

Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	<u> </u>	(Y/N)
ADOPTED AS AMENDED	<u> </u>	(Y/N)
ADOPTED W/O OBJECTION	<u> </u>	(Y/N)
FAILED TO ADOPT	<u> </u>	(Y/N)
WITHDRAWN	<u> </u>	(Y/N)
OTHER	<u> </u>	

1 Committee/Subcommittee hearing bill: Transportation & Economic
 2 Development Appropriations Subcommittee
 3 Representative Artiles offered the following:

Amendment (with title amendment)

Remove lines 237-505 and insert:

7 Section 1. Section 316.0083, Florida Statutes, is amended
 8 to read:

9 316.0083 Mark Wandall Traffic Safety Program;
 10 administration; report.-

11 (1) (a) For purposes of administering this section, ~~the~~
 12 ~~department,~~ a county, or a municipality may authorize a traffic
 13 infraction enforcement officer under s. 316.640 to issue a
 14 traffic citation for a violation of s. 316.074(1) or s.
 15 316.075(1) (c)1. A notice of violation ~~and a traffic citation~~ may
 16 not be issued for failure to stop at a red light at an
 17 intersection where right hand or left hand turns on red signal

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18 are permissible if the driver is making a right-hand or left-
19 hand turn, unless pedestrians are in or immediately adjacent to
20 the crosswalk in a careful and prudent manner at an intersection
21 where right-hand turns are permissible. A notice of violation
22 may be issued at an intersection where right or left hand turns
23 on red signal are permissible if in the reviewing traffic
24 infraction enforcement officer's discretion the driver is making
25 a turn and one or more of the following factors is present at
26 the time of violation:

27 1. The operator of the motor vehicle fails to yield to a
28 pedestrian or bicyclist; or

29 2. The operator of the motor vehicle fails to yield to
30 another vehicle.

31 (b) A notice of violation and a traffic citation may not be
32 issued under this section if the driver of the vehicle came to a
33 complete stop after crossing the stop line and before turning
34 right if permissible at a red light, but failed to stop before
35 crossing over the stop line or other point at which a stop is
36 required. This paragraph does not prohibit a review of
37 information from a traffic infraction detector by an authorized
38 employee or agent of the department, a county, or a municipality
39 before issuance of the notice of violation traffic citation by
40 the traffic infraction enforcement officer. This paragraph does
41 not prohibit the department, a county, or a municipality from
42 issuing notification as provided in paragraph (b) to the

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43 registered owner of the motor vehicle involved in the violation
44 of s. 316.074(1) or s. 316.075(1)(c)1.

45 (c) ~~(b)~~1.a. Within 30 days after a violation, notification
46 must be sent to the registered owner of the motor vehicle
47 involved in the violation specifying the remedies available
48 under s. 318.14 and that the violator must pay the penalty of
49 \$158 as described in this section to the ~~department~~, county, or
50 municipality, or furnish an affidavit in accordance with
51 paragraph (c) ~~(d)~~, or request a hearing within 60 days following
52 the date of the notification in order to avoid a hold on the
53 vehicle's registration pursuant to s. 320.03(8) ~~the issuance of~~
54 ~~a traffic citation~~. The notification must be sent by first-class
55 mail. The mailing of the notice of violation constitutes
56 notification.

57 b. Included with the notification to the registered owner
58 of the motor vehicle involved in the infraction must be a notice
59 that the owner has the right to review the photographic or
60 electronic images or the streaming video evidence that
61 constitutes a rebuttable presumption against the owner of the
62 vehicle. The notice must state the time and place or Internet
63 location where the evidence may be examined and observed.

64 c. Notwithstanding any other provision of law, a person
65 who receives a notice of violation under this section may
66 request a hearing within 60 days following the notification of
67 violation or pay the penalty pursuant to the notice of
68 violation, but a payment or fee may not be required before the

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69 hearing requested by the person. The notice of violation must be
70 accompanied by, or direct the person to a website that provides,
71 information on the person's right to request a hearing and on
72 all court costs related thereto and a form to request a hearing.
73 As used in this sub-subparagraph, the term "person" includes a
74 natural person, registered owner or coowner of a motor vehicle,
75 or person identified on an affidavit as having care, custody, or
76 control of the motor vehicle at the time of the violation.

77 d. If the registered owner or coowner of the motor
78 vehicle, or the person designated as having care, custody, or
79 control of the motor vehicle at the time of the violation, or an
80 authorized representative of the owner, coowner, or designated
81 person, initiates a proceeding to challenge the violation
82 pursuant to this paragraph, such person waives any challenge or
83 dispute as to the delivery of the notice of violation.

84 2. Penalties assessed and collected by the ~~department,~~
85 county, or municipality authorized to collect the funds provided
86 for in this paragraph, less the amount retained by the county or
87 municipality pursuant to subparagraph 3., shall be paid to the
88 Department of Revenue weekly. Payment by the ~~department,~~ county,
89 or municipality to the state shall be made by means of
90 electronic funds transfers. In addition to the payment, summary
91 detail of the penalties remitted shall be reported to the
92 Department of Revenue.

93 3. Penalties to be assessed and collected by the
94 ~~department,~~ county, or municipality are ~~as follows:~~

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95 ~~a. One hundred fifty-eight dollars for a violation of s.~~
96 ~~316.074(1) or s. 316.075(1)(c)1. when a driver failed to stop at~~
97 ~~a traffic signal if enforcement is by the department's traffic~~
98 ~~infraction enforcement officer. One hundred dollars shall be~~
99 ~~remitted to the Department of Revenue for deposit into the~~
100 ~~General Revenue Fund, \$10 shall be remitted to the Department of~~
101 ~~Revenue for deposit into the Department of Health Emergency~~
102 ~~Medical Services Trust Fund, \$3 shall be remitted to the~~
103 ~~Department of Revenue for deposit into the Brain and Spinal Cord~~
104 ~~Injury Trust Fund, and \$45 shall be distributed to the~~
105 ~~municipality in which the violation occurred, or, if the~~
106 ~~violation occurred in an unincorporated area, to the county in~~
107 ~~which the violation occurred. Funds deposited into the~~
108 ~~Department of Health Emergency Medical Services Trust Fund under~~
109 ~~this sub-subparagraph shall be distributed as provided in s.~~
110 ~~395.4036(1). Proceeds of the infractions in the Brain and Spinal~~
111 ~~Cord Injury Trust Fund shall be distributed quarterly to the~~
112 ~~Miami Project to Cure Paralysis and used for brain and spinal~~
113 ~~cord research.~~

114 ~~b.~~ One hundred fifty-eight dollars for a violation of s.
115 316.074(1) or s. 316.075(1)(c)1. when a driver failed to stop at
116 a traffic signal if enforcement is by a county or municipal
117 traffic infraction enforcement officer. Seventy dollars shall be
118 remitted by the county or municipality to the Department of
119 Revenue for deposit into the General Revenue Fund, \$10 shall be
120 remitted to the Department of Revenue for deposit into the

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121 Department of Health Emergency Medical Services Trust Fund, \$3
122 shall be remitted to the Department of Revenue for deposit into
123 the Brain and Spinal Cord Injury Trust Fund, and \$75 shall be
124 retained by the county or municipality enforcing the ordinance
125 enacted pursuant to this section. Seventy percent of the funds
126 retained by the county or municipality must be used for traffic
127 safety projects. Funds deposited into the Department of Health
128 Emergency Medical Services Trust Fund under this sub-
129 subparagraph shall be distributed as provided in s. 395.4036(1).
130 Proceeds of the infractions in the Brain and Spinal Cord Injury
131 Trust Fund shall be distributed quarterly to the Miami Project
132 to Cure Paralysis and used for brain and spinal cord research.

133 4. An individual may not receive a commission from any
134 revenue collected from violations detected through the use of a
135 traffic infraction detector. A manufacturer or vendor may not
136 receive a fee or remuneration based upon the number of
137 violations detected through the use of a traffic infraction
138 detector.

139 ~~(c)1.a. A traffic citation issued under this section shall~~
140 ~~be issued by mailing the traffic citation by certified mail to~~
141 ~~the address of the registered owner of the motor vehicle~~
142 ~~involved in the violation if payment has not been made within 60~~
143 ~~days after notification under paragraph (b), if the registered~~
144 ~~owner has not requested a hearing as authorized under paragraph~~
145 ~~(b), or if the registered owner has not submitted an affidavit~~
146 ~~under this section.~~

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147 ~~b. Delivery of the traffic citation constitutes~~
148 ~~notification under this paragraph. If the registered owner or~~
149 ~~coowner of the motor vehicle, or the person designated as having~~
150 ~~care, custody, or control of the motor vehicle at the time of~~
151 ~~the violation, or a duly authorized representative of the owner,~~
152 ~~coowner, or designated person, initiates a proceeding to~~
153 ~~challenge the citation pursuant to this section, such person~~
154 ~~waives any challenge or dispute as to the delivery of the~~
155 ~~traffic citation.~~

156 ~~e. In the case of joint ownership of a motor vehicle, the~~
157 ~~traffic citation shall be mailed to the first name appearing on~~
158 ~~the registration, unless the first name appearing on the~~
159 ~~registration is a business organization, in which case the~~
160 ~~second name appearing on the registration may be used.~~

161 ~~2. Included with the notification to the registered owner~~
162 ~~of the motor vehicle involved in the infraction shall be a~~
163 ~~notice that the owner has the right to review, in person or~~
164 ~~remotely, the photographic or electronic images or the streaming~~
165 ~~video evidence that constitutes a rebuttable presumption against~~
166 ~~the owner of the vehicle. The notice must state the time and~~
167 ~~place or Internet location where the evidence may be examined~~
168 ~~and observed.~~

169 ~~(d)-(d)1.~~ The owner of the motor vehicle involved in the
170 violation is responsible and liable for paying the notice of
171 violation ~~the uniform traffic citation~~ issued for a violation of

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172 s. 316.074(1) or s. 316.075(1)(c)1. when the driver failed to
173 stop at a traffic signal, unless the owner can establish that:

174 a. The motor vehicle passed through the intersection in
175 order to yield right-of-way to an emergency vehicle or as part
176 of a funeral procession;

177 b. The motor vehicle passed through the intersection at
178 the direction of a law enforcement officer;

179 c. The motor vehicle was, at the time of the violation, in
180 the care, custody, or control of another person;

181 d. A uniform traffic citation was issued by a law
182 enforcement officer to the driver of the motor vehicle for the
183 alleged violation of s. 316.074(1) or s. 316.075(1)(c)1.; or

184 e. The motor vehicle's owner was deceased on or before the
185 date that the notice of violation ~~uniform traffic citation~~ was
186 issued, as established by an affidavit submitted by the
187 representative of the motor vehicle owner's estate or other
188 designated person or family member.

189 2. In order to establish such facts, the owner of the
190 motor vehicle shall, within 30 days after the date of issuance
191 of the notice of violation ~~traffic citation~~, furnish to the
192 appropriate governmental entity an affidavit setting forth
193 detailed information supporting an exemption as provided in this
194 paragraph.

195 a. An affidavit supporting an exemption under sub-
196 subparagraph 1.c. must include the name, address, date of birth,
197 and, if known, the driver license number of the person who

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198 leased, rented, or otherwise had care, custody, or control of
199 the motor vehicle at the time of the alleged violation. If the
200 vehicle was stolen at the time of the alleged offense, the
201 affidavit must include the police report indicating that the
202 vehicle was stolen.

203 b. If a traffic citation for a violation of s. 316.074(1)
204 or s. 316.075(1)(c)1. was issued at the location of the
205 violation by a law enforcement officer, the affidavit must
206 include the serial number of the uniform traffic citation.

207 c. If the motor vehicle's owner to whom a notice of
208 violation ~~a traffic citation~~ has been issued is deceased, the
209 affidavit must include a certified copy of the owner's death
210 certificate showing that the date of death occurred on or before
211 the issuance of the uniform traffic citation and one of the
212 following:

213 (I) A bill of sale or other document showing that the
214 deceased owner's motor vehicle was sold or transferred after his
215 or her death, but on or before the date of the alleged
216 violation.

217 (II) Documentary proof that the registered license plate
218 belonging to the deceased owner's vehicle was returned to the
219 department or any branch office or authorized agent of the
220 department, but on or before the date of the alleged violation.

221 (III) A copy of a police report showing that the deceased
222 owner's registered license plate or motor vehicle was stolen

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223 after the owner's death, but on or before the date of the
224 alleged violation.

225

226 Upon receipt of the affidavit and documentation required under
227 this sub-subparagraph, the governmental entity must dismiss the
228 notice of violation ~~citation~~ and provide proof of such dismissal
229 to the person that submitted the affidavit.

230 3. Upon receipt of an affidavit, the person designated as
231 having care, custody, or control of the motor vehicle at the
232 time of the violation may be issued a notice of violation
233 pursuant to paragraph (b) for a violation of s. 316.074(1) or s.
234 316.075(1)(c)1. when the driver failed to stop at a traffic
235 signal. The affidavit is admissible in a proceeding pursuant to
236 this section for the purpose of providing proof that the person
237 identified in the affidavit was in actual care, custody, or
238 control of the motor vehicle. The owner of a leased vehicle for
239 which a notice of violation ~~traffic citation~~ is issued for a
240 violation of s. 316.074(1) or s. 316.075(1)(c)1. when the driver
241 failed to stop at a traffic signal is not responsible for paying
242 the notice of violation ~~traffic citation~~ and is not required to
243 submit an affidavit as specified in this subsection if the motor
244 vehicle involved in the violation is registered in the name of
245 the lessee of such motor vehicle.

246 4. Paragraph ~~Paragraphs~~ (b) and ~~(c)~~ applies ~~apply~~ to the
247 person identified on the affidavit, except that the notification
248 under sub-subparagraph (b)1.a. must be sent to the person

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249 identified on the affidavit within 30 days after receipt of an
250 affidavit.

251 5. The submission of a false affidavit is a misdemeanor of
252 the second degree, punishable as provided in s. 775.082 or s.
253 775.083.

254 ~~(e)~~ (e) The photographic or electronic images or streaming
255 video attached to or referenced in the notice of violation
256 ~~traffic citation~~ is evidence that a violation of s. 316.074(1)
257 or s. 316.075(1)(c)1. when the driver failed to stop at a
258 traffic signal has occurred and is admissible in any proceeding
259 to enforce this section and raises a rebuttable presumption that
260 the motor vehicle named in the report or shown in the
261 photographic or electronic images or streaming video evidence
262 was used in violation of s. 316.074(1) or s. 316.075(1)(c)1.
263 when the driver failed to stop at a traffic signal. The
264 photographic or electronic images or streaming video are not
265 admissible as evidence in any other proceeding.

266 (2) A notice of violation ~~and a traffic citation~~ may not
267 be issued for failure to stop at a red light at an intersection
268 where right-hand or left-hand turns on red signal are
269 permissible if the driver is making a right-hand or left-hand
270 turn, unless pedestrians are in or immediately adjacent to the
271 crosswalk in a careful and prudent manner at an intersection
272 ~~where right-hand turns are permissible.~~

273 (a) A notice of violation may be issued at an intersection
274 where right or left hand turns on red signal are permissible if

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275 in the reviewing traffic infraction enforcement officer's
276 discretion the driver is making a turn and one or more of the
277 following factors is present at the time of violation:

278 1. The operator of the motor vehicle fails to yield to a
279 pedestrian or bicyclist; or

280 2. The operator of the motor vehicle fails to yield to
281 another vehicle.

282 (3) This section supplements the enforcement of s.
283 316.074(1) or s. 316.075(1)(c)1. by law enforcement officers
284 when a driver fails to stop at a traffic signal and does not
285 prohibit a law enforcement officer from issuing a traffic
286 citation for a violation of s. 316.074(1) or s. 316.075(1)(c)1.
287 when a driver fails to stop at a traffic signal in accordance
288 with normal traffic enforcement techniques.

289 (4) (a) Each county or municipality that operates a traffic
290 infraction detector shall submit a report by October 1, and
291 April 1, 2014-2012, and semiannually on these dates annually
292 thereafter, to the department. The report shall detail which
293 details the results of using the traffic infraction detector and
294 the procedures for enforcement for the preceding state fiscal
295 year. The department shall notify the Department of
296 Transportation which counties and municipalities fail to submit
297 the report. The information submitted by the counties and
298 municipalities must include statistical data and information
299 required by the department to complete the report required under

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300 paragraph (b), including details of engineering countermeasures,
301 traffic studies performed, and crash data by type of crash.

302 (b) Within 30 days following the semiannual reporting date,
303 the Department of Transportation shall notify by certified mail
304 any county or municipality that fails to submit the semiannual
305 report that the report is overdue. A county or municipality that
306 does not submit the report within 60 days following receipt of
307 the notice by the Department of Transportation shall immediately
308 disable all traffic infraction detectors within the county or
309 municipality until the report is submitted to the department.

310 (c) On or before January ~~December~~ 31, of each year 2012,
311 ~~and annually thereafter,~~ the department shall provide a summary
312 report to the Governor, the President of the Senate, and the
313 Speaker of the House of Representatives regarding the use and
314 operation of traffic infraction detectors under this section,
315 along with the department's recommendations and any necessary
316 legislation. The summary report must include a review of the
317 information submitted to the department by the counties and
318 municipalities and must describe the enhancement of the traffic
319 safety and enforcement programs, details of engineering
320 countermeasures taken, traffic studies performed, and crash data
321 by type of crash.

322 (5) Procedures for a hearing under this section are as
323 follows:

324 (a) The department shall publish and make available
325 electronically to each county and municipality a model Request

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326 for Hearing form to assist each local government administering
327 this section.

328 (b) The charter county, noncharter county, or municipality
329 electing to authorize traffic infraction enforcement officers to
330 issue notices of violation ~~traffic citations~~ under paragraph
331 (1)(a) shall designate by resolution existing staff to serve as
332 the clerk to the local hearing officer.

333 (c) Any person, herein referred to as the "petitioner,"
334 who elects to request a hearing under paragraph (1)(b) shall be
335 scheduled for a hearing by the clerk to the local hearing
336 officer to appear before a local hearing officer with notice to
337 be sent by first-class mail. Upon receipt of the notice, the
338 petitioner may reschedule the hearing once by submitting a
339 written request to reschedule to the clerk to the local hearing
340 officer, at least 5 calendar days before the day of the
341 originally scheduled hearing. The petitioner may cancel his or
342 her appearance before the local hearing officer by paying the
343 penalty assessed under paragraph (1)(b), plus \$25 ~~\$50~~ in
344 administrative costs, before the start of the hearing.

345 (d) All testimony at the hearing shall be under oath and
346 shall be recorded. The local hearing officer shall take
347 testimony from a traffic infraction enforcement officer and the
348 petitioner, and may take testimony from others. The local
349 hearing officer shall review the photographic or electronic
350 images or the streaming video made available under sub-

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351 subparagraph(1)(b)1.b. Formal rules of evidence do not apply,
352 but due process shall be observed and govern the proceedings.

353 (e) At the conclusion of the hearing, the local hearing
354 officer shall determine whether a violation under this section
355 has occurred, in which case the hearing officer shall uphold or
356 dismiss the violation. The local hearing officer shall issue a
357 final administrative order including the determination and, if
358 the notice of violation is upheld, require the petitioner to pay
359 the penalty previously assessed under paragraph (1)(b), and may
360 also require the petitioner to pay county or municipal costs,
361 not to exceed \$100 ~~\$250~~. The final administrative order shall be
362 mailed to the petitioner by first-class mail.

363 (f) An aggrieved party may appeal a final administrative
364 order consistent with the process provided under s. 162.11.

365 Section 2. Subsection (1) of section 316.0776, Florida
366 Statutes, is amended to read:

367 316.0776 Traffic infraction detectors; placement and
368 installation.—

369 (1) Traffic infraction detectors are allowed on state
370 roads when permitted by the Department of Transportation and
371 under placement and installation specifications developed by the
372 Department of Transportation. Traffic infraction detectors are
373 allowed on streets and highways under the jurisdiction of
374 counties or municipalities in accordance with placement and
375 installation specifications developed by the Department of
376 Transportation. In addition, the Department of Transportation

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377 shall identify engineering countermeasures intended to reduce
378 violations of s. 316.074(1) and s. 316.075(1)(c)1. to be
379 considered prior to the installation of a traffic infraction
380 detector on any roadway. The determination to place a traffic
381 infraction detector on any roadway must be based on the results
382 of a traffic engineering study which documents the
383 implementation and failure of any engineering countermeasure
384 appropriate for the specific location. The study must be signed
385 and sealed by a professional engineer licensed in this state.

386 Section 3. Paragraph (b) of subsection (1) of section
387 316.640, Florida Statutes, is amended to read:

388 316.640 Enforcement.—The enforcement of the traffic laws
389 of this state is vested as follows:

390 (1) STATE.—

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

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

400 b. For the purpose of enforcing s. 316.1001, governmental
401 entities, as defined in s. 334.03, which own or operate a toll
402 facility may employ independent contractors or designate

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403 employees as toll enforcement officers; however, any such toll
404 enforcement officer must successfully meet the training and
405 qualifications standards for toll enforcement officers
406 established by the Department of Transportation.

407 ~~3. For the purpose of enforcing s. 316.0083, the~~
408 ~~department may designate employees as traffic infraction~~
409 ~~enforcement officers. A traffic infraction enforcement officer~~
410 ~~must successfully complete instruction in traffic enforcement~~
411 ~~procedures and court presentation through the Selective Traffic~~
412 ~~Enforcement Program as approved by the Division of Criminal~~
413 ~~Justice Standards and Training of the Department of Law~~
414 ~~Enforcement, or through a similar program, but may not~~
415 ~~necessarily otherwise meet the uniform minimum standards~~
416 ~~established by the Criminal Justice Standards and Training~~
417 ~~Commission for law enforcement officers or auxiliary law~~
418 ~~enforcement officers under s. 943.13. This subparagraph does not~~
419 ~~authorize the carrying of firearms or other weapons by a traffic~~
420 ~~infraction enforcement officer and does not authorize a traffic~~
421 ~~infraction enforcement officer to make arrests. The department's~~
422 ~~traffic infraction enforcement officers must be physically~~
423 ~~located in the state.~~

424 Section 4. Subsection (3) of section 318.15, Florida
425 Statutes, is amended to read:

426 318.15 Failure to comply with civil penalty or to appear;
427 penalty.—

428 (3) The clerk shall provide ~~notify~~ the department with a

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429 list of persons who were mailed a notice of violation of s.
430 316.074(1) or s. 316.075(1)(c)1. pursuant to s. 316.0083 and who
431 failed to enter into, or comply with the terms of, a penalty
432 payment plan, or order with the clerk to the local hearing
433 officer or failed to appear at a scheduled hearing within 10
434 days after such failure, and shall reference the person's driver
435 license number, and vehicle registration number that is
436 identified on the notice of violation, or in the case of a
437 business entity, the vehicle registration number identified on
438 the notice of violation.

439 (a) Pursuant to s. 320.03(8), upon receipt of such notice,
440 the department, or authorized agent thereof, may not issue a
441 license plate or revalidation sticker to a person on the list
442 for the any motor vehicle that is identified on the traffic
443 infraction detector violation owned or coowned by that person
444 pursuant to s. 320.03(8) until the amounts assessed have been
445 fully paid.

446 (b) The clerk shall notify the department to remove a
447 person's name from the list upon payment of the outstanding
448 finances and civil penalties ~~After the issuance of the person's~~
449 ~~license plate or revalidation sticker is withheld pursuant to~~
450 ~~paragraph (a), the person may challenge the withholding of the~~
451 ~~license plate or revalidation sticker only on the basis that the~~
452 ~~outstanding fines and civil penalties have been paid pursuant to~~
453 ~~s. 320.03(8).~~

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454 Section 5. Subsections (15) and (22) of section 318.18,
455 Florida Statutes, is amended to read:

456 318.18 Amount of penalties.—The penalties required for a
457 noncriminal disposition pursuant to s. 318.14 or a criminal
458 offense listed in s. 318.17 are as follows:

459 (15) (a)1. One hundred and fifty-eight dollars for a
460 violation of s. 316.074(1) or s. 316.075(1)(c)1. when a driver
461 has failed to stop at a traffic signal and when enforced by a
462 law enforcement officer. Sixty dollars shall be distributed as
463 provided in s. 318.21, \$30 shall be distributed to the General
464 Revenue Fund, \$3 shall be remitted to the Department of Revenue
465 for deposit into the Brain and Spinal Cord Injury Trust Fund,
466 and the remaining \$65 shall be remitted to the Department of
467 Revenue for deposit into the Emergency Medical Services Trust
468 Fund of the Department of Health.

469 ~~2. One hundred and fifty-eight dollars for a violation of~~
470 ~~s. 316.074(1) or s. 316.075(1)(c)1. when a driver has failed to~~
471 ~~stop at a traffic signal and when enforced by the department's~~
472 ~~traffic infraction enforcement officer. One hundred dollars~~
473 ~~shall be remitted to the Department of Revenue for deposit into~~
474 ~~the General Revenue Fund, \$45 shall be distributed to the county~~
475 ~~for any violations occurring in any unincorporated areas of the~~
476 ~~county or to the municipality for any violations occurring in~~
477 ~~the incorporated boundaries of the municipality in which the~~
478 ~~infraction occurred, \$10 shall be remitted to the Department of~~
479 ~~Revenue for deposit into the Department of Health Emergency~~

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480 ~~Medical Services Trust Fund for distribution as provided in s.~~
481 ~~395.4036(1), and \$3 shall be remitted to the Department of~~
482 ~~Revenue for deposit into the Brain and Spinal Cord Injury Trust~~
483 ~~Fund.~~

484 2.3. One hundred and fifty-eight dollars for a violation
485 of s. 316.074(1) or s. 316.075(1)(c)1. when a driver has failed
486 to stop at a traffic signal and when enforced by a county's or
487 municipality's traffic infraction enforcement officer. Seventy-
488 five dollars shall be distributed to the county or municipality
489 issuing the traffic citation, \$70 shall be remitted to the
490 Department of Revenue for deposit into the General Revenue Fund,
491 \$10 shall be remitted to the Department of Revenue for deposit
492 into the Department of Health Emergency Medical Services Trust
493 Fund for distribution as provided in s. 395.4036(1), and \$3
494 shall be remitted to the Department of Revenue for deposit into
495 the Brain and Spinal Cord Injury Trust Fund. Seventy percent of
496 the revenue distributed to the municipality or county must be
497 used for traffic safety.

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

502 (c) If a person who is mailed a notice of violation or
503 cited for a violation of s. 316.074(1) or s. 316.075(1)(c)1., as
504 enforced by a traffic infraction enforcement officer under s.
505 316.0083, presents documentation from the appropriate

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506 governmental entity that the notice of violation ~~or traffic~~
507 ~~citation~~ was in error, the clerk of court or clerk to the local
508 hearing officer may dismiss the case. The clerk of court or
509 clerk to the local hearing officer may not charge for this
510 service.

511 (d) An individual may not receive a commission or per-
512 ticket fee from any revenue collected from violations detected
513 through the use of a traffic infraction detector. A manufacturer
514 or vendor may not receive a fee or remuneration based upon the
515 number of violations detected through the use of a traffic
516 infraction detector.

517 (e) Funds deposited into the Department of Health
518 Emergency Medical Services Trust Fund under this subsection
519 shall be distributed as provided in s. 395.4036(1).

520 (22) In addition to the penalty prescribed under s.
521 316.0083 for violations enforced under s. 316.0083 which are
522 upheld, the local hearing officer may also order the payment of
523 county or municipal costs, not to exceed \$100 ~~\$250~~.

524 Section 6. Subsection (8) of section 320.03, Florida
525 Statutes, is amended to read:

526 320.03 Registration; duties of tax collectors;
527 International Registration Plan.-

528 (8) If the applicant's name appears on the list referred
529 to in s. 316.1001(4), s. 316.1967(6), s. 318.15(3), or s.
530 713.78(13), a license plate or revalidation sticker may not be
531 issued for the traffic infraction detector violation until that

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532 person's name no longer appears on the list; the governmental
533 entity has notified the department to remove the person's name
534 from the list pursuant to s. 318.15(3), or ~~until~~ the person
535 presents a receipt from the governmental entity or the clerk of
536 court that provided the data showing that the fines outstanding
537 have been paid. This subsection does not apply to the owner of a
538 leased vehicle if the vehicle is registered in the name of the
539 lessee of the vehicle. The tax collector and the clerk of the
540 court are each entitled to receive monthly 10 percent of the
541 civil penalties and fines recovered from such persons to
542 reimburse them for the cost of, ~~as costs for~~ implementing and
543 administering this subsection, ~~10 percent of the civil penalties~~
544 ~~and fines recovered from such persons.~~ As used in this
545 subsection, the term "civil penalties and fines" does not
546 include a wrecker operator's lien as described in s. 713.78(13);
547 and for civil penalties and fines assessed in s. 316.0083(1)(b)3
548 and 318.18(15)(a)2, the term does not include funds remitted to
549 the Department of Revenue for deposit into the General Revenue
550 Fund. If the tax collector has private tag agents, such tag
551 agents are entitled to receive a pro rata share of the amount
552 paid to the tax collector, based upon the percentage of license
553 plates and revalidation stickers issued by the tag agent
554 compared to the total issued within the county. The authority of
555 any private agent to issue license plates shall be revoked,
556 after notice and a hearing as provided in chapter 120, if he or
557 she issues any license plate or revalidation sticker contrary to

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558 the provisions of this subsection. This section applies only to
559 the annual renewal in the owner's birth month of a motor vehicle
560 registration and does not apply to the transfer of a
561 registration of a motor vehicle sold by a motor vehicle dealer
562 licensed under this chapter, except for the transfer of
563 registrations which includes ~~the~~ annual renewals. This section
564 does not affect the issuance of the title to a motor vehicle,
565 notwithstanding s. 319.23(8) (b).
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570 **T I T L E A M E N D M E N T**

571 Remove lines 10-31 and insert:

572 Traffic Control Law; amending s. 316.0083, F.S.; clarifying
573 provisions relating to failure to stop at a red light where a
574 turn on red is permissible; revising remedies available that a
575 violator must pay replacing the uniform traffic citation from an
576 unpaid notice of violation to a registration hold on the
577 vehicle; removes the department's authority for red light
578 cameras; provides a funding requirement for counties and
579 municipalities; revises the annual reporting requirements for
580 counties and municipalities; revises the department's reporting
581 requirements; reduces administrative costs and county and
582 municipal costs relating to local hearings; amending s.
583 316.0776, F.S.; requires the Department of Transportation to

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584 identify engineering countermeasure for traffic infraction
585 detectors; requires traffic infraction detectors placement
586 determinations be based on a traffic engineering study; amending
587 s. 316.640, F.S.; removes the department's authority to
588 designate traffic infraction enforcement officers; removes
589 traffic infraction enforcement officer criminal justice
590 standards and law enforcement training requirements; amending s.
591 318.15, F.S.; revising clerks of court requirements when a
592 person fails to comply with a notice of violation; amending s.
593 318.18, F.S.; conforming penalties and local funding
594 requirements; amending s. 320.03, F.S.; revising criteria for
595 when a license plate or revalidation sticker may be issued;
596 revises allocation of revalidation penalties and fines for tax
597 collectors; amending s.
598