

1 A bill to be entitled
2 An act relating to intelligent speed assistance
3 devices; amending ss. 316.191 and 316.1922, F.S.;
4 requiring certain persons convicted of certain driving
5 offenses to comply with specified requirements;
6 creating s. 316.1928, F.S.; defining the terms
7 "eligible offender" and "intelligent speed assistance
8 device"; prohibiting an eligible offender from
9 operating a motor vehicle unless such vehicle is
10 equipped with an intelligent speed assistance device;
11 requiring an eligible offender to install and use such
12 device for a specified period as ordered by the court;
13 requiring an eligible offender to provide proof of
14 installation to the Department of Highway Safety and
15 Motor Vehicles; requiring an eligible offender to pay
16 all costs associated with such device; authorizing
17 certain eligible offenders to participate in an
18 affordability program; providing requirements for such
19 program; providing that an eligible offender approved
20 for the program shall receive a discount on costs
21 associated with such device; requiring such device to
22 be equipped with a manual override function; providing
23 requirements for such function; requiring such device
24 and each manufacturer, installer, and provider of such
25 device to be certified by the department; requiring a

26 person who installs, repairs, maintains, monitors, or
27 removes such device to submit results of a criminal
28 background check to the department; requiring a
29 provider to provide certain support services;
30 requiring secure maintenance of device data and
31 limiting the sharing thereof; requiring the department
32 to establish certain procedures; prohibiting certain
33 actions relating to such device; providing penalties;
34 authorizing an eligible offender to operate a motor
35 vehicle without installation of such device under
36 certain circumstances; providing exceptions; requiring
37 certain eligible offenders to submit a vehicle nonuse
38 affidavit to the department; providing for
39 reinstatement of an eligible offender's driving
40 privilege; providing immunity from liability for motor
41 vehicle manufacturers, distributors, and retailers;
42 providing an exception; providing construction;
43 requiring the department to submit an annual report to
44 the Legislature beginning on a specified date;
45 authorizing the department to adopt rules; providing
46 an effective date.

47
48 Be It Enacted by the Legislature of the State of Florida:
49

50 **Section 1. Paragraph (h) is added to subsection (3) of**

51 **section 316.191, Florida Statutes, to read:**

52 316.191 Racing on highways, street takeovers, and stunt
53 driving.—

54 (3)

55 (h) Any person whose driver license has been revoked under
56 this subsection must comply with s. 316.1928 upon reinstatement
57 of his or her license.

58 **Section 2. Subsection (2) of section 316.1922, Florida**
59 **Statutes, is amended to read:**

60 316.1922 Dangerous excessive speeding.—

61 (2) A person convicted of dangerous excessive speeding
62 shall be punished by mandatory compliance with s. 316.1928 and:

63 (a) Upon a first conviction, by imprisonment for up to 30
64 days or by a fine of \$500, or by both a fine and imprisonment.

65 (b) Upon a second or subsequent conviction, by
66 imprisonment for up to 90 days or by a fine of \$1,000, or by
67 both such fine and imprisonment. A person convicted of a second
68 or subsequent violation of this section that occurs within 5
69 years after the date of a prior conviction for a violation of
70 this section shall have his or her driving privilege revoked for
71 at least 180 days but not ~~no~~ more than 1 year.

72 **Section 3. Section 316.1928, Florida Statutes, is created**
73 **to read:**

74 316.1928 Intelligent speed assistance devices required;
75 prohibited acts; penalties.—

76 (1) As used in this section, the term:

77 (a) "Eligible offender" means a person whose driver
78 license was suspended for a violation of s. 316.191 or s.
79 316.1922 and has been reinstated or a person who has received
80 more than two speeding tickets in 12 months.

81 (b) "Intelligent speed assistance device" means an
82 aftermarket device that uses a global positioning system to
83 actively limit a motor vehicle's speed to posted or preset speed
84 limits. Intelligent speed assistance devices must be tamper
85 resistant and capable of reporting attempts to disable or
86 circumvent functionality. The term does not include any
87 technology that is provided by a motor vehicle manufacturer as a
88 component of a new motor vehicle and that controls or affects
89 the speed of a motor vehicle.

90 (2) (a) An eligible offender may not operate a motor
91 vehicle unless such vehicle is equipped with a functioning
92 intelligent speed assistance device certified by the department.

93 (b) An eligible offender must install and use an
94 intelligent speed assistance device for at least 12 months as
95 ordered by the court.

96 (c) An eligible offender must provide proof of
97 installation of an intelligent speed assistance device to the
98 department on a form approved by the department.

99 (3) (a) An eligible offender shall pay for all costs
100 associated with the intelligent speed assistance device,

101 including the lease, installation, maintenance, and removal of
102 the device, unless he or she qualifies for a discount under
103 paragraph (b).

104 (b)1. An eligible offender may apply to the department to
105 participate in an affordability program created by the
106 department to discount the costs associated with an intelligent
107 speed assistance device. An eligible offender must include with
108 his or her application:

109 a. Proof of his or her enrollment in any of the following
110 public assistance programs:

111 (I) Temporary Assistance for Needy Families;

112 (II) Supplemental Security Income;

113 (III) Supplemental Nutrition Assistance Program; or

114 (IV) Low-income home energy assistance program under s.
115 409.508; or

116 b. Documentation that his or her household income is at or
117 below 150 percent of the federal poverty level.

118 2. An eligible offender approved by the department for
119 participation in the affordability program shall receive a
120 discount on the costs associated with an intelligent speed
121 assistance device.

122 (4) An intelligent speed assistance device shall be
123 equipped with a manual override function that allows the
124 operator of the motor vehicle to disable the device for up to 1
125 minute in order to exceed the posted speed limit by up to 10

126 miles per hour. Such override function is intended for emergency
127 use to avoid a potential crash or other driving hazard or to
128 otherwise operate the motor vehicle safely and may be used up to
129 two times each month.

130 (5) (a) An intelligent speed assistance device and each
131 manufacturer, installer, and provider of such device must be
132 certified by the department.

133 (b) Each person who installs, repairs, maintains,
134 monitors, or removes an intelligent speed assistance device must
135 submit the results of a criminal background check to the
136 department.

137 (c) An intelligent speed assistance device provider shall
138 establish and operate a toll-free telephone number that is
139 available 24 hours a day to provide support services related to
140 intelligent speed assistance devices.

141 (6) All data collected by the intelligent speed assistance
142 device under this section shall be securely maintained by the
143 intelligent speed assistance device provider. Data may be shared
144 with the department or the judge who ordered the installation of
145 the intelligent speed assistance device under the following
146 circumstances:

147 (a) When required by a court order;

148 (b) As directed by law or regulation;

149 (c) In a case involving a violation of this section; or

150 (d) If the data is depersonalized and aggregated for

151 research or evaluation purposes.

152 (7) The department shall establish procedures for:

153 (a) Notifying eligible offenders of the requirements of
154 this section.

155 (b) Certifying intelligent speed assistance devices.

156 (c) Verifying installation and continued functionality of
157 intelligent speed assistance devices.

158 (d) Implementing and administering the affordability
159 program created under paragraph (3) (b).

160 (e) Monitoring compliance with this section and responding
161 to violations.

162 (8) (a) A person may not tamper or interfere with, or
163 direct, allow, or request another person to tamper or interfere
164 with, the proper functionality of an intelligent speed
165 assistance device or any component thereof. A person who
166 violates this paragraph commits a misdemeanor of the third
167 degree, punishable as provided in s. 775.082 or s. 775.083.

168 (b)1. An eligible offender may not:

169 a. Operate a motor vehicle without a required intelligent
170 speed assistance device installed therein, except as provided in
171 subsection (9).

172 b. Fail to return an intelligent speed assistance device
173 to the provider of the device at the end of the period ordered
174 by the court under paragraph (2) (b).

175 2. An eligible offender who violates subparagraph 1. is

176 subject to immediate suspension or revocation of his or her
177 driving privilege and imposition of a 6-month extension of the
178 period ordered by the court under paragraph (2) (b) .

179 (9) (a) If an eligible offender is required to operate a
180 motor vehicle in the course and scope of his or her employment
181 and the motor vehicle is owned or leased by the employer, the
182 eligible offender may operate such motor vehicle without
183 installation of an intelligent speed assistance device if the
184 eligible offender provides the employer with a copy of the court
185 order requiring such installation.

186 (b) Paragraph (a) does not apply if:

187 1. The business entity that owns or leases the motor
188 vehicle is owned or controlled by the eligible offender; or

189 2. The motor vehicle is assigned exclusively to the
190 eligible offender and used solely for travel to and from his or
191 her place of employment.

192 (10) If an eligible offender does not comply with this
193 section and chooses to instead relinquish his or her driving
194 privilege, his or her driver license is permanently revoked and
195 he or she must submit a vehicle nonuse affidavit to the
196 department.

197 (11) An eligible offender's driving privilege is
198 reinstated upon the expiration of the period ordered by the
199 court under paragraph (2) (b) and any extension thereto imposed
200 under subparagraph (8) (b) 2.

201 (12) A motor vehicle manufacturer, distributor, or
202 retailer is not liable for any loss, injury, or damages caused
203 by the design, manufacture, installation, improper installation,
204 use, or misuse of an aftermarket intelligent speed assistance
205 device. However, liability does exist if the motor vehicle
206 manufacturer, distributor, or retailer knowingly engages in a
207 repair of or an update to the intelligent speed assistance
208 device and such repair or update proximately causes loss,
209 injury, or damage.

210 (13) This section does not:

211 (a) Require a motor vehicle manufacturer, distributor, or
212 retailer to manufacture, distribute, or offer for sale a motor
213 vehicle that includes or is compatible with an intelligent speed
214 assistance device.

215 (b) Prohibit a lessor or lienholder from requiring that a
216 motor vehicle lessee or owner notify the lessor or lienholder
217 that an intelligent speed assistance device has been installed
218 on a motor vehicle that is subject to a lease or finance
219 agreement.

220 (14) Beginning January 1, 2027, and annually thereafter,
221 the department shall submit a report to the President of the
222 Senate and the Speaker of the House of Representatives that
223 summarizes compliance with this section.

224 (15) The department may adopt rules to implement this
225 section and may make adjustments thereto based on findings and

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226 | emerging best practices in intelligent speed assistance
227 | technology.

228 | **Section 4.** This act shall take effect July 1, 2026.