

By Senator Bradley

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1                   A bill to be entitled  
2       An act relating to traffic enforcement agencies and  
3       traffic citations; amending s. 316.640, F.S.;  
4       designating counties and municipalities as traffic  
5       enforcement agencies for purposes of the section and  
6       prohibiting them from establishing traffic citation  
7       quotas; amending s. 316.660, F.S.; requiring a county  
8       or municipality to submit a report of its traffic  
9       citation revenue and its expenses for operating a law  
10      enforcement agency during a fiscal year to the  
11      Legislative Auditing Committee under certain  
12      circumstances; providing an effective date.

13  
14 Be It Enacted by the Legislature of the State of Florida:

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16       Section 1. Paragraph (a) of subsection (1) and subsection  
17      (8) of section 316.640, Florida Statutes, are amended to read:  
18       316.640 Enforcement.—The enforcement of the traffic laws of  
19      this state is vested as follows:

20       (1) STATE.—

21       (a)1.a. The Division of Florida Highway Patrol of the  
22      Department of Highway Safety and Motor Vehicles; the Division of  
23      Law Enforcement of the Fish and Wildlife Conservation  
24      Commission; and the agents, inspectors, and officers of the  
25      Department of Law Enforcement each have authority to enforce all  
26      of the traffic laws of this state on all the streets and  
27      highways thereof and elsewhere throughout the state wherever the  
28      public has a right to travel by motor vehicle.

29       b. University police officers may enforce all of the

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30 traffic laws of this state when violations occur on or within  
31 1,000 feet of any property or facilities that are under the  
32 guidance, supervision, regulation, or control of a state  
33 university, a direct-support organization of such state  
34 university, or any other organization controlled by the state  
35 university or a direct-support organization of the state  
36 university, or when such violations occur within a specified  
37 jurisdictional area as agreed upon in a mutual aid agreement  
38 entered into with a law enforcement agency pursuant to s.  
39 23.1225(1). Traffic laws may also be enforced off-campus when  
40 hot pursuit originates on or within 1,000 feet of any such  
41 property or facilities, or as agreed upon in accordance with the  
42 mutual aid agreement.

43 c. Florida College System institution police officers may  
44 enforce all the traffic laws of this state only when such  
45 violations occur on or within 1,000 feet of any property or  
46 facilities that are under the guidance, supervision, regulation,  
47 or control of the Florida College System institution, or when  
48 such violations occur within a specified jurisdictional area as  
49 agreed upon in a mutual aid agreement entered into with a law  
50 enforcement agency pursuant to s. 23.1225. Traffic laws may also  
51 be enforced off-campus when hot pursuit originates on or within  
52 1,000 feet of any such property or facilities, or as agreed upon  
53 in accordance with the mutual aid agreement.

54 d. Police officers employed by an airport authority may  
55 enforce all of the traffic laws of this state only when such  
56 violations occur on any property or facilities that are owned or  
57 operated by an airport authority.

58 (I) An airport authority may employ as a parking

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59 enforcement specialist any individual who successfully completes  
60 a training program established and approved by the Criminal  
61 Justice Standards and Training Commission for parking  
62 enforcement specialists but who does not otherwise meet the  
63 uniform minimum standards established by the commission for law  
64 enforcement officers or auxiliary or part-time officers under s.  
65 943.12. This sub-sub-subparagraph may not be construed to permit  
66 the carrying of firearms or other weapons, nor shall such  
67 parking enforcement specialist have arrest authority.

68 (II) A parking enforcement specialist employed by an  
69 airport authority may enforce all state, county, and municipal  
70 laws and ordinances governing parking only when such violations  
71 are on property or facilities owned or operated by the airport  
72 authority employing the specialist, by appropriate state,  
73 county, or municipal traffic citation.

74 e. The Office of Agricultural Law Enforcement of the  
75 Department of Agriculture and Consumer Services may enforce  
76 traffic laws of this state.

77 f. School safety officers may enforce all of the traffic  
78 laws of this state when such violations occur on or about any  
79 property or facilities that are under the guidance, supervision,  
80 regulation, or control of the district school board.

81 ~~2. An agency of the state as described in subparagraph 1.~~  
82 ~~is prohibited from establishing a traffic citation quota. A~~  
83 ~~violation of this subparagraph is not subject to the penalties~~  
84 ~~provided in chapter 318.~~

85 2.3. Any disciplinary action taken or performance  
86 evaluation conducted by an agency of the state as described in  
87 subparagraph 1. of a law enforcement officer's traffic

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88 enforcement activity must be in accordance with written work-  
89 performance standards. Such standards must be approved by the  
90 agency and any collective bargaining unit representing such law  
91 enforcement officer. A violation of this subparagraph is not  
92 subject to the penalties provided in chapter 318.

93 3.4. The Division of the Florida Highway Patrol may employ  
94 as a traffic accident investigation officer any individual who  
95 successfully completes instruction in traffic accident  
96 investigation and court presentation through the Selective  
97 Traffic Enforcement Program as approved by the Criminal Justice  
98 Standards and Training Commission and funded through the  
99 National Highway Traffic Safety Administration or a similar  
100 program approved by the commission, but who does not necessarily  
101 meet the uniform minimum standards established by the commission  
102 for law enforcement officers or auxiliary law enforcement  
103 officers under chapter 943. Any such traffic accident  
104 investigation officer who makes an investigation at the scene of  
105 a traffic accident may issue traffic citations, based upon  
106 personal investigation, when he or she has reasonable and  
107 probable grounds to believe that a person who was involved in  
108 the accident committed an offense under this chapter, chapter  
109 319, chapter 320, or chapter 322 in connection with the  
110 accident. This subparagraph does not permit the officer to carry  
111 firearms or other weapons, and such an officer does not have  
112 authority to make arrests.

113 (8) TRAFFIC ENFORCEMENT AGENCY.—

114 (a) Any agency or governmental entity designated in  
115 subsection (1), subsection (2), or subsection (3), including a  
116 university, a Florida College System institution, a school

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117 board, or an airport authority, is a traffic enforcement agency  
118 for purposes of this section and s. 316.650.

119 (b) A traffic enforcement agency may not establish a  
120 traffic citation quota.

121 Section 2. Section 316.660, Florida Statutes, is amended to  
122 read:

123 316.660 Disposition of fines and forfeitures collected for  
124 violations; reporting requirement.—

125 (1) Except as otherwise provided by law, all fines and  
126 forfeitures received by any county court from violations of any  
127 of the provisions of this chapter, or from violations of any  
128 ordinances adopting matter covered by this chapter, must be paid  
129 and distributed as provided in s. 318.21.

130 (2) If the total revenue from traffic citations that a  
131 county or municipality receives in a fiscal year exceeds 50  
132 percent of the total expenses that the county or municipality  
133 incurs to operate a law enforcement agency in the same fiscal  
134 year, the county or municipality shall submit a report to the  
135 Legislative Auditing Committee detailing its total revenue from  
136 traffic citations and its total expenses for law enforcement  
137 within 6 months after the end of the fiscal year.

138 Section 3. This act shall take effect July 1, 2015.