 enforcement to the driver of the motor vehicle for the alleged  
706 violation of s. 316.1895 ~~or s. 316.183~~; or



707       (c) The motor vehicle's owner was deceased on or before the  
708 date of the alleged violation, as established by an affidavit  
709 submitted by the representative of the motor vehicle owner's  
710 estate or other identified person or family member.

711       (8) To establish such facts under subsection (7), the  
712 registered owner of the motor vehicle must, within 60 30 days  
713 after the date of issuance of the notice of violation or the  
714 uniform traffic citation, furnish to the appropriate  
715 governmental entity an affidavit setting forth information  
716 supporting an exception under subsection (7).

717       (a) An affidavit supporting the exception under paragraph  
718 (7)(a) must include the name, address, date of birth, and, if  
719 known, the driver license number of the person who leased,  
720 rented, or otherwise had care, custody, or control of the motor  
721 vehicle at the time of the alleged violation. If the motor  
722 vehicle was stolen at the time of the alleged violation, the  
723 affidavit must include the police report indicating that the  
724 motor vehicle was stolen.

725       (b) If a uniform traffic citation for a violation of s.  
726 316.1895 ~~or s. 316.183~~ was issued at the location of the  
727 violation by a law enforcement officer, the affidavit must  
728 include the serial number of the uniform traffic citation.

729       (c) If the motor vehicle's owner to whom a notice of  
730 violation or a uniform traffic citation has been issued is  
731 deceased, the affidavit must include a certified copy of the  
732 owner's death certificate showing that the date of death  
733 occurred on or before the date of the alleged violation and one  
734 of the following:

735       1. A bill of sale or other document showing that the



736 deceased owner's motor vehicle was sold or transferred after his  
737 or her death but on or before the date of the alleged violation.

738 2. Documented proof that the registered license plate  
739 belonging to the deceased owner's motor vehicle was returned to  
740 the department or any branch office or authorized agent of the  
741 department after his or her death but on or before the date of  
742 the alleged violation.

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

747  
748 Upon receipt of the affidavit and documentation required under  
749 paragraphs (b) and (c), or 60 30 days after the date of issuance  
750 of a notice of violation sent to a person identified as having  
751 care, custody, or control of the motor vehicle at the time of  
752 the violation under paragraph (a), the county or municipality  
753 must dismiss the notice or citation and provide proof of such  
754 dismissal to the person who submitted the affidavit. If, within  
755 30 days after the date of a notice of violation sent to a person  
756 under subsection (9), the county or municipality receives an  
757 affidavit under subsection (10) from the person sent a notice of  
758 violation affirming that the person did not have care, custody,  
759 or control of the motor vehicle at the time of the violation,  
760 the county or municipality must notify the registered owner that  
761 the notice or citation will not be dismissed due to failure to  
762 establish that another person had care, custody, or control of  
763 the motor vehicle at the time of the violation.

764 (9) Upon receipt of an affidavit under paragraph (8)(a),



190034

765 the county or municipality may issue the person identified as  
766 having care, custody, or control of the motor vehicle at the  
767 time of the violation a notice of violation pursuant to  
768 subsection (2) for a violation of s. 316.1895 ~~or s. 316.183~~. The  
769 affidavit is admissible in a proceeding pursuant to this section  
770 for the purpose of providing evidence that the person identified  
771 in the affidavit was in actual care, custody, or control of the  
772 motor vehicle. The owner of a leased motor vehicle for which a  
773 uniform traffic citation is issued for a violation of s.  
774 316.1895 ~~or s. 316.183~~ is not responsible for paying the uniform  
775 traffic citation and is not required to submit an affidavit as  
776 specified in subsection (8) if the motor vehicle involved in the  
777 violation is registered in the name of the lessee of such motor  
778 vehicle.

779 (12) The photograph or video captured by a speed detection  
780 system and the evidence of the speed of the motor vehicle  
781 detected by a speed detection system which are attached to or  
782 referenced in the uniform traffic citation are evidence of a  
783 violation of s. 316.1895 ~~or s. 316.183~~ and are admissible in any  
784 proceeding to enforce this section. The photograph or video and  
785 the evidence of speed detected raise a rebuttable presumption  
786 that the motor vehicle named in the report or shown in the  
787 photograph or video was used in violation of s. 316.1895 ~~or s.~~  
788 ~~316.183~~.

789 (13) This section supplements the enforcement of s.  
790 316.1895 ss. 316.1895 and 316.183 by a law enforcement officer  
791 and does not prohibit a law enforcement officer from issuing a  
792 uniform traffic citation for a violation of s. 316.1895 ~~or s.~~  
793 ~~316.183~~.



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

796        (c) A person, referred to in this subsection as the  
797 "petitioner," who elects to request a hearing under subsection  
798 (3) must be scheduled for a hearing by the clerk to the local  
799 hearing officer. The hearing may be conducted either virtually  
800 through live video conferencing or in person. The clerk to the  
801 local hearing officer shall provide ~~must furnish~~ the petitioner  
802 with notice of the hearing, including the option for a virtual  
803 or in-person hearing, which must be sent by first-class mail.

804 Upon receipt of the notice, the petitioner may reschedule the  
805 hearing up to two times by submitting a written request to  
806 reschedule to the clerk at least 5 calendar days before the day  
807 of the scheduled hearing. The petitioner may cancel his or her  
808 appearance before the local hearing officer by paying the  
809 penalty assessed under subsection (2), plus the administrative  
810 costs established in s. 316.0083(5)(c), before the start of the  
811 hearing.

812        (15) (a) A speed detection system in a school zone may not  
813 be used for remote surveillance. The collection of evidence by a  
814 speed detection system to enforce violations of s. 316.1895 ss.  
815 ~~316.1895 and 316.183~~, or user-controlled pan or tilt adjustments  
816 of speed detection system components, do not constitute remote  
817 surveillance. Recorded video or photographs collected by as part  
818 ~~of~~ a speed detection system in a school zone may only be used to  
819 document violations of s. 316.1895 ss. 316.1895 and 316.183 and  
820 for purposes of determining criminal or civil liability ~~for~~  
821 ~~incidents~~ captured by the speed detection system incidental to  
822 the permissible use of the speed detection system.



823        (16) (a) Each county or municipality that operates one or  
824 more speed detection systems shall ~~must~~ submit a report by  
825 October 1, ~~2024~~, and annually ~~thereafter~~, to the department  
826 which identifies the public safety objectives used to identify a  
827 school zone for enforcement under this section, reports  
828 compliance with s. 316.0776(3)(c), and details the results of  
829 the speed detection system in the school zone during the  
830 preceding state fiscal year and the procedures for enforcement.  
831 The information from counties and municipalities must be  
832 submitted in a form and manner determined by the department,  
833 ~~which the department must make available to the counties and~~  
834 ~~municipalities by August 1, 2023, and the department may require~~  
835 ~~data components to be submitted quarterly.~~ The report must  
836 include at least the following:

837        1. Information related to the location of each speed  
838 detection system, including the geocoordinates of the school  
839 zone, the directional approach of the speed detection system,  
840 the school name, the school level, the times the speed detection  
841 system was active, the restricted school zone speed limit  
842 enforced pursuant to s. 316.1895(5), ~~the posted speed limit~~  
843 ~~enforced at times other than those authorized by s. 316.1895(5),~~  
844 the date the systems were activated to enforce violations of s.  
845 316.1895 ss. 316.1895 and 316.183, and, if applicable, the date  
846 the systems were deactivated.

847        2. The number of notices of violation issued, the number,  
848 if any, that were issued outside of the enforcement periods  
849 authorized in subsection (1), the number that were contested,  
850 the number that were upheld, the number that were dismissed, the  
851 number that were issued as uniform traffic citations, and the



852 number that were paid.

853 3. Any other statistical data and information related to  
854 the procedures for enforcement which is required by the  
855 department to complete the report required under paragraph (c).  
856

857 The department shall publish on its website each report  
858 submitted by a county or municipality pursuant to this  
859 paragraph.

860 (c) On or before December 31, ~~2024~~, and annually  
861 ~~thereafter~~, the department shall ~~must~~ submit a summary report to  
862 the Governor, the President of the Senate, and the Speaker of  
863 the House of Representatives regarding the use of speed  
864 detection systems under this section, along with any recommended  
865 ~~legislative recommendations from the department~~. The  
866 summary report must include a review of the information  
867 submitted to the department by the counties and municipalities  
868 and must describe the enhancement of safety and enforcement  
869 programs.

870 Section 10. Paragraph (d) of subsection (1) of section  
871 316.1906, Florida Statutes, is reordered and amended, and  
872 subsection (3) of that section is amended, to read:

873 316.1906 Radar speed-measuring devices; speed detection  
874 systems; evidence, admissibility.—

875 (1) DEFINITIONS.—

876 (d) "Officer" means any:

877 2.1. "Law enforcement officer" who is elected, appointed,  
878 or employed full time by any municipality or the state or any  
879 political subdivision thereof; who is vested with the authority  
880 to bear arms and make arrests; and whose primary responsibility



881 is the prevention and detection of crime or the enforcement of  
882 the penal, criminal, traffic, or highway laws of the state;

883       3.2. "Part-time law enforcement officer" who is employed or  
884 appointed less than full time, as defined by an employing  
885 agency, with or without compensation; who is vested with  
886 authority to bear arms and make arrests; and whose primary  
887 responsibility is the prevention and detection of crime or the  
888 enforcement of the penal, criminal, traffic, or highway laws of  
889 the state; or

890       1.3. "Auxiliary law enforcement officer" who is employed or  
891 appointed, with or without compensation; who aids or assists a  
892 full-time or part-time law enforcement officer; and who, while  
893 under the direct supervision of a full-time or part-time law  
894 enforcement officer, has the authority to arrest and perform law  
895 enforcement functions; ~~or~~

896       4. "Traffic infraction enforcement officer" who is employed  
897 or appointed, with or without compensation, and satisfies the  
898 requirements of s. 316.640(5) and is vested with authority to  
899 enforce violations of s. 316.1895 ~~ss. 316.1895 and 316.183~~  
900 pursuant to s. 316.1896.

901       (3) A speed detection system is exempt from the design  
902 requirements for radar or LiDAR units established by the  
903 department. A speed detection system must have the ability to  
904 perform self-tests as to its detection accuracy. The system must  
905 perform a self-test at least once every 30 days. The law  
906 enforcement agency, or an agent acting on behalf of the law  
907 enforcement agency, operating a speed detection system must  
908 maintain a log of the results of the system's self-tests. The  
909 law enforcement agency, or an agent acting on behalf of the law



190034

910 enforcement agency, operating a speed detection system must also  
911 perform an independent calibration test on the speed detection  
912 system at least once every 12 months. The self-test logs, as  
913 well as the results of the annual calibration test, are  
914 admissible in any court proceeding for a uniform traffic  
915 citation issued for a violation of s. 316.1895 ~~or s. 316.183~~  
916 enforced pursuant to s. 316.1896. Notwithstanding subsection  
917 (2), evidence of the speed of a motor vehicle detected by a  
918 speed detection system compliant with this subsection and the  
919 determination by a traffic infraction enforcement officer that a  
920 motor vehicle is operating in excess of the applicable speed  
921 limit is admissible in any proceeding with respect to an alleged  
922 violation of law regulating the speed of motor vehicles in  
923 school zones.

924 Section 11. Paragraph (a) of subsection (5) of section  
925 316.640, Florida Statutes, is amended to read:

926 316.640 Enforcement.—The enforcement of the traffic laws of  
927 this state is vested as follows:

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



190034

939      infraction enforcement officer who observes the commission of a  
940      traffic infraction or, in the case of a parking infraction, who  
941      observes an illegally parked vehicle may issue a traffic  
942      citation for the infraction when, based upon personal  
943      investigation, he or she has reasonable and probable grounds to  
944      believe that an offense has been committed which constitutes a  
945      noncriminal traffic infraction as defined in s. 318.14. In  
946      addition, any such traffic infraction enforcement officer may  
947      issue a traffic citation under ss. 316.0083, 316.173, and  
948      316.1896 ~~ss. 316.0083 and 316.1896~~. For purposes of enforcing  
949      ss. 316.074(1), 316.075(1)(c)1., 316.172(1)(a) and (b), and  
950      316.1895(10) ~~ss. 316.0083, 316.1895, and 316.183~~, any sheriff's  
951      department or police department of a municipality may designate  
952      employees as traffic infraction enforcement officers. The  
953      traffic infraction enforcement officers must be physically  
954      located in the county of the respective sheriff's or police  
955      department.

956      Section 12. Paragraph (c) of subsection (3) of section  
957      316.650, Florida Statutes, is amended to read:

958      316.650 Traffic citations.—

959      (3)

960      (c) If a traffic citation is issued under s. 316.0083, s.  
961      316.173, or s. 316.1896, the traffic infraction enforcement  
962      officer must shall provide by electronic transmission a replica  
963      of the traffic citation data to the court having jurisdiction  
964      over the alleged offense or its traffic violations bureau within  
965      5 business days after the date of issuance of the traffic  
966      citation to the violator. If a hearing is requested, the traffic  
967      infraction enforcement officer must shall provide a replica of



968 the ~~traffic~~ notice of violation data to the clerk to for the  
969 local hearing officer having jurisdiction over the alleged  
970 offense within 14 days.

971 Section 13. Subsection (3) of section 318.15, Florida  
972 Statutes, is amended to read:

973 318.15 Failure to comply with civil penalty or to appear;  
974 penalty.—

975 (3) The clerk shall notify the department of persons who  
976 were mailed a notice of violation of s. 316.074(1) or s.  
977 316.075(1)(c)1. pursuant to s. 316.0083, of s. 316.172(1)(a) or  
978 (b) pursuant to s. 316.173, or of s. 316.1895(10) pursuant to s.  
979 316.1896, and who failed to enter into, or comply with the terms  
980 of, a penalty payment plan, or order with the clerk to the local  
981 hearing officer or failed to appear at a scheduled hearing  
982 within 10 days after such failure, and shall reference the  
983 person's driver license number, or in the case of a business  
984 entity, vehicle registration number.

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

990 (b) After the issuance of the person's license plate or  
991 revalidation sticker is withheld pursuant to paragraph (a), the  
992 person may challenge the withholding of the license plate or  
993 revalidation sticker only on the basis that the outstanding  
994 fines and civil penalties have been paid pursuant to s.  
995 320.03(8).

996 Section 14. Paragraph (d) of subsection (3), paragraphs (a)



997 and (b) of subsection (5), and subsection (23) of section  
998 318.18, Florida Statutes, are amended to read:

999 318.18 Amount of penalties.—The penalties required for a  
1000 noncriminal disposition pursuant to s. 318.14 or a criminal  
1001 offense listed in s. 318.17 are as follows:

1002 (3)

1003 (d)1. Notwithstanding paragraphs (b) and (c), a person  
1004 cited for a violation of s. 316.1895(10) ~~or s. 316.183~~ for  
1005 exceeding the speed limit in force at the time of the violation  
1006 on a roadway maintained as a school zone as provided in s.  
1007 316.1895, when enforced by a traffic infraction enforcement  
1008 officer pursuant to s. 316.1896, must pay a fine of \$100. Fines  
1009 collected under this paragraph must be distributed as follows:

1010 a. Twenty dollars must be remitted to the Department of  
1011 Revenue for deposit into the General Revenue Fund.

1012 b. Seventy-seven dollars must be distributed to the county  
1013 for any violations occurring in any unincorporated areas of the  
1014 county or to the municipality for any violations occurring in  
1015 the incorporated boundaries of the municipality in which the  
1016 infraction occurred, to be used as provided in s. 316.1896(5).

1017 c. Three dollars must be remitted to the Department of  
1018 Revenue for deposit into the Department of Law Enforcement  
1019 Criminal Justice Standards and Training Trust Fund to be used as  
1020 provided in s. 943.25.

1021 2. If a person who is mailed a notice of violation or a  
1022 uniform traffic citation for a violation of s. 316.1895(10) ~~or~~  
1023 ~~s. 316.183~~, as enforced by a traffic infraction enforcement  
1024 officer under s. 316.1896, presents documentation from the  
1025 appropriate governmental entity that the notice of violation or



1026 uniform traffic citation was in error, the clerk of court or  
1027 clerk to the local hearing officer may dismiss the case. The  
1028 clerk of court or clerk to the local hearing officer may not  
1029 charge for this service.

1030 3. Under a school zone speed detection system contract  
1031 entered into or renewed on or after October 1, 2026, an  
1032 individual may not receive a commission or per-ticket fee from  
1033 any revenue collected from violations detected through the use  
1034 of a speed detection system. A manufacturer or vendor may not  
1035 receive a fee or remuneration based upon the number of  
1036 violations detected through the use of a speed detection system.

1037 (5)(a)1. Except as provided in subparagraph 2., \$200 for a  
1038 violation of s. 316.172(1)(a), failure to stop for a school bus.  
1039 If, at a hearing, the alleged offender is found to have  
1040 committed this offense, the court shall impose a minimum civil  
1041 penalty of \$200. In addition to this penalty, for a second or  
1042 subsequent offense within a period of 5 years, the department  
1043 shall suspend the driver license of the person for not less than  
1044 180 days and not more than 1 year.

1045 2. If a violation of s. 316.172(1)(a) is enforced by a  
1046 school bus infraction detection system pursuant to s. 316.173,  
1047 the penalty of \$200 shall be imposed. If, at a ~~an administrative~~  
1048 hearing contesting a notice of violation or uniform traffic  
1049 citation, the alleged offender is found to have committed this  
1050 offense, a minimum civil penalty of \$200 shall be imposed.  
1051 Notwithstanding any other provision of law except s. 28.37(6),  
1052 the civil penalties assessed under this subparagraph resulting  
1053 from a notice of violation or uniform traffic citation shall be  
1054 remitted to the school district at least monthly and used



1055 pursuant to s. 316.173(8).

1056 (b)1. Except as provided in subparagraph 2., \$400 for a  
1057 violation of s. 316.172(1)(b), passing a school bus on the side  
1058 that children enter and exit when the school bus displays a stop  
1059 signal. If, at a hearing, the alleged offender is found to have  
1060 committed this offense, the court shall impose a minimum civil  
1061 penalty of \$400.

1062 2. If a violation of s. 316.172(1)(b) is enforced by a  
1063 school bus infraction detection system pursuant to s. 316.173,  
1064 the penalty under this subparagraph is a minimum of \$200. If, at  
1065 a hearing contesting a notice of violation or uniform traffic  
1066 citation, the alleged offender is found to have committed this  
1067 offense, the court shall impose a minimum civil penalty of \$200.  
1068 Notwithstanding any other provision of law except s. 28.37(6),  
1069 the civil penalties assessed under this subparagraph resulting  
1070 from notice of violation or uniform traffic citation shall be  
1071 remitted to the school district at least monthly and used  
1072 pursuant to s. 316.173(8).

1073 3. In addition to this penalty, for a second or subsequent  
1074 offense within a period of 5 years, the department shall suspend  
1075 the driver license of the person for not less than 360 days and  
1076 not more than 2 years.

1077 (23) In addition to the penalty prescribed under s.  
1078 316.0083, s. 316.173, or s. 316.1896 for violations enforced  
1079 under those sections s. 316.0083 which are upheld by the local  
1080 hearing officer, the local hearing officer may also order the  
1081 payment of county, or municipal, or school district costs, not  
1082 to exceed \$250.

1083 Section 15. Subsection (12) of section 320.02, Florida



1084 Statutes, is amended to read:

1085 320.02 Registration required; application for registration;  
1086 forms.—

1087 (12) The department is authorized to withhold registration  
1088 or reregistration of any motor vehicle if the owner, or one of  
1089 the co-owners of the vehicle:  
1090

1091 (a) Has a driver license which is under suspension for the  
1092 failure to remit payment of any fines levied in this state  
1093 pursuant to chapter 318 or chapter 322; or

1094 (b) Received a traffic citation for a violation of s.

1095 316.074(1) or s. 316.075(1)(c)1., s. 316.172(1)(a) or (b), or s.  
1096 316.1895(10), as enforced by s. 316.0083, s. 316.173, or s.  
1097 316.1896, respectively, and did not request a hearing, submit an  
affidavit claiming an exception, or pay the traffic citation.

1098 Section 16. Paragraph (d) of subsection (3) of section  
1099 322.27, Florida Statutes, is amended to read:

1100 322.27 Authority of department to suspend or revoke driver  
1101 license or identification card.—

1102 (3) There is established a point system for evaluation of  
1103 convictions of violations of motor vehicle laws or ordinances,  
1104 and violations of applicable provisions of s. 403.413(6)(b) when  
1105 such violations involve the use of motor vehicles, for the  
1106 determination of the continuing qualification of any person to  
1107 operate a motor vehicle. The department is authorized to suspend  
1108 the license of any person upon showing of its records or other  
1109 good and sufficient evidence that the licensee has been  
1110 convicted of violation of motor vehicle laws or ordinances, or  
1111 applicable provisions of s. 403.413(6)(b), amounting to 12 or  
1112 more points as determined by the point system. The suspension



1113 shall be for a period of not more than 1 year.

1114 (d) The point system shall have as its basic element a  
1115 graduated scale of points assigning relative values to  
1116 convictions of the following violations:

1117 1. Reckless driving, willful and wanton-4 points.

1118 2. Leaving the scene of a crash resulting in property  
1119 damage of more than \$50-6 points.

1120 3. Unlawful speed, or unlawful use of a wireless  
1121 communications device, resulting in a crash-6 points.

1122 4. Passing a stopped school bus:

1123 a. Not causing or resulting in serious bodily injury to or  
1124 death of another-4 points.

1125 b. Causing or resulting in serious bodily injury to or  
1126 death of another-6 points.

1127 c. Points may not be imposed for a violation of passing a  
1128 stopped school bus as provided in s. 316.172(1)(a) or (b) when  
1129 enforced by a school bus infraction detection system pursuant to  
1130 s. 316.173. In addition, a violation of s. 316.172(1)(a) or (b)  
1131 when enforced by a school bus infraction detection system  
1132 pursuant to s. 316.173 may not be used for purposes of setting  
1133 motor vehicle insurance rates and is not admissible as character  
1134 evidence under s. 90.404.

1135 5. Unlawful speed:

1136 a. Not in excess of 15 miles per hour of lawful or posted  
1137 speed-3 points.

1138 b. In excess of 15 miles per hour of lawful or posted  
1139 speed-4 points.

1140 c. Points may not be imposed for a violation of unlawful  
1141 speed as provided in s. 316.1895 ~~or s. 316.183~~ when enforced by



1142 a traffic infraction enforcement officer pursuant to s.  
1143 316.1896. In addition, a violation of s. 316.1895 ~~or s. 316.183~~  
1144 when enforced by a traffic infraction enforcement officer  
1145 pursuant to s. 316.1896 may not be used for purposes of setting  
1146 motor vehicle insurance rates and is not admissible as character  
1147 evidence under s. 90.404.

1148 6. A violation of a traffic control signal device as  
1149 provided in s. 316.074(1) or s. 316.075(1)(c)1.-4 points.  
1150 However, points may not be imposed for a violation of s.  
1151 316.074(1) or s. 316.075(1)(c)1. when a driver has failed to  
1152 stop at a traffic signal and when enforced by a traffic  
1153 infraction enforcement officer. In addition, a violation of s.  
1154 316.074(1) or s. 316.075(1)(c)1. when a driver has failed to  
1155 stop at a traffic signal and when enforced by a traffic  
1156 infraction enforcement officer may not be used for purposes of  
1157 setting motor vehicle insurance rates and is not admissible as  
1158 character evidence under s. 90.404.

1159  
1160 ===== T I T L E A M E N D M E N T =====  
1161 And the title is amended as follows:

1162 Delete lines 66 - 129

1163 and insert:

1164 public hearing process; requiring a school district  
1165 that establishes a school bus infraction detection  
1166 system program after a certain date to enter into a  
1167 certain interlocal agreement before beginning its  
1168 school bus infraction detection system program;  
1169 providing that law enforcement agencies may authorize  
1170 traffic infraction enforcement officers to issue



1171        certain uniform traffic citations for violations  
1172        enforced through the use of a school bus infraction  
1173        detection system; providing construction; deleting a  
1174        prohibition on raising certain arguments in a  
1175        proceeding challenging certain traffic violations;  
1176        deleting a required evidentiary standard for certain  
1177        findings and determinations by local hearing officers;  
1178        revising the notice of hearing process; revising the  
1179        number of times a petitioner may reschedule a certain  
1180        hearing; requiring a petitioner to pay certain costs  
1181        before the start of the hearing in order to cancel the  
1182        hearing; requiring that certain testimony be recorded;  
1183        authorizing, rather than requiring, a local hearing  
1184        officer to require a petitioner to pay certain costs;  
1185        revising authorized uses for videos and images  
1186        recorded as part of a school bus infraction detection  
1187        system; requiring a school district that operates a  
1188        school bus infraction detection system annually to  
1189        report the results of such systems at a meeting of the  
1190        school board; providing requirements for such meeting;  
1191        prohibiting certain arguments in a proceeding  
1192        challenging certain traffic violations; prohibiting a  
1193        school district from operating school bus infraction  
1194        detection systems under certain circumstances;  
1195        requiring certain school districts to submit a certain  
1196        report to the department annually, rather than  
1197        quarterly; requiring the department to publish certain  
1198        reports on its website; deleting obsolete provisions;  
1199        conforming provisions to changes made by the act;



1200 amending s. 316.1896, F.S.; revising the periods for  
1201 which a county or municipality may authorize a traffic  
1202 infraction enforcement officer to issue certain  
1203 uniform traffic citations; prohibiting the enforcement  
1204 of a school zone speed limit through the use of a  
1205 speed detection system under certain circumstances;  
1206 revising the period within which a person may take  
1207 certain action after receiving a notice of violation;  
1208 prohibiting an individual from receiving certain  
1209 commissions or per-ticket fees under a contract  
1210 established or renewed on or after a certain date;  
1211 prohibiting a manufacturer or vendor of speed  
1212 detection systems from receiving certain fees or  
1213 remuneration; providing that certain hearings may be  
1214 conducted either virtually or in person; revising  
1215 authorized uses for videos and images recorded as part  
1216 of a speed detection system; deleting an obsolete  
1217 provision; revising information that must be included  
1218 in certain reports; deleting a provision authorizing  
1219 the department to require quarterly submission of  
1220 certain data components; requiring the department to  
1221 publish certain reports on its website; conforming  
1222 provisions to changes made by the act; reordering and  
1223 amending s. 316.1906, F.S.; conforming provisions to  
1224 changes made by the act; making a technical change;  
1225 amending ss. 316.640, 316.650, and 318.15, F.S.;  
1226 conforming provisions to changes made by the act;  
1227 amending s. 318.18, F.S.; prohibiting an individual  
1228 from receiving certain commissions or per-ticket fees



1229 under a contract established or renewed on or after a  
1230 certain date; prohibiting a manufacturer or vendor of  
1231 speed detection systems from receiving certain fees or  
1232 remuneration; providing exceptions to requirements  
1233 that certain civil penalties be remitted to school  
1234 districts; conforming provisions to changes made by  
1235 the act; amending s. 320.02, F.S.; authorizing the  
1236 department to withhold registration or reregistration  
1237 of a motor vehicle under certain circumstances;  
1238 amending s. 322.27, F.S.; prohibiting the  
1239 admissibility of certain infractions as character  
1240 evidence;

**By** the Committee on Transportation; and Senator DiCeglie

596-02020-26

2026654c1

A bill to be entitled

An act relating to traffic infraction enforcement; amending s. 28.37, F.S.; deleting a provision exempting certain penalties and fines from a requirement that a certain percentage of all court-related fines collected by the clerk be deposited into the fines and forfeiture fund for a specified purpose; amending s. 316.003, F.S.; revising the definitions of the terms "local hearing officer" and "speed detection system"; amending s. 316.008, F.S.; revising the periods during which a county or municipality may enforce school zone speed limits, and the violations for which such enforcement is authorized, through the use of a speed detection system; prohibiting the enforcement of a school zone speed limit through the use of a speed detection system under certain circumstances; revising the circumstances for which a county or municipality may place or install, or contract with a vendor to place or install, a speed detection system within a roadway maintained as a school zone; amending s. 316.0083, F.S.; deleting a provision prohibiting the issuance of certain notices of violation and traffic citations for failure to stop before crossing over a stop line or other point at which a stop is required under certain circumstances; defining the term "careful and prudent manner"; providing that certain counties and municipalities are responsible for and must maintain certain data for a specified period; requiring the Department of Highway

596-02020-26

2026654c1

30 Safety and Motor Vehicles to provide to the Governor  
31 and the Legislature recommended legislation, rather  
32 than necessary legislation, with a certain report;  
33 providing that certain hearings may be conducted  
34 either virtually or in person; prohibiting the use of  
35 a traffic infraction detector for remote surveillance;  
36 providing construction; specifying the purposes for  
37 which video and images recorded by a traffic  
38 infraction detector may be used; requiring that a  
39 traffic infraction detector use technology to obscure  
40 certain personal identifying information; providing  
41 that certain notices of violation and uniform traffic  
42 citations may not be dismissed for a specified reason;  
43 requiring the destruction of certain recorded videos  
44 and images within a certain timeframe; requiring a  
45 traffic infraction detector vendor annually to provide  
46 certain written notice to the county or municipality;  
47 providing that motor vehicle registration and owner  
48 information obtained in a certain manner is not the  
49 property of certain manufacturers and vendors;  
50 repealing s. 316.00831, F.S., relating to distribution  
51 of penalties collected under the Mark Wandall Traffic  
52 Safety Program; amending s. 316.07456, F.S.; deleting  
53 obsolete provisions; amending s. 316.0776, F.S.;  
54 providing that only warnings may be issued for certain  
55 violations during the duration of a certain public  
56 awareness campaign; deleting an obsolete provision;  
57 prohibiting a county or municipality from operating a  
58 speed detection system under certain circumstances;

596-02020-26

2026654c1

59 conforming provisions to changes made by the act;  
60 amending s. 316.173, F.S.; requiring district school  
61 board authorization and a public hearing process  
62 before a school district may place or install, or  
63 contract with a vendor to install, operate, and  
64 maintain, school bus infraction detection systems;  
65 providing requirements for such authorization and  
66 public hearing process; requiring a school district to  
67 enter into a certain interlocal agreement with a law  
68 enforcement agency before beginning its school bus  
69 infraction detection system program; providing that  
70 law enforcement agencies may authorize traffic  
71 infraction enforcement officers to issue certain  
72 uniform traffic citations for violations enforced  
73 through the use of a school bus infraction detection  
74 system; providing construction; deleting a prohibition  
75 on raising certain arguments in a proceeding  
76 challenging certain traffic violations; deleting a  
77 required evidentiary standard for certain findings and  
78 determinations by local hearing officers; revising the  
79 notice of hearing process; revising the number of  
80 times a petitioner may reschedule a certain hearing;  
81 requiring that certain testimony be recorded;  
82 authorizing, rather than requiring, a local hearing  
83 officer to require a petitioner to pay certain costs;  
84 requiring a school district that operates a school bus  
85 infraction detection system annually to report the  
86 results of such systems at a meeting of the school  
87 board; providing requirements for such meeting;

596-02020-26

2026654c1

88 prohibiting certain arguments in a proceeding  
89 challenging certain traffic violations; prohibiting a  
90 school district from operating school bus infraction  
91 detection systems under certain circumstances;  
92 requiring certain school districts to submit a certain  
93 report to the department annually, rather than  
94 quarterly; requiring the department to publish certain  
95 reports on its website; deleting obsolete provisions;  
96 conforming provisions to changes made by the act;  
97 amending s. 316.1896, F.S.; revising the periods for  
98 which a county or municipality may authorize a traffic  
99 infraction enforcement officer to issue certain  
100 uniform traffic citations; prohibiting the enforcement  
101 of a school zone speed limit through the use of a  
102 speed detection system under certain circumstances;  
103 revising the period within which a person may take  
104 certain action after receiving a notice of violation;  
105 prohibiting an individual from receiving a commission  
106 or per-ticket fee from certain revenue; prohibiting a  
107 manufacturer or vendor of speed detection systems from  
108 receiving certain fees or remuneration; providing that  
109 certain hearings may be conducted either virtually or  
110 in person; deleting an obsolete provision; deleting a  
111 provision authorizing the department to require  
112 quarterly submission of certain data components;  
113 requiring the department to publish certain reports on  
114 its website; conforming provisions to changes made by  
115 the act; reordering and amending s. 316.1906, F.S.;  
116 conforming provisions to changes made by the act;

596-02020-26

2026654c1

117 making a technical change; amending ss. 316.640,  
118 316.650, and 318.15, F.S.; conforming provisions to  
119 changes made by the act; amending s. 318.18, F.S.;  
120 prohibiting an individual from receiving a commission  
121 or per-ticket fee from certain revenue; prohibiting a  
122 manufacturer or vendor of speed detection systems from  
123 receiving certain fees or remuneration; providing  
124 exceptions to requirements that certain civil  
125 penalties be remitted to school districts; conforming  
126 provisions to changes made by the act; amending s.  
127 320.02, F.S.; authorizing the department to withhold  
128 registration or reregistration of a motor vehicle  
129 under certain circumstances; amending s. 322.27, F.S.;  
130 conforming provisions to changes made by the act;  
131 amending s. 775.15, F.S.; providing that a 1-year  
132 period of limitation for certain noncriminal  
133 violations resets upon receipt of certain affidavits;  
134 amending s. 1006.21, F.S.; conforming a provision to  
135 changes made by the act; reenacting s. 318.121, F.S.,  
136 relating to preemption of additional fees, fines,  
137 surcharges, and costs, to incorporate the amendment  
138 made to s. 318.18, F.S., in a reference thereto;  
139 providing an effective date.

140  
141 Be It Enacted by the Legislature of the State of Florida:  
142  
143 Section 1. Subsection (6) of section 28.37, Florida  
144 Statutes, is amended to read:  
145 28.37 Fines, fees, service charges, and costs remitted to

596-02020-26

2026654c1

146 the state.—

147 (6) Ten percent of all court-related fines collected by the  
148 ~~clerk, except for penalties or fines distributed to counties or~~  
149 ~~municipalities under s. 316.0083(1)(b)3. or s. 318.18(16)(a),~~  
150 must be deposited into the fine and forfeiture fund to be used  
151 exclusively for clerk court-related functions, as provided in s.  
152 28.35(3)(a).153 Section 2. Subsections (38) and (84) of section 316.003,  
154 Florida Statutes, are amended to read:155 316.003 Definitions.—The following words and phrases, when  
156 used in this chapter, shall have the meanings respectively  
157 ascribed to them in this section, except where the context  
158 otherwise requires:159 (38) LOCAL HEARING OFFICER.—The person, designated by a  
160 department, county, ~~or~~ municipality, or school district that  
161 elects to authorize traffic infraction enforcement officers to  
162 issue traffic citations under s. 316.0083(1)(a), s.  
163 316.173(1)(f), or s. 316.1896(1) ss. 316.0083(1)(a) and  
164 316.1896(1), who is authorized to conduct hearings related to a  
165 notice of violation issued pursuant to s. 316.0083, s. 316.173,  
166 or s. 316.1896. A The charter county, noncharter county, or  
167 municipality may use its currently appointed code enforcement  
168 board or special magistrate to serve as the local hearing  
169 officer. A school district may appoint an attorney who is, and  
170 has been for the preceding 5 years, a member in good standing of  
171 The Florida Bar to serve as the local hearing officer or may  
172 enter into an interlocal agreement to use the local hearing  
173 officer of the county. The department may enter into an  
174 interlocal agreement to use the local hearing officer of a

596-02020-26

2026654c1

175 county or municipality.

176 (84) SPEED DETECTION SYSTEM.—A portable or fixed automated  
177 system used to detect a motor vehicle's speed using radar or  
178 LiDAR and to capture a photograph or video of the rear of a  
179 motor vehicle that exceeds the speed limit in a school zone  
180 during the times listed in s. 316.1895(5) force at the time of  
181 the violation.182 Section 3. Paragraphs (a) and (b) of subsection (9) of  
183 section 316.008, Florida Statutes, are amended to read:

184 316.008 Powers of local authorities.—

185 (9) (a) A county or municipality may enforce the applicable  
186 speed limit on a roadway properly maintained as a school zone  
187 pursuant to s. 316.1895 during the times listed in s.188 316.1895(5)÷189 1. Within 30 minutes before through 30 minutes after the  
190 start of a regularly scheduled breakfast program;191 2. Within 30 minutes before through 30 minutes after the  
192 start of a regularly scheduled school session;193 3. During the entirety of a regularly scheduled school  
194 session; and195 4. Within 30 minutes before through 30 minutes after the  
196 end of a regularly scheduled school session197  
198 through the use of a speed detection system for the detection of  
199 speed and capturing of photographs or videos for violations in  
200 excess of 10 miles per hour over the school zone speed limit in  
201 force at the time of the violation. A school zone's compliance  
202 with s. 316.1895 creates a rebuttable presumption that the  
203 school zone is properly maintained. The school zone speed limit

596-02020-26

2026654c1

204 may not be enforced through the use of a speed detection system  
205 if any flashing beacon used to provide notice of the times  
206 during which a restrictive school speed limit is being enforced  
207 in the school zone is not activated at the time of the  
208 violation.

209 (b) A county or municipality may place or install, or  
210 contract with a vendor to place or install, a speed detection  
211 system within a roadway maintained as a school zone as provided  
212 in s. 316.1895 to enforce school zone unlawful speed limit  
213 violations, as specified in s. 316.1895(10), which are in excess  
214 of 10 miles per hour over the school zone speed limit or s.  
215 ~~316.183~~, on that roadway.

216 Section 4. Paragraph (a) of subsection (1) and subsections  
217 (2), (4), and (5) of section 316.0083, Florida Statutes, are  
218 amended, and subsection (6) is added to that section, to read:

219 316.0083 Mark Wandall Traffic Safety Program;  
220 administration; report.—

221 (1) (a) For purposes of administering this section, the  
222 department, a county, or a municipality may authorize a traffic  
223 infraction enforcement officer under s. 316.640 to issue a  
224 traffic citation for a violation of s. 316.074(1) or s.  
225 316.075(1)(c)1. ~~A notice of violation and a traffic citation may~~  
226 ~~not be issued for failure to stop at a red light if the driver~~  
227 ~~is making a right hand turn in a careful and prudent manner at~~  
228 ~~an intersection where right hand turns are permissible. A notice~~  
229 ~~of violation and a traffic citation may not be issued under this~~  
230 ~~section if the driver of the vehicle came to a complete stop~~  
231 ~~after crossing the stop line and before turning right if~~  
232 ~~permissible at a red light, but failed to stop before crossing~~

596-02020-26

2026654c1

233 ~~ever the stop line or other point at which a stop is required.~~  
234 This paragraph does not prohibit a review of information from a  
235 traffic infraction detector by an authorized employee or agent  
236 of the department, a county, or a municipality before issuance  
237 of the traffic citation by the traffic infraction enforcement  
238 officer. This paragraph does not prohibit the department, a  
239 county, or a municipality from issuing notification as provided  
240 in paragraph (b) to the registered owner of the motor vehicle  
241 involved in the violation of s. 316.074(1) or s. 316.075(1)(c)1.

242 (2) A notice of violation and a traffic citation may not be  
243 issued under this section for failure to stop at a red light if  
244 the driver is making a right-hand turn in a careful and prudent  
245 manner at an intersection where right-hand turns are  
246 permissible. For purposes of this subsection, the term "careful  
247 and prudent manner" means that the driver made a right-hand turn  
248 after coming to a complete stop and without interfering with the  
249 operation of any oncoming vehicular traffic or pedestrians in a  
250 crosswalk.

251 (4)(a)1. A county or municipality that desires to have one  
252 or more traffic infraction detectors placed or installed on or  
253 after July 1, 2025, in an area where no traffic infraction  
254 detectors are currently placed or installed must enact an  
255 ordinance in order to authorize the placement or installation  
256 of, or to authorize contracting with a vendor for the placement  
257 or installation of, one or more traffic infraction detectors to  
258 enforce s. 316.074(1) or s. 316.075(1)(c)1. As part of the  
259 public hearing on such proposed ordinance, the county or  
260 municipality must consider traffic data or other evidence  
261 supporting the installation and operation of each traffic

596-02020-26

2026654c1

262      infraction detector, and the county or municipality must  
263      determine that the intersection at which a traffic infraction  
264      detector is to be placed or installed constitutes a heightened  
265      safety risk that warrants additional enforcement measures.

266      2. A county or municipality that operates one or more  
267      traffic infraction detectors must annually report the results of  
268      all traffic infraction detectors within the county's or  
269      municipality's jurisdiction by placing the annual report to the  
270      department required under paragraph (b) as a single reporting  
271      item on the agenda of a regular or special meeting of the  
272      county's or municipality's governing body. Before a county or  
273      municipality contracts or renews a contract to place or install  
274      one or more traffic infraction detectors, the county or  
275      municipality must approve the contract or contract renewal at a  
276      regular or special meeting of the county's or municipality's  
277      governing body.

278      a. Interested members of the public must be allowed to  
279      comment regarding the report, contract, or contract renewal  
280      under the county's or municipality's public comment policies or  
281      procedures formats, and the report, contract, or contract  
282      renewal may not be considered as part of a consent agenda.

283      b. The report required under this subparagraph must include  
284      a written summary, which must be read aloud at the regular or  
285      special meeting, and the summary must contain, for the same time  
286      period pertaining to the annual report to the department  
287      required under paragraph (b), the number of notices of violation  
288      issued, the number that were contested, the number that were  
289      upheld, the number that were dismissed, the number that were  
290      issued as uniform traffic citations, and the number that were

596-02020-26

2026654c1

291 paid and how collected funds were distributed and in what  
292 amounts. The county or municipality must report to the  
293 department that the county's or municipality's annual report was  
294 considered in accordance with this subparagraph, including the  
295 date of the regular or special meeting at which the annual  
296 report was considered.

297 3. The compliance or sufficiency of compliance with this  
298 paragraph may not be raised in a proceeding challenging a  
299 violation of s. 316.074(1) or s. 316.075(1)(c)1. enforced by a  
300 traffic infraction detector.

301 4. A county or municipality that does not comply with this  
302 paragraph may not operate is suspended from operating traffic  
303 infraction detectors under this subsection until such  
304 noncompliance is corrected.

305 (b) Each county or municipality that operates a traffic  
306 infraction detector shall submit a report by October 1,  
307 annually, to the department which details the results of using  
308 the traffic infraction detector and the procedures for  
309 enforcement for the preceding state fiscal year. The information  
310 submitted by the counties and municipalities must include:

311 1. The number of notices of violation issued, the number  
312 that were contested, the number that were upheld, the number  
313 that were dismissed, the number that were issued as uniform  
314 traffic citations, the number that were paid, and the number in  
315 each of the preceding categories for which the notice of  
316 violation was issued for a right-hand turn violation.

317 2. A description of alternative safety countermeasures  
318 taken before and after the placement or installation of a  
319 traffic infraction detector.

596-02020-26

2026654c1

320       3. Statistical data and information required by the  
321 department to complete the summary report required under  
322 paragraph (d) ~~(e)~~.

323

324 The department shall ~~must~~ publish on its website each report  
325 submitted by a county or municipality pursuant to this paragraph  
326 ~~on its website~~.

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

331       (d) On or before December 31, annually, the department  
332 shall provide a summary report to the Governor, the President of  
333 the Senate, and the Speaker of the House of Representatives  
334 regarding the use and operation of traffic infraction detectors  
335 under this section, along with the department's recommendations  
336 and any recommended necessary legislation. The summary report  
337 must include a review of the information submitted to the  
338 department by the counties and municipalities and must describe  
339 the enhancement of the traffic safety and enforcement programs.

340       (5) Procedures for a hearing under this section are as  
341 follows:

342       (a) The department shall publish and make available  
343 electronically to each county and municipality a model Request  
344 for Hearing form to assist each county and municipality local  
345 government administering this section.

346       (b) The ~~charter county, noncharter~~ county, or municipality  
347 electing to authorize traffic infraction enforcement officers to  
348 issue traffic citations under paragraph (1) (a) shall designate

596-02020-26

2026654c1

349 by resolution existing staff to serve as the clerk to the local  
350 hearing officer.

351 (c) Any person, herein referred to as the "petitioner," who  
352 elects to request a hearing under paragraph (1)(b) must ~~shall~~ be  
353 scheduled for a hearing. The hearing may be conducted either  
354 virtually through live video conferencing or in person. The  
355 clerk to the local hearing officer shall provide the petitioner  
356 with notice of the hearing, including the option for a virtual  
357 or in-person hearing, which must ~~by the clerk to the local~~  
358 ~~hearing officer to appear before a local hearing officer with~~  
359 ~~notice to be sent by first-class mail.~~ Upon receipt of the  
360 notice, the petitioner may reschedule the hearing up to two  
361 times ~~once~~ by submitting a written request to reschedule to the  
362 clerk to the local hearing officer, at least 5 calendar days  
363 before the day of the originally scheduled hearing. The  
364 petitioner may cancel his or her appearance before the local  
365 hearing officer by paying the penalty assessed under paragraph  
366 (1)(b), plus \$50 in administrative costs, before the start of  
367 the hearing.

368 (6)(a)1. A traffic infraction detector may not be used for  
369 remote surveillance. The collection of evidence by a traffic  
370 infraction detector to enforce violations of s. 316.074(1) or s.  
371 316.075(1)(c)1. does not constitute remote surveillance.

372 2. Video and images recorded by a traffic infraction  
373 detector may be used only for the enforcement of violations of  
374 s. 316.074(1) or s. 316.075(1)(c)1. and for purposes of  
375 determining criminal or civil liability for incidents captured  
376 by the traffic infraction detector incidental to the permissible  
377 use of a traffic infraction detector.

596-02020-26

2026654c1

378       3. To the extent practicable, a traffic infraction detector  
379       must use necessary technology to ensure that personal  
380       identifying information contained in the video and images  
381       recorded by the traffic infraction detector which is not  
382       relevant to the alleged violation is sufficiently obscured so as  
383       to not reveal such personal identifying information.

384       4. A notice of violation or a uniform traffic citation  
385       issued under this section may not be dismissed solely because  
386       the recorded video or images reveal personal identifying  
387       information as provided in subparagraph 3. as long as a  
388       reasonable effort has been made to comply with this subsection.

389       (b) Any recorded video or image obtained through the use of  
390       a traffic infraction detector must be destroyed within 90 days  
391       after the final disposition of the recorded event. The vendor of  
392       the traffic infraction detector must provide the county or  
393       municipality with written notice by December 31 of each year  
394       that such records have been destroyed in accordance with this  
395       paragraph.

396       (c) Notwithstanding any other law, motor vehicle  
397       registration and owner information obtained as the result of the  
398       operation of a traffic infraction detector is not the property  
399       of the manufacturer or vendor of the traffic infraction detector  
400       and may be used only for purposes authorized in this section.

401       Section 5. Section 316.00831, Florida Statutes, is  
402       repealed.

403       Section 6. Section 316.07456, Florida Statutes, is amended  
404       to read:

405       316.07456 Traffic infraction detectors; specifications  
406       Transitional implementation.—Any traffic infraction detector

596-02020-26

2026654c1

407 deployed on the highways, streets, and roads of this state must  
408 meet specifications established by the Department of  
409 Transportation, and must be tested at regular intervals  
410 according to specifications prescribed by the Department of  
411 Transportation. ~~The Department of Transportation must establish~~  
412 ~~such specifications on or before December 31, 2010. However, any~~  
413 ~~such equipment acquired by purchase, lease, or other arrangement~~  
414 ~~under an agreement entered into by a county or municipality on~~  
415 ~~or before July 1, 2011, or equipment used to enforce an~~  
416 ~~ordinance enacted by a county or municipality on or before July~~  
417 ~~1, 2011, is not required to meet the specifications established~~  
418 ~~by the Department of Transportation until July 1, 2011.~~

419 Section 7. Paragraph (b) of subsection (2) and subsection  
420 (3) of section 316.0776, Florida Statutes, are amended to read:

421 316.0776 Traffic infraction detectors; speed detection  
422 systems; placement and installation.—

423 (2)

424 (b) If the department, county, or municipality begins a  
425 traffic infraction detector program in a county or municipality  
426 that has never conducted such a program, the respective  
427 department, county, or municipality must shall also make a  
428 public announcement and conduct a public awareness campaign of  
429 the proposed use of traffic infraction detectors at least 30  
430 days before commencing the enforcement program. During the 30-  
431 day public awareness campaign, only a warning may be issued to  
432 the registered owner of a motor vehicle for a violation of s.  
433 316.074(1) or s. 316.075(1)(c)1. enforced by a traffic  
434 infraction detector, and a penalty may not be imposed pursuant  
435 to s. 318.18(16)(a)2. or 3.

596-02020-26

2026654c1

(3) A speed detection system authorized by s. 316.008(9) may be placed or installed in a school zone on a state road when permitted by the Department of Transportation and in accordance with placement and installation specifications developed by the Department of Transportation. The speed detection system may be placed or installed in a school zone on a street or highway under the jurisdiction of a county or a municipality in accordance with placement and installation specifications established by the Department of Transportation. ~~The Department of Transportation must establish such placement and installation specifications by December 31, 2023.~~

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

(b) If a county or municipality begins a school zone speed detection system program in a county or municipality that has never conducted such a program, the respective county or municipality must make a public announcement and conduct a public awareness campaign of the proposed use of speed detection

596-02020-26

2026654c1

465 systems at least 30 days before commencing enforcement under the  
466 speed detection system program and must notify the public of the  
467 specific date on which the program will commence. During the 30-  
468 day public awareness campaign, only a warning may be issued to  
469 the registered owner of a motor vehicle for a violation of s.  
470 316.1895 ~~or s. 316.183~~ enforced by a speed detection system, and  
471 liability may not be imposed for the civil penalty under s.  
472 318.18(3) (d) .

473 (c) A county or municipality that operates one or more  
474 school zone speed detection systems shall ~~must~~ annually report  
475 the results of all systems within the county's or municipality's  
476 jurisdiction by placing the report required under s.

477 316.1896(16) (a) as a single reporting item on the agenda of a  
478 regular or special meeting of the county's or municipality's  
479 governing body. Before a county or municipality contracts or  
480 renews a contract to place or install a speed detection system  
481 in a school zone pursuant to s. 316.008(9), the county or  
482 municipality must approve the contract or contract renewal at a  
483 regular or special meeting of the county's or municipality's  
484 governing body.

485 1. Interested members of the public must be allowed to  
486 comment regarding the report, contract, or contract renewal  
487 under the county's or municipality's public comment policies or  
488 procedures formats, and the report, contract, or contract  
489 renewal may not be considered as part of a consent agenda.

490 2. The report required under this paragraph must include a  
491 written summary, which must be read aloud at the regular or  
492 special meeting, and the summary must contain, for the same time  
493 period pertaining to the annual report to the department under

596-02020-26

2026654c1

494 s. 316.1896(16) (a), the number of notices of violation issued,  
495 the number that were contested, the number that were upheld, the  
496 number that were dismissed, the number that were issued as  
497 uniform traffic citations, and the number that were paid and how  
498 collected funds were distributed and in what amounts. The county  
499 or municipality shall ~~must~~ report to the department that the  
500 county's or municipality's annual report was considered in  
501 accordance with this paragraph, including the date of the  
502 regular or special meeting at which the annual report was  
503 considered.

504 3. The compliance or sufficiency of compliance with this  
505 paragraph may not be raised in a proceeding challenging a  
506 violation of s. 316.1895 ~~or s. 316.183~~ enforced by a speed  
507 detection system in a school zone.

508 4. A county or municipality that does not comply with this  
509 paragraph may not operate a speed detection system under this  
510 section until such noncompliance is corrected.

511 Section 8. Subsection (1), paragraph (c) of subsection (2),  
512 and subsections (4), (6), (18), and (19) of section 316.173,  
513 Florida Statutes, are amended to read:

514 316.173 School bus infraction detection systems.—

515 (1) (a) A school district may install and operate a school  
516 bus infraction detection system on a school bus for the purpose  
517 of enforcing s. 316.172(1)(a) and (b) as provided in and  
518 consistent with this section.

519 (b) A school district that desires to install one or more  
520 school bus infraction detection systems on school buses in its  
521 fleet must have specific authorization from the district school  
522 board to place or install, or contract with a vendor to install,

596-02020-26

2026654c1

523 operate, and maintain, school bus infraction detection systems  
524 to enforce s. 316.172(1)(a) and (b). As part of a public hearing  
525 held by the school board on such authorization, the school board  
526 shall consider traffic data or other evidence supporting the  
527 installation and operation of each school bus infraction  
528 detection system, and the school board shall determine whether  
529 the school bus route for which each school bus infraction  
530 detection system is to be placed or installed constitutes a  
531 heightened safety risk that warrants additional enforcement  
532 measures. Interested members of the public must be allowed to  
533 comment regarding a contract or renewal of a contract for the  
534 installation, operation, and maintenance of school bus  
535 infraction detection systems under the school board's public  
536 comment policies or procedures, and the contract or contract  
537 renewal may not be considered as part of a consent agenda.

538 (c) After an affirmative vote from the school board  
539 authorizing such a contract, the school district may enter into  
540 a contract with a private vendor or manufacturer to install a  
541 school bus infraction detection system on any school bus in  
542 within its fleet, whether owned, contracted, or leased, and for  
543 services including, but not limited to, the installation,  
544 operation, and maintenance of the system. ~~The school district's~~  
545 ~~decision to install school bus infraction detection systems must~~  
546 ~~be based solely on the need to increase public safety.~~ An  
547 individual may not receive a commission from any revenue  
548 collected from violations detected through the use of a school  
549 bus infraction detection system. A private vendor or  
550 manufacturer may not receive a fee or remuneration based upon  
551 the number of violations detected through the use of a school

596-02020-26

2026654c1

552 bus infraction detection system. This paragraph may not be  
553 construed to prohibit a private vendor or manufacturer from  
554 receiving a fixed amount of collected proceeds for service  
555 rendered in relation to the installation, operation, or  
556 maintenance of school bus infraction detection systems.

557 (d) ~~(e)~~ The school district shall ~~must~~ ensure that each  
558 school bus infraction detection system meets the requirements of  
559 subsection (19).

560 (e) ~~(d)~~ Before beginning its school bus infraction detection  
561 system program, a ~~the~~ school district must enter into an  
562 interlocal agreement with one or more law enforcement agencies  
563 authorized to enforce violations of s. 316.172(1)(a) and (b)  
564 within the school district which jointly establishes the  
565 responsibilities of enforcement and the reimbursement of costs  
566 associated with school bus infraction detection systems  
567 consistent with this section.

568 (f) For purposes of administering this section, a law  
569 enforcement agency may authorize a traffic infraction  
570 enforcement officer under s. 316.640 to issue uniform traffic  
571 citations for violations of s. 316.172(1)(a) and (b). This  
572 paragraph does not prohibit the review of information from a  
573 school bus infraction detection system by an authorized employee  
574 or agent of the school district or law enforcement agency before  
575 issuance of the traffic citation by the traffic infraction  
576 enforcement officer. This paragraph does not prohibit the law  
577 enforcement agency or its designee from issuing a notification  
578 as provided in subsection (5) to the registered owner of the  
579 motor vehicle involved in the violation of s. 316.172(1)(a) or  
580 (b).

596-02020-26

2026654c1

581 (2)

582 ~~(e) The sufficiency of signage or compliance with the~~  
583 ~~signage requirements under this subsection may not be raised in~~  
584 ~~a proceeding challenging a violation of s. 316.172(1)(a) or (b).~~

585 (4) Within 30 days after an alleged violation of s.  
586 316.172(1)(a) or (b) is recorded by a school bus infraction  
587 detection system, the school district or the private vendor or  
588 manufacturer under paragraph (1)(c) ~~(1)(b)~~ must submit the  
589 following information to a law enforcement agency that has  
590 entered into an interlocal agreement with the school district  
591 pursuant to paragraph (1)(e) ~~(1)(d)~~ and has traffic infraction  
592 enforcement jurisdiction at the location where the alleged  
593 violation occurred:

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

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

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

599 (6) (a) A local hearing officer appointed by the school  
600 district or county shall administer a ~~an administrative~~ hearing  
601 process for a contested notice of violation. ~~The school district~~  
602 ~~may appoint an attorney who is, and has been for the preceding 5~~  
603 ~~years, a member in good standing with The Florida Bar to serve~~  
604 ~~as a local hearing officer.~~ The county in which a school  
605 district has entered into an interlocal agreement with a law  
606 enforcement agency to issue uniform traffic citations may  
607 designate by resolution existing staff to serve as clerk to the  
608 local hearing officer. At the ~~administrative~~ hearing, the local  
609 hearing officer shall determine whether a violation of s.

596-02020-26

2026654c1

610 316.172(1) (a) or (b) has occurred. If the local hearing officer  
611 finds ~~by a preponderance of the evidence~~ that a violation has  
612 occurred, the local hearing officer must uphold the notice of  
613 violation and require the petitioner to pay the penalty  
614 previously assessed under s. 318.18(5). The local hearing  
615 officer may ~~shall~~ also require the petitioner to pay costs  
616 consistent with this subsection.

617 (b) Procedures for ~~a~~ an administrative hearing conducted  
618 under this subsection are as follows:

619 1. The department shall make available electronically to  
620 the school district ~~or its designee~~ or the county a Request for  
621 Hearing form to assist each district or county with  
622 administering this subsection.

623 2. A person, referred to in this paragraph as the  
624 petitioner, who elects to request a hearing under this  
625 subsection must ~~shall~~ be scheduled for a hearing. The hearing  
626 may be conducted either virtually through ~~via~~ live video  
627 conferencing or in person.

628 3. The clerk to the local hearing officer shall provide the  
629 petitioner with notice of the hearing, including the option for  
630 a virtual or in-person hearing, which must be sent ~~Within 120~~  
631 ~~days after receipt of a timely request for a hearing, the law~~  
632 ~~enforcement agency or its designee shall provide a replica of~~  
633 ~~the notice of violation data to the school district or county by~~  
634 ~~manual or electronic transmission, and thereafter the school~~  
635 ~~district or its designee or the county shall mail a notice of~~  
636 ~~hearing, which shall include a hearing date and may at the~~  
637 ~~discretion of the district or county include virtual and in-~~  
638 ~~person hearing options, to the petitioner by first-class mail.~~

596-02020-26

2026654c1

639 Mailing of the notice of hearing constitutes notification. Upon  
640 receipt of the notice ~~of hearing~~, the petitioner may reschedule  
641 the hearing up to two times ~~once~~ by submitting a written request  
642 to the local hearing officer at least 5 calendar days before the  
643 day of the originally scheduled hearing. The petitioner may  
644 cancel his or her hearing by paying the penalty assessed in the  
645 notice of violation.

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

654 5. At the conclusion of the hearing, the local hearing  
655 officer shall determine ~~by a preponderance of the evidence~~  
656 whether a violation has occurred and shall uphold or dismiss the  
657 violation. The local hearing officer shall issue a final  
658 administrative order including the determination and, if the  
659 notice of violation is upheld, must require the petitioner to  
660 pay the civil penalty previously assessed in the notice of  
661 violation, and may ~~shall~~ also require the petitioner to pay  
662 costs, not to exceed those established in s. 316.0083(5)(e), to  
663 be used by the county for operational costs relating to the  
664 hearing process or by the school district for technology and  
665 operational costs relating to the hearing process as well as  
666 school transportation safety-related initiatives. The final  
667 administrative order must ~~shall~~ be mailed to the petitioner by

596-02020-26

2026654c1

668 first-class mail.

669 6. An aggrieved party may appeal a final administrative  
670 order consistent with the process provided in s. 162.11.671 (c) Any hearing for a contested notice of violation that  
672 has not been conducted before July 1, 2025, may be conducted  
673 pursuant to the procedures in this subsection within 1 year  
674 after such date.675 (18) (a)1. A school district that operates one or more  
676 school bus infraction detection systems shall annually report  
677 the results of all such systems operated within the school  
678 district by placing the annual report to the department required  
679 under paragraph (b) as a single reporting item on the agenda of  
680 a regular or special meeting of the school board.681 2. Interested members of the public must be allowed to  
682 comment regarding the report under the school board's public  
683 comment policies or procedures, and the report may not be  
684 considered as part of a consent agenda.685 3. The report required under this paragraph must include a  
686 written summary, which must be read aloud at the regular or  
687 special meeting, and the summary must contain, for the same time  
688 period as the annual report to the department under paragraph  
689 (b), the number of school buses that have a school bus  
690 infraction detection system installed, including the date of  
691 installation and, if applicable, the date the systems were  
692 removed; the number of notices of violations issued and the  
693 number that were contested, the number that were upheld, the  
694 number that were dismissed, the number that were issued as  
695 uniform traffic citations, and the number that were paid; and  
696 the manner in which collected funds were distributed and in what

596-02020-26

2026654c1

697 amounts.698 4. The compliance or sufficiency of compliance with this  
699 paragraph may not be raised in a proceeding challenging a  
700 violation of s. 316.172(a) or (b) enforced by a school bus  
701 infraction detection system.702 5. A school district that does not comply with this  
703 paragraph may not operate school bus infraction detection  
704 systems under this section until such noncompliance is  
705 corrected.706 (b) By October 1, annually 2023, and quarterly thereafter,  
707 each school district operating a school bus infraction detection  
708 system shall ~~must~~ submit, in consultation with the law  
709 enforcement agencies with which it has interlocal agreements  
710 pursuant to this section, a report to the department which  
711 details the results of the school bus infraction detection  
712 systems in the school district during the preceding state fiscal  
713 year in the preceding quarter. The information from the school  
714 districts must be submitted in a form and manner determined by  
715 the department, ~~which the department must make available to the~~  
716 ~~school districts by August 1, 2023,~~ and must include at least  
717 the following:718 1. The number of school buses that have a school bus  
719 infraction detection system installed, including the date of  
720 installation and, if applicable, the date the systems were  
721 removed.722 2. The number of notices of violations issued, the number  
723 that were contested, the number that were upheld, the number  
724 that were dismissed, the number that were issued as uniform  
725 traffic citations, and the number that were paid.

596-02020-26

2026654c1

726        3. Data for each infraction to determine locations in need  
727 of safety improvements. Such data may include, but is not  
728 limited to, global positioning system coordinates of the  
729 infraction, the date and time of the infraction, and the name of  
730 the school that the school bus was transporting students to or  
731 from.

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

734  
735 The department shall publish on its website each report  
736 submitted by a school district pursuant to this paragraph.

737        (c)(b) Each school district that operates a school bus  
738 infraction detection system is responsible for and shall ~~must~~  
739 maintain its respective data for reporting purposes under this  
740 subsection for at least 2 years after such data is reported to  
741 the department.

742        (d)(e) On or before December 31, ~~2024~~, and annually  
743 ~~thereafter~~, the department shall submit a summary report to the  
744 Governor, the President of the Senate, and the Speaker of the  
745 House of Representatives regarding the use and operation of  
746 school bus infraction detection systems under this section,  
747 along with the department's recommendations and any recommended  
748 legislation. The summary report must include a review of the  
749 information submitted to the department by the school districts  
750 and must describe the enhancement of traffic safety and  
751 enforcement programs.

752        (19) A school bus infraction detection system must meet  
753 specifications established by the State Board of Education and  
754 must be tested at regular intervals according to specifications

596-02020-26

2026654c1

755 prescribed by state board rule. The state board must establish  
756 such specifications by rule on or before December 31, 2023.  
757 However, any such equipment acquired by purchase, lease, or  
758 other arrangement under an agreement entered into by a school  
759 district on or before December 31, 2023, is not required to meet  
760 the specifications established by the state board until July 1,  
761 2024.

762 Section 9. Subsection (1), paragraphs (b) and (c) of  
763 subsection (2), subsections (3), (5) through (9), (12), and  
764 (13), paragraph (c) of subsection (14), paragraph (a) of  
765 subsection (15), and paragraphs (a) and (c) of subsection (16)  
766 of section 316.1896, Florida Statutes, are amended to read:

767 316.1896 Roadways maintained as school zones; speed  
768 detection system enforcement; penalties; appeal procedure;  
769 privacy; reports.—

770 (1) For purposes of administering this section, a county or  
771 municipality may authorize a traffic infraction enforcement  
772 officer under s. 316.640 to issue uniform traffic citations for  
773 violations of s. 316.1895 during the times listed in s.

774 316.1895(5) ss. 316.1895 and 316.183 as authorized by s.  
775 316.008(9), as follows:

776 (a) ~~For a violation of s. 316.1895 in excess of 10 miles~~  
777 ~~per hour over the school zone speed limit which occurs within 30~~  
778 ~~minutes before through 30 minutes after the start of a regularly~~  
779 ~~scheduled breakfast program.~~

780 (b) ~~For a violation of s. 316.1895 in excess of 10 miles~~  
781 ~~per hour over the school zone speed limit which occurs within 30~~  
782 ~~minutes before through 30 minutes after the start of a regularly~~  
783 ~~scheduled school session.~~

596-02020-26

2026654c1

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

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

Such violation must be evidenced by a speed detection system described in ss. 316.008(9) and 316.0776(3). This subsection does not prohibit a review of information from a speed detection system by an authorized employee or agent of a county or municipality before issuance of the uniform traffic citation by the traffic infraction enforcement officer. This subsection does not prohibit a county or municipality from issuing notices as provided in subsection (2) to the registered owner of the motor vehicle for a violation of s. 316.1895. The school zone speed limit may not be enforced through the use of a speed detection system if any flashing beacon used to provide notice of the times during which a restrictive school speed limit is being enforced in the school zone is not activated at the time of the violation or s. 316.183.

(2) 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 under s. 318.14 and that the violator must pay the penalty under s. 318.18(3)(d) to the county or municipality, or furnish an affidavit in accordance with subsection (8), within 30 days after the date of the notice of violation in order to avoid court fees, costs, and

596-02020-26

2026654c1

813 the issuance of a uniform traffic citation. The notice of  
814 violation must:

815 (b) Include a photograph or other recorded image showing  
816 the license plate of the motor vehicle; the date, time, and  
817 location of the violation; the maximum speed at which the motor  
818 vehicle was traveling within the school zone; and the speed  
819 limit within the school zone ~~at the time of the violation.~~

820 (c) Include a notice that the owner has the right to  
821 review, in person or remotely, the photograph or video captured  
822 by the speed detection system and the evidence of the speed of  
823 the motor vehicle detected by the speed detection system which  
824 constitute a rebuttable presumption that the motor vehicle was  
825 used in violation of s. 316.1895 ~~or s. 316.183.~~

826 (3) Notwithstanding any other law, a person who receives a  
827 notice of violation under this section may request a hearing  
828 within 60 30 days after the notice of violation or may pay the  
829 penalty pursuant to the notice of violation, but a payment or  
830 fee may not be required before the hearing requested by the  
831 person. The notice of violation must be accompanied by, or  
832 direct the person to a website that provides, information on the  
833 person's right to request a hearing and on all costs related  
834 thereto and a form used for requesting a hearing. As used in  
835 this subsection, the term "person" includes a natural person,  
836 the registered owner or co-owner of a motor vehicle, or the  
837 person identified in an affidavit as having actual care,  
838 custody, or control of the motor vehicle at the time of the  
839 violation.

840 (5) Penalties assessed and collected by the county or  
841 municipality authorized to collect the funds provided for in

596-02020-26

2026654c1

842 this section, less the amount retained by the county or  
843 municipality pursuant to paragraphs (b) and (e) ~~paragraph (b)~~  
844 ~~and paragraph (e)~~ and the amount remitted to the county school  
845 district pursuant to paragraph (d), must be paid to the  
846 Department of Revenue weekly. Such payment must be made by means  
847 of electronic funds transfer. In addition to the payment, a  
848 detailed summary of the penalties remitted must be reported to  
849 the Department of Revenue. Penalties to be assessed and  
850 collected by the county or municipality as established in s.  
851 318.18(3) (d) must be remitted as follows:

852 (a) Twenty dollars must be remitted to the Department of  
853 Revenue for deposit into the General Revenue Fund.

854 (b) Sixty dollars must be retained by the county or  
855 municipality and must be used to administer speed detection  
856 systems in school zones and other public safety initiatives.

857 (c) Three dollars must be remitted to the Department of  
858 Revenue for deposit into the Department of Law Enforcement  
859 Criminal Justice Standards and Training Trust Fund.

860 (d) Twelve dollars must be remitted to the county school  
861 district in which the violation occurred and must be used for  
862 school security initiatives, for student transportation, or to  
863 improve the safety of student walking conditions. Funds remitted  
864 under this paragraph must be shared with charter schools in the  
865 district based on each charter school's proportionate share of  
866 the district's total unweighted full-time equivalent student  
867 enrollment and must be used for school security initiatives or  
868 to improve the safety of student walking conditions.

869 (e) Five dollars must be retained by the county or  
870 municipality for the School Crossing Guard Recruitment and

596-02020-26

2026654c1

871 Retention Program pursuant to s. 316.1894.

872

873 An individual may not receive a commission or per-ticket fee  
874 from any revenue collected from violations detected through the  
875 use of a speed detection system. A manufacturer or vendor of  
876 speed detection systems may not receive a fee or remuneration  
877 based upon the number of violations detected through the use of  
878 a speed detection system.

879 (6) A uniform traffic citation must be issued by mailing  
880 the uniform traffic citation by certified mail to the address of  
881 the registered owner of the motor vehicle involved in the  
882 violation if payment has not been made within 60 30 days after  
883 notification under subsection (2), if the registered owner has  
884 not requested a hearing as authorized under subsection (3), and  
885 if the registered owner has not submitted an affidavit in  
886 accordance with subsection (8).

887 (a) Delivery of the uniform traffic citation constitutes  
888 notification of a violation under this subsection. If the  
889 registered owner or co-owner of the motor vehicle; the person  
890 identified as having care, custody, or control of the motor  
891 vehicle at the time of the violation; or a duly authorized  
892 representative of the owner, co-owner, or identified person  
893 initiates a proceeding to challenge the citation pursuant to  
894 this section, such person waives any challenge or dispute as to  
895 the delivery of the uniform traffic citation.

896 (b) In the case of joint ownership of a motor vehicle, the  
897 uniform traffic citation must be mailed to the first name  
898 appearing on the motor vehicle registration, unless the first  
899 name appearing on the registration is a business organization,

596-02020-26

2026654c1

900 in which case the second name appearing on the registration may  
901 be used.

902 (c) The uniform traffic citation mailed to the registered  
903 owner of the motor vehicle involved in the infraction must be  
904 accompanied by the information described in paragraphs (2) (b) -  
905 (d).

906 (7) The registered owner of the motor vehicle involved in  
907 the violation is responsible and liable for paying the uniform  
908 traffic citation issued for a violation of s. 316.1895 ~~or s.~~  
909 ~~316.183~~ unless the owner can establish that:

910 (a) The motor vehicle was, at the time of the violation, in  
911 the care, custody, or control of another person;

912 (b) A uniform traffic citation was issued by law  
913 enforcement to the driver of the motor vehicle for the alleged  
914 violation of s. 316.1895 ~~or s. 316.183~~; or

915 (c) The motor vehicle's owner was deceased on or before the  
916 date of the alleged violation, as established by an affidavit  
917 submitted by the representative of the motor vehicle owner's  
918 estate or other identified person or family member.

919 (8) To establish such facts under subsection (7), the  
920 registered owner of the motor vehicle must, within 60 30 days  
921 after the date of issuance of the notice of violation or the  
922 uniform traffic citation, furnish to the appropriate  
923 governmental entity an affidavit setting forth information  
924 supporting an exception under subsection (7).

925 (a) An affidavit supporting the exception under paragraph  
926 (7) (a) must include the name, address, date of birth, and, if  
927 known, the driver license number of the person who leased,  
928 rented, or otherwise had care, custody, or control of the motor

596-02020-26

2026654c1

929 vehicle at the time of the alleged violation. If the motor  
930 vehicle was stolen at the time of the alleged violation, the  
931 affidavit must include the police report indicating that the  
932 motor vehicle was stolen.

933 (b) If a uniform traffic citation for a violation of s.  
934 316.1895 ~~or s. 316.183~~ was issued at the location of the  
935 violation by a law enforcement officer, the affidavit must  
936 include the serial number of the uniform traffic citation.

937 (c) If the motor vehicle's owner to whom a notice of  
938 violation or a uniform traffic citation has been issued is  
939 deceased, the affidavit must include a certified copy of the  
940 owner's death certificate showing that the date of death  
941 occurred on or before the date of the alleged violation and one  
942 of the following:

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

946 2. Documented proof that the registered license plate  
947 belonging to the deceased owner's motor vehicle was returned to  
948 the department or any branch office or authorized agent of the  
949 department after his or her death but on or before the date of  
950 the alleged violation.

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

955  
956 Upon receipt of the affidavit and documentation required under  
957 paragraphs (b) and (c), or 60 30 days after the date of issuance

596-02020-26

2026654c1

958 of a notice of violation sent to a person identified as having  
959 care, custody, or control of the motor vehicle at the time of  
960 the violation under paragraph (a), the county or municipality  
961 must dismiss the notice or citation and provide proof of such  
962 dismissal to the person who submitted the affidavit. If, within  
963 30 days after the date of a notice of violation sent to a person  
964 under subsection (9), the county or municipality receives an  
965 affidavit under subsection (10) from the person sent a notice of  
966 violation affirming that the person did not have care, custody,  
967 or control of the motor vehicle at the time of the violation,  
968 the county or municipality must notify the registered owner that  
969 the notice or citation will not be dismissed due to failure to  
970 establish that another person had care, custody, or control of  
971 the motor vehicle at the time of the violation.

972 (9) Upon receipt of an affidavit under paragraph (8)(a),  
973 the county or municipality may issue the person identified as  
974 having care, custody, or control of the motor vehicle at the  
975 time of the violation a notice of violation pursuant to  
976 subsection (2) for a violation of s. 316.1895 ~~or s. 316.183~~. The  
977 affidavit is admissible in a proceeding pursuant to this section  
978 for the purpose of providing evidence that the person identified  
979 in the affidavit was in actual care, custody, or control of the  
980 motor vehicle. The owner of a leased motor vehicle for which a  
981 uniform traffic citation is issued for a violation of s.  
982 316.1895 ~~or s. 316.183~~ is not responsible for paying the uniform  
983 traffic citation and is not required to submit an affidavit as  
984 specified in subsection (8) if the motor vehicle involved in the  
985 violation is registered in the name of the lessee of such motor  
986 vehicle.

596-02020-26

2026654c1

987       (12) The photograph or video captured by a speed detection  
988 system and the evidence of the speed of the motor vehicle  
989 detected by a speed detection system which are attached to or  
990 referenced in the uniform traffic citation are evidence of a  
991 violation of s. 316.1895 ~~or s. 316.183~~ and are admissible in any  
992 proceeding to enforce this section. The photograph or video and  
993 the evidence of speed detected raise a rebuttable presumption  
994 that the motor vehicle named in the report or shown in the  
995 photograph or video was used in violation of s. 316.1895 ~~or s.~~  
996 ~~316.183~~.

997       (13) This section supplements the enforcement of s.  
998 316.1895 ss. 316.1895 and 316.183 by a law enforcement officer  
999 and does not prohibit a law enforcement officer from issuing a  
1000 uniform traffic citation for a violation of s. 316.1895 ~~or s.~~  
1001 ~~316.183~~.

1002       (14) A hearing under this section must be conducted under  
1003 the procedures established by s. 316.0083(5) and as follows:

1004       (c) A person, referred to in this subsection as the  
1005 "petitioner," who elects to request a hearing under subsection  
1006 (3) must be scheduled for a hearing by the clerk to the local  
1007 hearing officer. The hearing may be conducted either virtually  
1008 through live video conferencing or in person. The clerk to the  
1009 local hearing officer shall provide ~~must furnish~~ the petitioner  
1010 with notice of the hearing, including the option for a virtual  
1011 or in-person hearing, which must be sent by first-class mail.  
1012 Upon receipt of the notice, the petitioner may reschedule the  
1013 hearing up to two times by submitting a written request to  
1014 reschedule to the clerk at least 5 calendar days before the day  
1015 of the scheduled hearing. The petitioner may cancel his or her

596-02020-26

2026654c1

1016 appearance before the local hearing officer by paying the  
1017 penalty assessed under subsection (2), plus the administrative  
1018 costs established in s. 316.0083(5)(c), before the start of the  
1019 hearing.

1020 (15) (a) A speed detection system in a school zone may not  
1021 be used for remote surveillance. The collection of evidence by a  
1022 speed detection system to enforce violations of s. 316.1895 ss.  
1023 ~~316.1895 and 316.183~~, or user-controlled pan or tilt adjustments  
1024 of speed detection system components, do not constitute remote  
1025 surveillance. Recorded video or photographs collected by as part  
1026 ~~of~~ a speed detection system in a school zone may only be used to  
1027 document violations of s. 316.1895 ss. 316.1895 and 316.183 and  
1028 for purposes of determining criminal or civil liability for  
1029 incidents captured by the speed detection system incidental to  
1030 the permissible use of the speed detection system.

1031 (16) (a) Each county or municipality that operates one or  
1032 more speed detection systems shall ~~must~~ submit a report by  
1033 October 1, 2024, and annually ~~thereafter~~, to the department  
1034 which identifies the public safety objectives used to identify a  
1035 school zone for enforcement under this section, reports  
1036 compliance with s. 316.0776(3)(c), and details the results of  
1037 the speed detection system in the school zone during the  
1038 preceding state fiscal year and the procedures for enforcement.  
1039 The information from counties and municipalities must be  
1040 submitted in a form and manner determined by the department,  
1041 ~~which the department must make available to the counties and~~  
1042 ~~municipalities by August 1, 2023, and the department may require~~  
1043 ~~data components to be submitted quarterly.~~ The report must  
1044 include at least the following:

596-02020-26

2026654c1

1045        1. Information related to the location of each speed  
1046 detection system, including the geocoordinates of the school  
1047 zone, the directional approach of the speed detection system,  
1048 the school name, the school level, the times the speed detection  
1049 system was active, the restricted school zone speed limit  
1050 enforced pursuant to s. 316.1895(5), ~~the posted speed limit~~  
1051 ~~enforced at times other than those authorized by s. 316.1895(5),~~  
1052 the date the systems were activated to enforce violations of s.  
1053 316.1895 ss. 316.1895 and 316.183, and, if applicable, the date  
1054 the systems were deactivated.

1055        2. The number of notices of violation issued, the number  
1056 that were contested, the number that were upheld, the number  
1057 that were dismissed, the number that were issued as uniform  
1058 traffic citations, and the number that were paid.

1059        3. Any other statistical data and information related to  
1060 the procedures for enforcement which is required by the  
1061 department to complete the report required under paragraph (c).  
1062

1063 The department shall publish on its website each report  
1064 submitted by a county or municipality pursuant to this  
1065 paragraph.

1066        (c) On or before December 31, ~~2024~~, and annually  
1067 ~~thereafter~~, the department shall ~~must~~ submit a summary report to  
1068 the Governor, the President of the Senate, and the Speaker of  
1069 the House of Representatives regarding the use of speed  
1070 detection systems under this section, along with any recommended  
1071 legislation legislative recommendations from the department. The  
1072 summary report must include a review of the information  
1073 submitted to the department by the counties and municipalities

596-02020-26

2026654c1

1074 and must describe the enhancement of safety and enforcement  
1075 programs.

1076 Section 10. Paragraph (d) of subsection (1) of section  
1077 316.1906, Florida Statutes, is reordered and amended, and  
1078 subsection (3) of that section is amended, to read:

1079 316.1906 Radar speed-measuring devices; speed detection  
1080 systems; evidence, admissibility.—

1081 (1) DEFINITIONS.—

1082 (d) "Officer" means any:

1083 2.1. "Law enforcement officer" who is elected, appointed,  
1084 or employed full time by any municipality or the state or any  
1085 political subdivision thereof; who is vested with the authority  
1086 to bear arms and make arrests; and whose primary responsibility  
1087 is the prevention and detection of crime or the enforcement of  
1088 the penal, criminal, traffic, or highway laws of the state;

1089 3.2. "Part-time law enforcement officer" who is employed or  
1090 appointed less than full time, as defined by an employing  
1091 agency, with or without compensation; who is vested with  
1092 authority to bear arms and make arrests; and whose primary  
1093 responsibility is the prevention and detection of crime or the  
1094 enforcement of the penal, criminal, traffic, or highway laws of  
1095 the state; or

1096 1.3. "Auxiliary law enforcement officer" who is employed or  
1097 appointed, with or without compensation; who aids or assists a  
1098 full-time or part-time law enforcement officer; and who, while  
1099 under the direct supervision of a full-time or part-time law  
1100 enforcement officer, has the authority to arrest and perform law  
1101 enforcement functions; ~~or~~

1102 4. "Traffic infraction enforcement officer" who is employed

596-02020-26

2026654c1

1103 or appointed, with or without compensation, and satisfies the  
1104 requirements of s. 316.640(5) and is vested with authority to  
1105 enforce violations of s. 316.1895 ~~ss. 316.1895 and 316.183~~  
1106 pursuant to s. 316.1896.

1107 (3) A speed detection system is exempt from the design  
1108 requirements for radar or LiDAR units established by the  
1109 department. A speed detection system must have the ability to  
1110 perform self-tests as to its detection accuracy. The system must  
1111 perform a self-test at least once every 30 days. The law  
1112 enforcement agency, or an agent acting on behalf of the law  
1113 enforcement agency, operating a speed detection system must  
1114 maintain a log of the results of the system's self-tests. The  
1115 law enforcement agency, or an agent acting on behalf of the law  
1116 enforcement agency, operating a speed detection system must also  
1117 perform an independent calibration test on the speed detection  
1118 system at least once every 12 months. The self-test logs, as  
1119 well as the results of the annual calibration test, are  
1120 admissible in any court proceeding for a uniform traffic  
1121 citation issued for a violation of s. 316.1895 ~~or s. 316.183~~  
1122 enforced pursuant to s. 316.1896. Notwithstanding subsection  
1123 (2), evidence of the speed of a motor vehicle detected by a  
1124 speed detection system compliant with this subsection and the  
1125 determination by a traffic infraction enforcement officer that a  
1126 motor vehicle is operating in excess of the applicable speed  
1127 limit is admissible in any proceeding with respect to an alleged  
1128 violation of law regulating the speed of motor vehicles in  
1129 school zones.

1130 Section 11. Paragraph (a) of subsection (5) of section  
1131 316.640, Florida Statutes, is amended to read:

596-02020-26

2026654c1

1132        316.640 Enforcement.—The enforcement of the traffic laws of  
1133 this state is vested as follows:

1134        (5) (a) Any sheriff's department or police department of a  
1135 municipality may employ, as a traffic infraction enforcement  
1136 officer, any individual who successfully completes instruction  
1137 in traffic enforcement procedures and court presentation through  
1138 the Selective Traffic Enforcement Program as approved by the  
1139 Division of Criminal Justice Standards and Training of the  
1140 Department of Law Enforcement, or through a similar program, but  
1141 who does not necessarily otherwise meet the uniform minimum  
1142 standards established by the Criminal Justice Standards and  
1143 Training Commission for law enforcement officers or auxiliary  
1144 law enforcement officers under s. 943.13. Any such traffic  
1145 infraction enforcement officer who observes the commission of a  
1146 traffic infraction or, in the case of a parking infraction, who  
1147 observes an illegally parked vehicle may issue a traffic  
1148 citation for the infraction when, based upon personal  
1149 investigation, he or she has reasonable and probable grounds to  
1150 believe that an offense has been committed which constitutes a  
1151 noncriminal traffic infraction as defined in s. 318.14. In  
1152 addition, any such traffic infraction enforcement officer may  
1153 issue a traffic citation under ss. 316.0083, 316.173, and  
1154 316.1896 ~~ss. 316.0083 and 316.1896~~. For purposes of enforcing  
1155 ss. 316.074(1), 316.075(1)(c)1., 316.172(1)(a) and (b), and  
1156 316.1895(10) ~~ss. 316.0083, 316.1895, and 316.183~~, any sheriff's  
1157 department or police department of a municipality may designate  
1158 employees as traffic infraction enforcement officers. The  
1159 traffic infraction enforcement officers must be physically  
1160 located in the county of the respective sheriff's or police

596-02020-26

2026654c1

1161 department.

1162       Section 12. Paragraph (c) of subsection (3) of section  
1163 316.650, Florida Statutes, is amended to read:

1164       316.650 Traffic citations.—

1165       (3)

1166       (c) If a traffic citation is issued under s. 316.0083, s.  
1167 316.173, or s. 316.1896, the traffic infraction enforcement  
1168 officer must shall provide by electronic transmission a replica  
1169 of the traffic citation data to the court having jurisdiction  
1170 over the alleged offense or its traffic violations bureau within  
1171 5 business days after the date of issuance of the traffic  
1172 citation to the violator. If a hearing is requested, the traffic  
1173 infraction enforcement officer must shall provide a replica of  
1174 the ~~traffic~~ notice of violation data to the clerk to for the  
1175 local hearing officer having jurisdiction over the alleged  
1176 offense within 14 days.1177       Section 13. Subsection (3) of section 318.15, Florida  
1178 Statutes, is amended to read:1179       318.15 Failure to comply with civil penalty or to appear;  
1180 penalty.—1181       (3) The clerk shall notify the department of persons who  
1182 were mailed a notice of violation of s. 316.074(1) or s.  
1183 316.075(1)(c)1. pursuant to s. 316.0083, of s. 316.172(1)(a) or  
1184 (b) pursuant to s. 316.173, or of s. 316.1895(10) pursuant to s.  
1185 316.1896, and who failed to enter into, or comply with the terms  
1186 of, a penalty payment plan, or order with the clerk to the local  
1187 hearing officer or failed to appear at a scheduled hearing  
1188 within 10 days after such failure, and shall reference the  
1189 person's driver license number, or in the case of a business

596-02020-26

2026654c1

1190 entity, vehicle registration number.

1191 (a) Upon receipt of such notice, the department, or  
1192 authorized agent thereof, may not issue a license plate or  
1193 revalidation sticker for any motor vehicle owned or co-owned by  
1194 that person pursuant to s. 320.03(8) until the amounts assessed  
1195 have been fully paid.

1196 (b) After the issuance of the person's license plate or  
1197 revalidation sticker is withheld pursuant to paragraph (a), the  
1198 person may challenge the withholding of the license plate or  
1199 revalidation sticker only on the basis that the outstanding  
1200 fines and civil penalties have been paid pursuant to s.  
1201 320.03(8).

1202 Section 14. Paragraph (d) of subsection (3), paragraphs (a)  
1203 and (b) of subsection (5), and subsection (23) of section  
1204 318.18, Florida Statutes, are amended to read:

1205 318.18 Amount of penalties.—The penalties required for a  
1206 noncriminal disposition pursuant to s. 318.14 or a criminal  
1207 offense listed in s. 318.17 are as follows:

1208 (3)

1209 (d)1. Notwithstanding paragraphs (b) and (c), a person  
1210 cited for a violation of s. 316.1895(10) ~~or s. 316.183~~ for  
1211 exceeding the speed limit in force at the time of the violation  
1212 on a roadway maintained as a school zone as provided in s.  
1213 316.1895, when enforced by a traffic infraction enforcement  
1214 officer pursuant to s. 316.1896, must pay a fine of \$100. Fines  
1215 collected under this paragraph must be distributed as follows:

1216 a. Twenty dollars must be remitted to the Department of  
1217 Revenue for deposit into the General Revenue Fund.

1218 b. Seventy-seven dollars must be distributed to the county

596-02020-26

2026654c1

1219 for any violations occurring in any unincorporated areas of the  
1220 county or to the municipality for any violations occurring in  
1221 the incorporated boundaries of the municipality in which the  
1222 infraction occurred, to be used as provided in s. 316.1896(5).

1223 c. Three dollars must be remitted to the Department of  
1224 Revenue for deposit into the Department of Law Enforcement  
1225 Criminal Justice Standards and Training Trust Fund to be used as  
1226 provided in s. 943.25.

1227 2. If a person who is mailed a notice of violation or a  
1228 uniform traffic citation for a violation of s. 316.1895(10) ~~or~~  
1229 ~~s. 316.183~~, as enforced by a traffic infraction enforcement  
1230 officer under s. 316.1896, presents documentation from the  
1231 appropriate governmental entity that the notice of violation or  
1232 uniform traffic citation was in error, the clerk of court or  
1233 clerk to the local hearing officer may dismiss the case. The  
1234 clerk of court or clerk to the local hearing officer may not  
1235 charge for this service.

1236 3. An individual may not receive a commission or per-ticket  
1237 fee from any revenue collected from violations detected through  
1238 the use of a speed detection system. A manufacturer or vendor  
1239 may not receive a fee or remuneration based upon the number of  
1240 violations detected through the use of a speed detection system.

1241 (5)(a)1. Except as provided in subparagraph 2., \$200 for a  
1242 violation of s. 316.172(1)(a), failure to stop for a school bus.  
1243 If, at a hearing, the alleged offender is found to have  
1244 committed this offense, the court shall impose a minimum civil  
1245 penalty of \$200. In addition to this penalty, for a second or  
1246 subsequent offense within a period of 5 years, the department  
1247 shall suspend the driver license of the person for not less than

596-02020-26

2026654c1

1248 180 days and not more than 1 year.

1249 2. If a violation of s. 316.172(1)(a) is enforced by a  
1250 school bus infraction detection system pursuant to s. 316.173,  
1251 the penalty of \$200 shall be imposed. If, at a ~~an administrative~~  
1252 hearing contesting a notice of violation or uniform traffic  
1253 citation, the alleged offender is found to have committed this  
1254 offense, a minimum civil penalty of \$200 shall be imposed.  
1255 Notwithstanding any other provision of law except s. 28.37(6),  
1256 the civil penalties assessed under this subparagraph resulting  
1257 from a notice of violation or uniform traffic citation shall be  
1258 remitted to the school district at least monthly and used  
1259 pursuant to s. 316.173(8).

1260 (b)1. Except as provided in subparagraph 2., \$400 for a  
1261 violation of s. 316.172(1)(b), passing a school bus on the side  
1262 that children enter and exit when the school bus displays a stop  
1263 signal. If, at a hearing, the alleged offender is found to have  
1264 committed this offense, the court shall impose a minimum civil  
1265 penalty of \$400.

1266 2. If a violation of s. 316.172(1)(b) is enforced by a  
1267 school bus infraction detection system pursuant to s. 316.173,  
1268 the penalty under this subparagraph is a minimum of \$200. If, at  
1269 a hearing contesting a notice of violation or uniform traffic  
1270 citation, the alleged offender is found to have committed this  
1271 offense, the court shall impose a minimum civil penalty of \$200.  
1272 Notwithstanding any other provision of law except s. 28.37(6),  
1273 the civil penalties assessed under this subparagraph resulting  
1274 from notice of violation or uniform traffic citation shall be  
1275 remitted to the school district at least monthly and used  
1276 pursuant to s. 316.173(8).

596-02020-26

2026654c1

1277       3. In addition to this penalty, for a second or subsequent  
1278 offense within a period of 5 years, the department shall suspend  
1279 the driver license of the person for not less than 360 days and  
1280 not more than 2 years.

1281       (23) In addition to the penalty prescribed under s.  
1282 316.0083, s. 316.173, or s. 316.1895 for violations enforced  
1283 under those sections s. 316.0083 which are upheld by the local  
1284 hearing officer, the local hearing officer may also order the  
1285 payment of county, or municipal, or school district costs, not  
1286 to exceed \$250.

1287       Section 15. Subsection (12) of section 320.02, Florida  
1288 Statutes, is amended to read:

1289       320.02 Registration required; application for registration;  
1290 forms.—

1291       (12) The department is authorized to withhold registration  
1292 or reregistration of any motor vehicle if the owner, or one of  
1293 the co-owners of the vehicle:  
1294       (a) Has a driver license which is under suspension for the  
1295 failure to remit payment of any fines levied in this state  
1296 pursuant to chapter 318 or chapter 322; or

1297       (b) Received a traffic citation for a violation of s.  
1298 316.074(1) or s. 316.075(1)(c)1., s. 316.172(1)(a) or (b), or s.  
1299 316.1895(10), as enforced by s. 316.0083, s. 316.173, or s.  
1300 316.1896, respectively, and did not request a hearing, submit an  
1301 affidavit claiming an exception, or pay the traffic citation.

1302       Section 16. Paragraph (d) of subsection (3) of section  
1303 322.27, Florida Statutes, is amended to read:

1304       322.27 Authority of department to suspend or revoke driver  
1305 license or identification card.—

596-02020-26

2026654c1

1306 (3) There is established a point system for evaluation of  
1307 convictions of violations of motor vehicle laws or ordinances,  
1308 and violations of applicable provisions of s. 403.413(6)(b) when  
1309 such violations involve the use of motor vehicles, for the  
1310 determination of the continuing qualification of any person to  
1311 operate a motor vehicle. The department is authorized to suspend  
1312 the license of any person upon showing of its records or other  
1313 good and sufficient evidence that the licensee has been  
1314 convicted of violation of motor vehicle laws or ordinances, or  
1315 applicable provisions of s. 403.413(6)(b), amounting to 12 or  
1316 more points as determined by the point system. The suspension  
1317 shall be for a period of not more than 1 year.

1318 (d) The point system shall have as its basic element a  
1319 graduated scale of points assigning relative values to  
1320 convictions of the following violations:

1. Reckless driving, willful and wanton-4 points.

1322 2. Leaving the scene of a crash resulting in property  
1323 damage of more than \$50–6 points.

1324           3. Unlawful speed, or unlawful use of a wireless  
1325           communications device, resulting in a crash-6 points.

#### 4. Passing a stopped school bus:

1327 a. Not causing or resulting in serious bodily injury to or  
1328 death of another-4 points.

1329           b. Causing or resulting in serious bodily injury to or  
1330           death of another—6 points.

1331 c. Points may not be imposed for a violation of passing a  
1332 stopped school bus as provided in s. 316.172(1)(a) or (b) when  
1333 enforced by a school bus infraction detection system pursuant to  
1334 s. 316.173. In addition, a violation of s. 316.172(1)(a) or (b)

596-02020-26

2026654c1

1335 when enforced by a school bus infraction detection system  
1336 pursuant to s. 316.173 may not be used for purposes of setting  
1337 motor vehicle insurance rates.

1338 5. Unlawful speed:

1339 a. Not in excess of 15 miles per hour of lawful or posted  
1340 speed—3 points.

1341 b. In excess of 15 miles per hour of lawful or posted  
1342 speed—4 points.

1343 c. Points may not be imposed for a violation of unlawful  
1344 speed as provided in s. 316.1895 ~~or s. 316.183~~ when enforced by  
1345 a traffic infraction enforcement officer pursuant to s.

1346 316.1896. In addition, a violation of s. 316.1895 ~~or s. 316.183~~  
1347 when enforced by a traffic infraction enforcement officer  
1348 pursuant to s. 316.1896 may not be used for purposes of setting  
1349 motor vehicle insurance rates.

1350 6. A violation of a traffic control signal device as  
1351 provided in s. 316.074(1) or s. 316.075(1)(c)1.—4 points.  
1352 However, points may not be imposed for a violation of s.  
1353 316.074(1) or s. 316.075(1)(c)1. when a driver has failed to  
1354 stop at a traffic signal and when enforced by a traffic  
1355 infraction enforcement officer. In addition, a violation of s.  
1356 316.074(1) or s. 316.075(1)(c)1. when a driver has failed to  
1357 stop at a traffic signal and when enforced by a traffic  
1358 infraction enforcement officer may not be used for purposes of  
1359 setting motor vehicle insurance rates.

1360 7. Unlawfully driving a vehicle through a railroad-highway  
1361 grade crossing—6 points.

1362 8. All other moving violations (including parking on a  
1363 highway outside the limits of a municipality)—3 points. However,

596-02020-26

2026654c1

1364 points may not be imposed for a violation of s. 316.2065(11);  
1365 and points may be imposed for a violation of s. 316.1001 only  
1366 when imposed by the court after a hearing pursuant to s.  
1367 318.14(5).

1368 9. Any moving violation covered in this paragraph,  
1369 excluding unlawful speed and unlawful use of a wireless  
1370 communications device, resulting in a crash—4 points.

1371 10. Any conviction under s. 403.413(6)(b)—3 points.

1372 11. Any conviction under s. 316.0775(2)—4 points.

1373 12. A moving violation covered in this paragraph which is  
1374 committed in conjunction with the unlawful use of a wireless  
1375 communications device within a school safety zone—2 points, in  
1376 addition to the points assigned for the moving violation.

1377 Section 17. Subsection (23) is added to section 775.15,  
1378 Florida Statutes, to read:

1379 775.15 Time limitations; general time limitations;  
1380 exceptions.—

1381 (23) For a traffic violation enforced pursuant to s.  
1382 316.0083, s. 316.173, or s. 316.1896, the 1-year period of  
1383 limitation for a noncriminal violation pursuant to paragraph  
1384 (2)(d) resets upon receipt by the appropriate county,  
1385 municipality, or law enforcement agency of an affidavit  
1386 indicating that the motor vehicle was in the care, custody, and  
1387 control of another person at the time of the violation, as  
1388 authorized in s. 316.0083, s. 316.173, or s. 316.1896,  
1389 respectively.

1390 Section 18. Paragraph (h) of subsection (3) of section  
1391 1006.21, Florida Statutes, is amended to read:

1392 1006.21 Duties of district school superintendent and

596-02020-26

2026654c1

1393 district school board regarding transportation.—

1394 (3) District school boards, after considering

1395 recommendations of the district school superintendent:

1396 (h) Upon an affirmative vote of the school board

1397 authorizing the use of school bus infraction detection systems,

1398 may install and operate, or enter into an agreement with a

1399 private vendor or manufacturer to install, operate, and maintain

1400 provide, a school bus infraction detection system pursuant to s.

1401 316.173.

1402 Sec

1402 Section 19. For the purpose of incorporating the amendment  
1403 made by this act to section 318.18, Florida Statutes, in a  
1404 reference thereto, section 318.121, Florida Statutes, is  
1405 reenacted to read:

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

1413 | Section 20. This act shall take effect October 1, 2026.

**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:** SB 696

**INTRODUCER:** Senator Martin

**SUBJECT:** Registration of Trademarks

**DATE:** January 27, 2026      **REVISED:** \_\_\_\_\_

ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1. <u>Dike</u>	<u>McKay</u>	<u>CM</u>	<u>Favorable</u>
2. <u>Wells</u>	<u>Nortelus</u>	<u>ATD</u>	<u>Pre-meeting</u>
3. _____	_____	<u>RC</u>	_____

## **I. Summary:**

SB 696 aligns Florida's trademark registration system with federal law and international standards. This bill creates an online registration system and allows for verification of applications to be made via a written declaration or other statutorily accepted methods rather than a Notary Public. The bill also mandates the Department of State (Department) must adopt the U.S. Patent and Trademark Office's (USPTO) system of classification of goods and services yearly to avoid repeatedly amending state statutes.

The bill will have a significant negative fiscal impact to state expenditures. See Section V., Fiscal Impact Statement.

The bill takes effect on July 1, 2026.

## **II. Present Situation:**

### **Trademarks**

A registered trademark can be any word, phrase, symbol, or design which distinguishes the source of goods and services and provides legal protection for a brand.<sup>1</sup> A trademark ("TM") protects a good while a service mark ("SM") protects a service.<sup>2</sup> While an owner can register their mark with federal and state governments, it is not required by law—an owner of an unregistered mark may still use it to brand their goods or services and still enforce trademark

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<sup>1</sup> USPTO, *What is a trademark?*, available at <https://www.uspto.gov/trademarks/basics/what-trademark> (last visited Jan. 12, 2026).

<sup>2</sup> *Id.*

rights under certain laws.<sup>3</sup> However, trademark registration allows a person to prove ownership more easily in legal proceedings and provides additional protections under state and federal law.<sup>4</sup>

## Federal Law and Nice Classification

The USPTO regulates interstate use of trademarks pursuant to the Lanham Act, which was adopted in 1946.<sup>5</sup> In 1972, U.S. became a signatory to the Nice Agreement, a multilateral treaty administered by the World Intellectual Property Organization.<sup>6</sup> As such, all applications filed under the Lanham Act after September 1, 1973, are subject to the Nice Classification. Under the treaty, the Nice System classifications are reviewed and updated to reflect changes in technology and commercial practices. The USPTO updates these classifications via federal rulemaking to follow the Nice Classification.<sup>7</sup>

The Nice Classification is reviewed and revised by its Committee of Experts, which is made up of representatives of each party to the Nice Agreement. “In 2013, the Committee of Experts began annual revisions to the Nice Classification. The annual revisions enter into force on January 1 each year [and] are referred to as versions and identified by an edition number and the year of the effective date (e.g., “Nice Classification, 10th ed., ver. 2013” or “NCL 10-2013”).”<sup>8</sup> The changes consist of the addition and deletion of new or obsolete goods and services from the Nice Classification’s class headings, alphabetical list of named goods and services, and explanatory notes, as well as any other required amendments.

Pursuant to the Nice Agreement and prior to registration under federal law, a trademark application must specify the class of the goods and services to which the trademark applies.<sup>9</sup> For example, Class 1 includes chemical products for use in industry, science, and agriculture, while Class 7 includes mainly machines, machine tools, motors, and engines.<sup>10</sup>

## Florida Trademark Registration

In Florida, ch. 495, F.S., governs the intrastate use of trademarks in Florida, the registration of which is overseen by the Department’s Division of Corporations (Division). Registering a trademark in the state gives an owner greater rights over its use. There are currently 18,307 active trademark or service mark registrations in Florida.<sup>11</sup>

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<sup>3</sup> *Id.*

<sup>4</sup> USPTO., *Why register your trademark?*, available at <https://www.uspto.gov/trademarks/basics/why-register-your-trademark> (last visited Jan. 12, 2026).

<sup>5</sup> 15 U.S.C. § 1051.

<sup>6</sup> See World Intellectual Property Organization, *WIPO-Administered Treaties*, available at [https://www.wipo.int/wipolex/en/treaties>ShowResults?search\\_what=C&treaty\\_id=12](https://www.wipo.int/wipolex/en/treaties>ShowResults?search_what=C&treaty_id=12) (last visited Jan. 12, 2026).

<sup>7</sup> See, e.g., International Trademark Classification Changes, 90 Fed. Reg. 47,592 (Oct. 2, 2025) (codified at 37 C.F.R. 6.1).

<sup>8</sup> *Id.*, see also World Intellectual Property Organization, *About the Nice Classification*, available at <https://www.wipo.int/en/web/classification-nice/preface> (last visited Jan. 12, 2026).

<sup>9</sup> USPTO, *Nice Agreement current edition version - general remarks, class headings and explanatory notes*, available at <https://www.uspto.gov/trademarks/trademark-updates-and-announcements/nice-agreement-current-edition-version-general-remarks> (last visited Jan. 12, 2026).

<sup>10</sup> *Id.*

<sup>11</sup> Div. of Corp., *Yearly Statistics*, available at <https://dos.fl.gov/sunbiz/about-us/yearly-statistics/> (last visited Jan. 12, 2026).

To register for a trademark,<sup>12</sup> an applicant<sup>13</sup> must mail a paper application to the Division, which must include:

- The name, address, and if applicable, place of incorporation.
- An explanation of how the trademark will be used in connection with goods and services.
- The class(es) under which the goods or services fall—such classes are detailed in s. 495.111, F.S.
- The date the trademark was first used, along with other details of the history of the trademark's use.
- A statement that the applicant is the owner of the trademark, the trademark is in use, and that no other entity or person has registered the trademark or has the right to use the trademark in Florida.<sup>14</sup>

The Division may require the applicant to provide additional information or amend the application as needed.<sup>15</sup> Furthermore, the applicant must sign the application form before a Notary Public to comply with the statutory requirement that the application be “signed and verified.”<sup>16</sup>

### **Recent Changes and Recommendations**

In 2019, Florida law was updated to conform the state’s classifications for trademark goods and services to the 11<sup>th</sup> edition of the Nice Classification;<sup>17</sup> however, international standards are updated often, making Florida law out of date already.<sup>18</sup> The Florida Bar Business Law Section has proposed amendments to Florida law to align the state trademark registration system with national and international standards without needing to enact technical amendments each year that ministerial updates are made on the national level.<sup>19</sup> Additionally, the Florida Bar Business Law Section recommended an online application to modernize the registration system and ensure timely applications.<sup>20</sup>

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<sup>12</sup> “Trademark” means any word, name, symbol, or device, or any combination thereof, used by a person to identify and distinguish the goods of such person, including a unique product, from those manufactured or sold by others, and to indicate the source of the goods, even if the source is unknown. S. 495.011, F.S.

<sup>13</sup> “Applicant” means the person filing an application for registration of a mark under this chapter and the legal representatives, successors, or assigns of such person. S. 495.011, F.S.

<sup>14</sup> Section 495.031, F.S.

<sup>15</sup> Section 495.035, F.S.

<sup>16</sup> *Id.*

<sup>17</sup> See s. 495.111, F.S.; *see also* Fla. SB 198 (2019).

<sup>18</sup> Florida Bar Business Law Section, *Trademark Modernization Amendments Act of 2026 White Paper*, available at <https://flabizlaw.org/wp-content/uploads/2025/06/2026-Trademark-Draft-Bill-White-Paper-for-Circulation-1.pdf> (last visited Jan. 12, 2026).

<sup>19</sup> *Id.*

<sup>20</sup> *Id.*

### **III. Effect of Proposed Changes:**

#### **Classification**

**Section 1** amends s. 495.111, F.S., to remove the previous classifications in this statute and require the Department to adopt the USPTO's classification system on July 1 each year. The Department must publish this classification system as part of the trademark registration application as set out in ss. 495.031 and 495.0315, F.S.

#### **Application for Registration**

**Section 2** creates s. 495.0315, F.S., to direct the Department to create and maintain a website for applicants to submit online trademark registration applications and renewals. The website must protect applicants' information to ensure data integrity and the website must be available by July 1, 2027. The website must also allow the applicant to provide an electronic version of the required specimen of use, provide an electronic version of a drawing of the mark, pay the required fee, and complete the required verification.

**Section 3** amends s. 495.031, F.S., to mandate that verification for applications be made in accordance with s. 92.525, F.S., which allows verification by oath/affirmation or written declaration. Additionally, the bill requires that every online application be accompanied by an electronic copy of the specimen which complies with the requirements of the Department, showing the mark as actually used.

#### **Effective Date**

**Section 4** sets out an effective date of July 1, 2026.

### **IV. Constitutional Issues:**

#### **A. Municipality/County Mandates Restrictions:**

None.

#### **B. Public Records/Open Meetings Issues:**

None.

#### **C. Trust Funds Restrictions:**

None.

#### **D. State Tax or Fee Increases:**

None.

**E. Other Constitutional Issues:**

Under art. II, s. 3, of the Florida Constitution, the non-delegation doctrine prohibits the Legislature from delegating its primary policymaking functions to the other branches of state government or the federal government.<sup>21</sup> Pursuant to this doctrine, the Legislature may not adopt or incorporate any federal law that has not yet been enacted.<sup>22</sup> In *Welch*, the Florida Supreme Court struck down a statute criminalizing certain acts by reference to future drug abuse laws.<sup>23</sup> The Court held that when a statute incorporates by reference future federal laws, Florida courts should apply federal law that was in effect at the time a state law was enacted—not federal laws, rules, or standards that come into existence afterwards.<sup>24</sup> This bill directs the department to look to future federal law.

However, in *Eastern Air Lines*, the Florida Supreme Court limited the holding of *Welch* to cases which incorporate federal statutes and rules which substantively change the law.<sup>25</sup> In that case, the statute at issue mandated that adjustments to the fuel tax should be based on the Consumer Price Index, updated monthly by the U.S. Department of Labor.<sup>26</sup> The Court upheld the statute as constitutional because the calculations were ministerial and the Legislature provided clear guidelines.<sup>27</sup> Here, as the classification of trademarks does not affect the rights and remedies of a trademark owner under law,<sup>28</sup> USPTO's revisions to the federal trademark classification system could be found to be ministerial and thus potentially constitutional.

**V. Fiscal Impact Statement:****A. Tax/Fee Issues:**

None.

**B. Private Sector Impact:**

Indeterminate. Businesses in Florida will have minimal costs to comply with the requirements of this bill.<sup>29</sup>

<sup>21</sup> *Bush v. Schiavo*, 885 So. 2d 321, 332 (Fla. 2004).

<sup>22</sup> *Abbott Labs. v. Mylan Pharm., Inc.*, 15 So. 3d 642, 654 (Fla. 1st DCA 2009); *State v. Welch*, 279 So. 2d 11 (Fla. 1973); *Fla. Indus. Comm'n v. State ex rel. Orange State Oil Co.*, 21 So. 2d 599 (Fla. 1945); *State v. Rodriguez*, 365 So. 2d 157 (Fla. 1978); *State v. Camil*, 279 So. 2d 832 (Fla. 1973); *Hughes v. State*, 943 So. 2d 176 (Fla. DCA 3d 2006).

<sup>23</sup> *Welch*, 279 So. 2d at 12-13.

<sup>24</sup> *Id.*

<sup>25</sup> *Eastern Air Lines, Inc. v. Dep't of Revenue*, 455 So. 2d 311, 316 (Fla. 1984).

<sup>26</sup> *Id.*

<sup>27</sup> *Id.*

<sup>28</sup> 15 U.S.C. s. 1112 (“The Director may establish a classification of goods and services, for convenience of Patent and Trademark Office administration, but not to limit or extend the applicant's or registrant's rights.”).

<sup>29</sup> Florida Bar Business Law Section, *Trademark Modernization Amendments Act of 2026 White Paper*, available at <https://flabizlaw.org/wp-content/uploads/2025/06/2026-Trademark-Draft-Bill-White-Paper-for-Circulation-1.pdf> (last visited Jan. 12, 2026).

**C. Government Sector Impact:**

The bill has a significant negative fiscal impact on the Department as it requires the Department to establish and maintain a secure online registration system no later than July 1, 2027, and in accordance with the requirements of the bill. The costs should be less than \$500,000 and may be absorbed within existing resources; however, at this time the department has not submitted an analysis of the fiscal impact of the bill.

**VI. Technical Deficiencies:**

None.

**VII. Related Issues:**

None.

**VIII. Statutes Affected:**

This bill substantially amends the following sections: 495.111 and 495.031 of the Florida Statutes.

This bill creates section 495.0315 of the Florida Statutes.

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

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

None.

**B. Amendments:**

None.

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This Senate Bill Analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.

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By Senator Martin

33-00850-26

2026696

A bill to be entitled

An act relating to registration of trademarks; amending s. 495.111, F.S.; removing provisions relating to the classification of goods and services for trademark purposes; requiring the Department of State to adopt a federal system of classification each year; requiring publication of the classification as part of the trademark registration application; creating s. 495.0315, F.S.; requiring the department to establish and maintain a secure Internet website that allows submission of an online trademark registration application and renewal application; providing website requirements; requiring the department to make the online application system available by a specified date; amending s. 495.031, F.S.; providing online application requirements; providing an effective date.

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

Section 1. Subsection (1) of section 495.111, Florida Statutes, is amended to read:

#### 495.111 Classification.—

(1) The department shall, no later than July 1 of each year, adopt as the state classification system the United States Patent and Trademark Office's system of classification of goods and services in effect on June 1 of that year. The classification shall be published as part of the trademark registration application as set forth in ss. 495.031 and

33-00850-26

2026696

30 495.0315. The following general classes of goods and services,  
31 conforming to the classification adopted by the United States  
32 Patent and Trademark Office, are established for convenience of  
33 administration of this chapter:

34 (a) Goods:

35 1. Class 1 Chemicals for use in industry, science and  
36 photography, as well as in agriculture, horticulture and  
37 forestry; unprocessed artificial resins, unprocessed plastics;  
38 fire extinguishing and fire prevention compositions; tempering  
39 and soldering preparations; substances for tanning animal skins  
40 and hides; adhesives for use in industry; putties and other  
41 paste fillers; compost, manures, fertilizers; biological  
42 preparations for use in industry and science.

43 2. Class 2 Paints, varnishes, lacquers; preservatives  
44 against rust and against deterioration of wood; colorants, dyes;  
45 inks for printing, marking and engraving; raw natural resins;  
46 metals in foil and powder form for use in painting, decorating,  
47 printing and art.

48 3. Class 3 Non-medicated cosmetics and toiletry  
49 preparations; non-medicated dentifrices; perfumery, essential  
50 oils; bleaching preparations and other substances for laundry  
51 use; cleaning, polishing, scouring and abrasive preparations.

52 4. Class 4 Industrial oils and greases, wax; lubricants;  
53 dust absorbing, wetting and binding compositions; fuels and  
54 illuminants; candles and wicks for lighting.

55 5. Class 5 Pharmaceuticals, medical and veterinary  
56 preparations; sanitary preparations for medical purposes;  
57 dietetic food and substances adapted for medical or veterinary  
58 use, food for babies; dietary supplements for humans and

33-00850-26

2026696

59 ~~animals; plasters, materials for dressings; material for~~  
60 ~~stopping teeth, dental wax; disinfectants; preparations for~~  
61 ~~destroying vermin; fungicides, herbicides.~~

62 6. ~~Class 6 Common metals and their alloys, ores; metal~~  
63 ~~materials for building and construction; transportable buildings~~  
64 ~~of metal; non-electric cables and wires of common metal; small~~  
65 ~~items of metal hardware; metal containers for storage or~~  
66 ~~transport; safes.~~

67 7. ~~Class 7 Machines, machine tools, power operated tools;~~  
68 ~~motors and engines, except for land vehicles; machine coupling~~  
69 ~~and transmission components, except for land vehicles;~~  
70 ~~agricultural implements, other than hand operated hand tools;~~  
71 ~~incubators for eggs; automatic vending machines.~~

72 8. ~~Class 8 Hand tools and implements, hand operated;~~  
73 ~~cutlery; side arms, except firearms; razors.~~

74 9. ~~Class 9 Scientific, nautical, surveying, photographic,~~  
75 ~~cinematographic, optical, weighing, measuring, signaling,~~  
76 ~~checking (supervision), life saving and teaching apparatus and~~  
77 ~~instruments; apparatus and instruments for conducting,~~  
78 ~~switching, transforming, accumulating, regulating or controlling~~  
79 ~~electricity; apparatus for recording, transmission or~~  
80 ~~reproduction of sound or images; magnetic data carriers,~~  
81 ~~recording discs; compact discs, DVDs and other digital recording~~  
82 ~~media; mechanisms for coin operated apparatus; cash registers,~~  
83 ~~calculating machines, data processing equipment, computers;~~  
84 ~~computer software; fire extinguishing apparatus.~~

85 10. ~~Class 10 Surgical, medical, dental and veterinary~~  
86 ~~apparatus and instruments; artificial limbs, eyes and teeth;~~  
87 ~~orthopaedic articles; suture materials; therapeutic and~~

33-00850-26

2026696

88 ~~assistive devices adapted for the disabled; massage apparatus; apparatus, devices and articles for nursing infants; sexual activity apparatus, devices and articles.~~

91 ~~11. Class 11 Apparatus for lighting, heating, steam generating, cooking, refrigerating, drying, ventilating, water supply and sanitary purposes.~~

94 ~~12. Class 12 Vehicles; apparatus for locomotion by land, air or water.~~

96 ~~13. Class 13 Firearms; ammunition and projectiles; explosives; fireworks.~~

98 ~~14. Class 14 Precious metals and their alloys; jewellery, precious and semi-precious stones; horological and chronometric instruments.~~

101 ~~15. Class 15 Musical instruments.~~

102 ~~16. Class 16 Paper and cardboard; printed matter; bookbinding material; photographs; stationery and office requisites, except furniture; adhesives for stationery or household purposes; drawing materials and materials for artists; paintbrushes; instructional and teaching materials; plastic sheets, films and bags for wrapping and packaging; printers' type, printing blocks.~~

109 ~~17. Class 17 Unprocessed and semi-processed rubber, gutta-percha, gum, asbestos, mica and substitutes for all these materials; plastics and resins in extruded form for use in manufacture; packing, stopping and insulating materials; flexible pipes, tubes and hoses, not of metal.~~

114 ~~18. Class 18 Leather and imitations of leather; animal skins and hides; luggage and carrying bags; umbrellas and parasols; walking sticks; whips, harness and saddlery; collars,~~

33-00850-26

2026696

117 ~~leashes and clothing for animals.~~

118 19. ~~Class 19 Building materials (non-metallic); non-~~  
119 ~~metallic rigid pipes for building; asphalt, pitch and bitumen;~~  
120 ~~non-metallic transportable buildings; monuments, not of metal.~~

121 20. ~~Class 20 Furniture, mirrors, picture frames;~~  
122 ~~containers, not of metal, for storage or transport; unworked or~~  
123 ~~semi-worked bone, horn, whalebone or mother-of-pearl; shells;~~  
124 ~~meerschaum; yellow amber.~~

125 21. ~~Class 21 Household or kitchen utensils and containers;~~  
126 ~~cookware and tableware, except forks, knives and spoons; combs~~  
127 ~~and sponges; brushes, except paintbrushes; brush-making~~  
128 ~~materials; articles for cleaning purposes; unworked or semi-~~  
129 ~~worked glass, except building glass; glassware, porcelain and~~  
130 ~~earthenware.~~

131 22. ~~Class 22 Ropes and string; nets; tents and tarpaulins;~~  
132 ~~awnings of textile or synthetic materials; sails; sacks for the~~  
133 ~~transport and storage of materials in bulk; padding, cushioning~~  
134 ~~and stuffing materials, except of paper, cardboard, rubber or~~  
135 ~~plastics; raw fibrous textile materials and substitutes~~  
136 ~~therefor.~~

137 23. ~~Class 23 Yarns and threads, for textile use.~~

138 24. ~~Class 24 Textiles and substitutes for textiles;~~  
139 ~~household linen; curtains of textile or plastic.~~

140 25. ~~Class 25 Clothing, footwear, headgear.~~

141 26. ~~Class 26 Lace and embroidery, ribbons and braid;~~  
142 ~~buttons, hooks and eyes, pins and needles; artificial flowers;~~  
143 ~~hair decorations; false hair.~~

144 27. ~~Class 27 Carpets, rugs, mats and matting, linoleum and~~  
145 ~~other materials for covering existing floors; wall hangings~~

33-00850-26

2026696

146 ~~(non-textile).~~147 28. ~~Class 28 Games, toys and playthings; video game~~  
148 ~~apparatus; gymnastic and sporting articles; decorations for~~  
149 ~~Christmas trees.~~150 29. ~~Class 29 Meat, fish, poultry and game; meat extracts;~~  
151 ~~preserved, frozen, dried and cooked fruits and vegetables;~~  
152 ~~jellies, jams, compotes; eggs; milk and milk products; oils and~~  
153 ~~fats for food.~~154 30. ~~Class 30 Coffee, tea, cocoa and artificial coffee;~~  
155 ~~rice; tapioca and sago; flour and preparations made from~~  
156 ~~cereals; bread, pastries and confectionery; edible ices; sugar,~~  
157 ~~honey, treacle; yeast, baking powder; salt; mustard; vinegar,~~  
158 ~~sauces (condiments); spices; ice (frozen water).~~159 31. ~~Class 31 Raw and unprocessed agricultural,~~  
160 ~~aquacultural, horticultural and forestry products; raw and~~  
161 ~~unprocessed grains and seeds; fresh fruits and vegetables, fresh~~  
162 ~~herbs; natural plants and flowers; bulbs, seedlings and seeds~~  
163 ~~for planting; live animals; foodstuffs and beverages for~~  
164 ~~animals; malt.~~165 32. ~~Class 32 Beers; mineral and aerated waters and other~~  
166 ~~non-alcoholic beverages; fruit beverages and fruit juices;~~  
167 ~~syrups and other preparations for making beverages.~~168 33. ~~Class 33 Alcoholic beverages (except beers).~~169 34. ~~Class 34 Tobacco; smokers' articles; matches.~~170 (b) ~~Services:~~171 1. ~~Class 35 Advertising; business management; business~~  
172 ~~administration; office functions.~~173 2. ~~Class 36 Insurance; financial affairs; monetary~~  
174 ~~affairs; real estate affairs.~~

33-00850-26

2026696

175        3. ~~Class 37 Building construction; repair; installation~~  
176 ~~services.~~

177        4. ~~Class 38 Telecommunications.~~

178        5. ~~Class 39 Transport; packaging and storage of goods;~~  
179 ~~travel arrangement.~~

180        6. ~~Class 40 Treatment of materials.~~

181        7. ~~Class 41 Education; providing of training;~~  
182 ~~entertainment; sporting and cultural activities.~~

183        8. ~~Class 42 Scientific and technological services and~~  
184 ~~research and design relating thereto; industrial analysis and~~  
185 ~~research services; design and development of computer hardware~~  
186 ~~and software.~~

187        9. ~~Class 43 Services for providing food and drink;~~  
188 ~~temporary accommodation.~~

189        10. ~~Class 44 Medical services; veterinary services;~~  
190 ~~hygienic and beauty care for human beings or animals;~~  
191 ~~agriculture, horticulture and forestry services.~~

192        11. ~~Class 45 Legal services; security services for the~~  
193 ~~physical protection of tangible property and individuals;~~  
194 ~~personal and social services rendered by others to meet the~~  
195 ~~needs of individuals.~~

196        (e) ~~Certification and collective membership marks:~~

197        1. ~~Class 200 Collective membership marks.~~

198        2. ~~Class A Certification marks for goods.~~

199        3. ~~Class B Certification marks for services.~~

200        (d) ~~The goods and services recited in collective trademark~~  
201 ~~and collective service mark applications are assigned to the~~  
202 ~~same classes that are appropriate for those goods and services~~  
203 ~~in general.~~

33-00850-26

2026696

204       Section 2. Section 495.0315, Florida Statutes, is created  
205 to read:

206       495.0315 Online application for registration.—

207       (1) The department shall establish and maintain a secure  
208 Internet website that allows an applicant to submit an online  
209 trademark registration application in accordance with ss.  
210 495.031 and 495.035 and a renewal application in accordance with  
211 s. 495.071. The website must safeguard the applicant's  
212 information to ensure data integrity and allow the applicant to:

213       (a) Provide an electronic version of a required specimen of  
214 use.

215       (b) Provide an electronic version of a drawing of the mark.

216       (c) Pay the fee required by s. 495.191.

217       (d) Complete the verification required by s. 495.031(5).

218       (2) The department shall make the online application system  
219 required by this section available no later than July 1, 2027.

220       Section 3. Subsections (5) and (6) of section 495.031,  
221 Florida Statutes, are amended to read:

222       495.031 Application for registration.—

223       (5) Every application under this section shall be signed  
224 and verified by the applicant or by a member of the firm or an  
225 officer or other authorized representative of the business  
226 entity applying. Verification must be made in accordance with s.  
227 92.525.

228       (6) Every paper application under this section shall be  
229 accompanied by three specimens or facsimiles showing the mark as  
230 actually used. Every online application under this section must  
231 be accompanied by an electronic copy of a specimen, complying  
232 with the requirements of the department, showing the mark as

33-00850-26

2026696

233        actually used.

234        Section 4. This act shall take effect July 1, 2026.

**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:** SB 880

**INTRODUCER:** Senator Jones

**SUBJECT:** Specialty License Plates/Miami Northwestern Alumni Association

**DATE:** January 27, 2026      **REVISED:** \_\_\_\_\_

ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1. <u>Shutes</u>	<u>Vickers</u>	<u>TR</u>	<u>Favorable</u>
2. <u>Griffin</u>	<u>Nortelus</u>	<u>ATD</u>	<u>Pre-meeting</u>
3. _____	_____	<u>FP</u>	_____

## **I. Summary:**

SB 880 authorizes the Department of Highway Safety and Motor Vehicles (DHSMV) to create a new specialty license plate for the Miami Northwestern Alumni Association. The annual use fee for the plate is \$25.

Proceeds of the sale of the Miami Northwestern Alumni Association specialty license plate will be distributed to the Miami Northwestern Alumni Association, Inc. to fund need-based scholarships, academic programs, and athletic programs for the benefit of Miami Northwestern Senior High School students and the Miami Northwestern Senior High School Performing and Visual Arts Center. Up to 10 percent of the funds from the sale of the plate can be used for administrative and marketing costs.

The bill will have an insignificant negative fiscal impact on the DHSMV relating to the creation of a new specialty license plate. See Section V., Fiscal Impact Statement.

The bill takes effect October 1, 2026.

## **II. Present Situation:**

### **Miami Northwestern Alumni Association, Inc. and Miami Northwestern Senior High School**

Miami Northwestern Alumni Association, Inc. is a Florida not-for-profit corporation registered with the Florida Department of State.<sup>1</sup>

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<sup>1</sup> Florida Department of State: Division of Corporations, *Miami Northwestern Alumni Association, Inc.* Sunbiz.org, Document number N17000004247 (January 13, 2026).

Miami Northwestern Senior High School is a four-year public high school with a student population of 1,425 students in grades 9–12 located in the Liberty City neighborhood of Miami.<sup>2</sup> The school's website provides that "Miami Northwestern Senior High is dedicated to assisting every student with authoring their page in the Bulls' rich legacy of pride, tradition, and excellence since 1955."<sup>3</sup>

The mission of the Performing and Visual Arts Program at Miami Northwestern Senior High School is to "assure that all students have the opportunity to develop their artistic, creative, and physical abilities research-based instructional strategies, technology-infused instruction, career path exploration, community service opportunities, real-world learning, enhanced parental involvement, and programs which include partnerships, talents, skill and abilities in a challenging, safe, and nurturing environment."<sup>4</sup>

### Specialty License Plates

According to the DHSMV, as of October 2025, there are 132 specialty license plates authorized by the Legislature. Of these plates, 118 are available for immediate purchase and 14 are in the presale process.<sup>5</sup> Specialty license plates are available to an owner or lessee of a motor vehicle who is willing to pay an annual use fee, ranging from \$15 to \$25, paid in addition to required license taxes and service fees.<sup>6</sup> The annual use fees are distributed to organizations in support of a particular cause or charity signified on the plate's design and designated in statute.<sup>7</sup>

In order to establish a specialty license plate (after the plate is approved by law) s. 320.08053, F.S., requires the following actions within certain timelines:

- Within 60 days, the organization must submit an art design for the plate, in a medium prescribed by the DHSMV;
- Within 120 days, the DHSMV must establish a method to issue presale vouchers for the specialty license plate; and
- Within 24 months after the presale vouchers are established, the organization must obtain a minimum of 3,000 voucher sales before manufacturing of the plate may begin.<sup>8</sup>

If the minimum sales requirement has not been met by the end of the 24-month presale period, then the DHSMV will discontinue the plate and issuance of presale vouchers.<sup>9</sup> Upon

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<sup>2</sup> Miami Northwestern Senior High School., [Home - School Profile - Miami Northwestern Senior High School](#), (last visited January 13, 2026).

<sup>3</sup> *Id.*

<sup>4</sup> *Id.*

<sup>5</sup> Email from Jonas Marquez, Director of Legislative Affairs, Department of Highway Safety and Motor Vehicles, RE: Specialty License Plates (November 25, 2025).

<sup>6</sup> Section 320.08056(3)(d), F.S., provides that except if specifically provided in s. 320.08056(4), the annual use fee for a specialty license plate is \$25.

<sup>7</sup> Section 320.08058, F.S.

<sup>8</sup> Chapter 2022-189, Laws of Fla., extended the presale requirement by an additional 24 months for an approved specialty license plate organization that, as of June 15, 2022, is in the presale period but had not recorded at least 3,000 voucher sales.

<sup>9</sup> Section 320.08058(3), F.S., provides that any collegiate plate established after October 1, 2002, must comply with the requirements of s. 320.08053, F.S., other than the presale voucher requirements in s. 320.08053(2)(b), F.S., and be specifically authorized by the Legislature.

discontinuation, a purchaser of a presale voucher may use the annual use fee as a credit towards any other specialty license plate or apply for a refund with the DHSMV.<sup>10</sup>

New specialty license plates that have been approved by law but are awaiting issuance will be issued in the order they appear in s. 320.08058, F.S., provided that presale requirements have been met. If the next listed specialty license plate has not met the presale requirement, the DHSMV will proceed in the order provided in s. 320.08058, F.S., to identify the next qualified specialty license plate that has met the presale requirement.<sup>11</sup>

If the Legislature has approved 135 or more specialty license plates, the DHSMV may not make any new specialty license plates available for design or issuance until a sufficient number of plates are discontinued so that the number of plates being issued does not exceed 135.<sup>12</sup>

### **Use of Specialty License Plate Fees**

The annual use fees collected by an organization and any interest earned from the fees may be expended only for use in this state unless the annual use fee is derived from the sale of specified United States Armed Forces and veterans-related specialty plates.<sup>13</sup> Additionally, organizations must adhere to certain accountability requirements, including an annual audit or attestation document affirming that funds received have been spent in accordance with applicable statutes.<sup>14</sup>

The annual use fees collected by an organization and the interest earned from those fees may not be used for commercial or for-profit activities, or general or administrative expenses, unless authorized by s. 320.08058, F.S.<sup>15</sup> Additionally, the annual use fees and interest earned from those fees may not be used for the purpose of marketing to, or lobbying, entertaining, or rewarding, any employee of a governmental agency that is responsible for the sale and distribution of specialty license plates, or any elected member or employee of the Legislature.<sup>16</sup>

### **III. Effect of Proposed Changes:**

The bill amends s. 320.08058, F.S., to authorize the DHSMV to create a new specialty license plate for the Miami Northwestern Alumni Association. The annual use fee for the plate is \$25. The plate must bear the colors and design approved by the DHSMV, with the word “Florida” at the top of the plate and the words “Miami Northwestern Alumni Association” at the bottom of the plate.

Proceeds of the sale of the Miami Northwestern Alumni Association specialty license plate will be distributed to the Miami Northwestern Alumni Association, Inc. The organization may use up to 10 percent of the proceeds for marketing and promotion of the plate. Thereafter, the annual use fees from the sale of the plate will be distributed to the Miami Northwestern Alumni

<sup>10</sup> Section 320.08053(2)(b), F.S.

<sup>11</sup> Section 320.08053(3)(a), F.S.

<sup>12</sup> Section 320.08053(3)(b), F.S.

<sup>13</sup> Section 320.08056(10)(a), F.S.

<sup>14</sup> Section 320.08062, F.S.; Such fees may be used to pay for the cost of this required audit or report. See s. 320.08056(10)(a), F.S.

<sup>15</sup> Section 320.08056(10)(a), F.S.

<sup>16</sup> Section 320.08056(11), F.S.

Association, Inc., to fund need-based scholarships, academic programs, and athletic programs for the benefit of Miami Northwestern Senior High School students and the Miami Northwestern Senior High School Performing and Visual Arts Center.

The bill takes effect October 1, 2026.

**IV. Constitutional Issues:**

**A. Municipality/County Mandates Restrictions:**

None.

**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.

**B. Private Sector Impact:**

If the specialty license plate is produced, the Miami Northwestern Alumni Association, Inc. will receive annual use fees associated with sales of the plate.

**C. Government Sector Impact:**

The DHSMV has not submitted a bill analysis for SB 880, but according to submitted analyses for the 2025-2026 Legislative Session, the fiscal impact associated with the implementation of new specialty license plates is \$8,160.

**VI. Technical Deficiencies:**

None.

**VII. Related Issues:**

None.

**VIII. Statutes Affected:**

This bill amends section 320.08058 of the Florida Statutes.

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

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

None.

**B. Amendments:**

None.

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This Senate Bill Analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.

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By Senator Jones

34-00165-26

2026880

A bill to be entitled

An act relating to specialty license plates; amending s. 320.08058, F.S.; directing the Department of Highway Safety and Motor Vehicles to develop a Miami Northwestern Alumni Association license plate; specifying design elements for the plate; providing for distribution and use of fees collected from the sale of the plate; providing an effective date.

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

Section 1. Subsection (136) is added to section 320.08058, Florida Statutes, to read:

320.08058 Specialty license plates.—

(136) MIAMI NORTHWESTERN ALUMNI ASSOCIATION LICENSE  
ES.—

(a) The department shall develop a Miami Northwestern Alumni Association license plate as provided in this section and s. 320.08053. The plate must bear the colors and design approved by the department. The word "Florida" must appear at the top of the plate, and the words "Miami Northwestern Alumni Association" must appear at the bottom of the plate.

(b) The annual use fees from the sale of the plate must be distributed to the Miami Northwestern Alumni Association, Inc., which may use up to 10 percent of the fees for administrative costs and marketing of the plate. The balance of the fees must be used by the Miami Northwestern Alumni Association, Inc., to fund academic programs, athletic programs, and need-based scholarships for the benefit of Miami Northwestern Senior High

34-00165-26

2026880

30       School students and the Miami Northwestern Senior High School  
31       Performing and Visual Arts Center.

32       Section 2. This act shall take effect October 1, 2026.