

By Senator Bracy

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1 A bill to be entitled
2 An act relating to child safety; providing a short
3 title; creating s. 316.2226, F.S.; defining the term
4 "motor vehicle"; requiring, by a specified date, that
5 motor vehicles be equipped with an alarm system that
6 prompts the driver to inspect the motor vehicle for
7 unattended occupants before exiting; providing
8 penalties; requiring the Department of Highway Safety
9 and Motor Vehicles to adopt by rule minimum standards
10 for such systems and to maintain a list of approved
11 alarm manufacturers and alarm systems; amending s.
12 402.305, F.S.; revising transportation safety minimum
13 standards for the licensure of child care facilities;
14 providing an effective date.

15
16 WHEREAS, children and pets left unattended in vehicles, or
17 children who independently access unoccupied vehicles, are a
18 significant public health and safety problem, and

19 WHEREAS, millions of children are transported every day in
20 the back seat of vehicles and are at risk of being inadvertently
21 left in the vehicle, which may result in the death of or serious
22 injury to the child as the result of heat stroke, and

23 WHEREAS, KidsAndCars.org reports that at least 8,000
24 children were left alone in hot cars or independently gained
25 access to unoccupied cars between 1990 and 2020, with more than
26 990 of those children dying of heatstroke and more than 1,200
27 injured, and

28 WHEREAS, despite widespread education programs and public
29 awareness initiatives over the past 30 years, the number of

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30 child hot car deaths has continued to rise, and

31 WHEREAS, inexpensive technology is currently available to
32 detect and alert drivers to the presence of an unattended
33 occupant in the vehicle, NOW, THEREFORE,

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

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37 Section 1. This act may be cited as the "Jace Lucas Leslie
38 Act."

39 Section 2. Section 316.2226, Florida Statutes, is created
40 to read:

41 316.2226 Unattended occupant alarm system required.-

42 (1) As used in this section, the term "motor vehicle" means
43 a motor vehicle as defined in s. 316.003 which is operated on
44 the roadways, streets, and highways of this state. The term does
45 not include:

46 (a) A school bus as defined in s. 316.003.

47 (b) A bus used for the transportation of persons for
48 compensation, other than a bus regularly used to transport
49 children to or from school, as defined in s. 316.615(1)(b), or
50 in conjunction with school activities.

51 (c) A farm tractor or implement of husbandry.

52 (d) A truck having a gross vehicle weight rating of more
53 than 26,000 pounds.

54 (e) A motorcycle, a moped, a bicycle, or an electric
55 bicycle.

56 (2) By January 1, 2024, all motor vehicles must be equipped
57 with a reliable alarm system approved by the department which
58 prompts the driver to inspect the motor vehicle for unattended

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59 occupants before exiting the motor vehicle.

60 (3) A violation of this section is a noncriminal traffic
61 infraction, punishable as a moving violation as provided in
62 chapter 318.

63 (4) The department shall adopt by rule minimum safety
64 standards for such systems and shall maintain a list of approved
65 alarm manufacturers and alarm systems that meet or exceed those
66 standards.

67 Section 3. Paragraph (a) of subsection (10) of section
68 402.305, Florida Statutes, is amended to read:

69 402.305 Licensing standards; child care facilities.-

70 (10) TRANSPORTATION SAFETY.-

71 (a) Minimum standards shall include all of the following:

72 1. Requirements for child restraints or seat belts in
73 vehicles used by child care facilities and large family child
74 care homes to transport children.

75 2. Requirements for annual inspections of such vehicles.

76 3. Limitations on the number of children that may be
77 transported in such vehicles.

78 4. Procedures to ensure that children are not inadvertently
79 left in vehicles when transported by the facility or home and
80 that systems are in place to ensure accountability for children
81 transported by such facilities and homes.

82 5. Procedures for notification of a child's emergency
83 contact if the child does not arrive at the scheduled time and
84 the facility or family day care home has not received an
85 advanced notification of the child's absence.

86 Section 4. This act shall take effect July 1, 2022.