

By the Appropriations Committee on Transportation, Tourism, and Economic Development; the Committee on Transportation; and Senator DiCeglie

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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;

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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
67 that establishes a school bus infraction detection
68 system program after a certain date to enter into a
69 certain interlocal agreement before beginning its
70 school bus infraction detection system program;
71 providing that law enforcement agencies may authorize
72 traffic infraction enforcement officers to issue
73 certain uniform traffic citations for violations
74 enforced through the use of a school bus infraction
75 detection system; providing construction; deleting a
76 prohibition on raising certain arguments in a
77 proceeding challenging certain traffic violations;
78 deleting a required evidentiary standard for certain
79 findings and determinations by local hearing officers;
80 revising the notice of hearing process; revising the
81 number of times a petitioner may reschedule a certain
82 hearing; requiring a petitioner to pay certain costs
83 before the start of the hearing in order to cancel the
84 hearing; requiring that certain testimony be recorded;
85 authorizing, rather than requiring, a local hearing
86 officer to require a petitioner to pay certain costs;
87 revising authorized uses for videos and images

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

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117 authorized uses for videos and images recorded as part
118 of a speed detection system; deleting an obsolete
119 provision; revising information that must be included
120 in certain reports; deleting a provision authorizing
121 the department to require quarterly submission of
122 certain data components; requiring the department to
123 publish certain reports on its website; conforming
124 provisions to changes made by the act; reordering and
125 amending s. 316.1906, F.S.; conforming provisions to
126 changes made by the act; making a technical change;
127 amending ss. 316.640, 316.650, and 318.15, F.S.;
128 conforming provisions to changes made by the act;
129 amending s. 318.18, F.S.; prohibiting an individual
130 from receiving certain commissions or per-ticket fees
131 under a contract established or renewed on or after a
132 certain date; prohibiting a manufacturer or vendor of
133 speed detection systems from receiving certain fees or
134 remuneration; providing exceptions to requirements
135 that certain civil penalties be remitted to school
136 districts; conforming provisions to changes made by
137 the act; amending s. 320.02, F.S.; authorizing the
138 department to withhold registration or reregistration
139 of a motor vehicle under certain circumstances;
140 amending s. 322.27, F.S.; prohibiting the
141 admissibility of certain infractions as character
142 evidence; conforming provisions to changes made by the
143 act; amending s. 775.15, F.S.; providing that a 1-year
144 period of limitation for certain noncriminal
145 violations resets upon receipt of certain affidavits;

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146 amending s. 1006.21, F.S.; conforming a provision to
147 changes made by the act; reenacting s. 318.121, F.S.,
148 relating to preemption of additional fees, fines,
149 surcharges, and costs, to incorporate the amendment
150 made to s. 318.18, F.S., in a reference thereto;
151 providing an effective date.

152

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

154

155 Section 1. Subsection (6) of section 28.37, Florida
156 Statutes, is amended to read:

157 28.37 Fines, fees, service charges, and costs remitted to
158 the state.—

159 (6) Ten percent of all court-related fines collected by the
160 clerk, ~~except for penalties or fines distributed to counties or~~
161 ~~municipalities under s. 316.0083(1)(b)3. or s. 318.18(16)(a),~~
162 must be deposited into the fine and forfeiture fund to be used
163 exclusively for clerk court-related functions, as provided in s.
164 28.35(3)(a).

165 Section 2. Subsections (38) and (84) of section 316.003,
166 Florida Statutes, are amended to read:

167 316.003 Definitions.—The following words and phrases, when
168 used in this chapter, shall have the meanings respectively
169 ascribed to them in this section, except where the context
170 otherwise requires:

171 (38) LOCAL HEARING OFFICER.—The person, designated by a
172 department, county, ~~or~~ municipality, or school district that
173 elects to authorize traffic infraction enforcement officers to
174 issue traffic citations under s. 316.0083(1)(a), s.

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175 316.173(1)(f), or s. 316.1896(1) ss. 316.0083(1)(a) and
176 316.1896(1), who is authorized to conduct hearings related to a
177 notice of violation issued pursuant to s. 316.0083, s. 316.173,
178 or s. 316.1896. A The charter county, noncharter county, or
179 municipality may use its currently appointed code enforcement
180 board or special magistrate to serve as the local hearing
181 officer. A school district may appoint an attorney who is, and
182 has been for the preceding 5 years, a member in good standing of
183 The Florida Bar to serve as the local hearing officer or may
184 enter into an interlocal agreement to use the local hearing
185 officer of the county. The department may enter into an
186 interlocal agreement to use the local hearing officer of a
187 county or municipality.

188 (84) SPEED DETECTION SYSTEM.—A portable or fixed automated
189 system used to detect a motor vehicle's speed using radar or
190 LiDAR and to capture a photograph or video of the rear of a
191 motor vehicle that exceeds the speed limit in a school zone
192 during the times listed in s. 316.1895(5) force at the time of
193 the violation.

194 Section 3. Paragraphs (a) and (b) of subsection (9) of
195 section 316.008, Florida Statutes, are amended to read:

196 316.008 Powers of local authorities.—

197 (9)(a) A county or municipality may enforce the applicable
198 speed limit on a roadway properly maintained as a school zone
199 pursuant to s. 316.1895 during the times listed in s.

200 316.1895(5)÷

201 1. Within 30 minutes before through 30 minutes after the
202 start of a regularly scheduled breakfast program;

203 2. Within 30 minutes before through 30 minutes after the

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204 ~~start of a regularly scheduled school session;~~205 ~~3. During the entirety of a regularly scheduled school~~
206 ~~session; and~~207 ~~4. Within 30 minutes before through 30 minutes after the~~
208 ~~end of a regularly scheduled school session~~209
210 through the use of a speed detection system for the detection of
211 speed and capturing of photographs or videos for violations in
212 excess of 10 miles per hour over the school zone speed limit ~~in~~
213 ~~force at the time of the violation.~~ A school zone's compliance
214 with s. 316.1895 creates a rebuttable presumption that the
215 school zone is properly maintained. The school zone speed limit
216 may not be enforced through the use of a speed detection system
217 if any flashing beacon used to provide notice of the times
218 during which a restrictive school speed limit is being enforced
219 in the school zone is not activated at the time of the
220 violation.221 (b) A county or municipality may place or install, or
222 contract with a vendor to place or install, a speed detection
223 system within a roadway maintained as a school zone as provided
224 in s. 316.1895 to enforce school zone unlawful speed limit
225 violations, as specified in s. 316.1895(10), which are in excess
226 of 10 miles per hour over the school zone speed limit or s.
227 ~~316.183,~~ on that roadway.228 Section 4. Paragraph (a) of subsection (1) and subsections
229 (2), (4), and (5) of section 316.0083, Florida Statutes, are
230 amended, and subsection (6) is added to that section, to read:231 316.0083 Mark Wandall Traffic Safety Program;
232 administration; report.—

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233 (1) (a) For purposes of administering this section, the
234 department, a county, or a municipality may authorize a traffic
235 infraction enforcement officer under s. 316.640 to issue a
236 traffic citation for a violation of s. 316.074(1) or s.
237 316.075(1) (c)1. ~~A notice of violation and a traffic citation may~~
238 ~~not be issued for failure to stop at a red light if the driver~~
239 ~~is making a right-hand turn in a careful and prudent manner at~~
240 ~~an intersection where right-hand turns are permissible. A notice~~
241 ~~of violation and a traffic citation may not be issued under this~~
242 ~~section if the driver of the vehicle came to a complete stop~~
243 ~~after crossing the stop line and before turning right if~~
244 ~~permissible at a red light, but failed to stop before crossing~~
245 ~~over the stop line or other point at which a stop is required.~~
246 This paragraph does not prohibit a review of information from a
247 traffic infraction detector by an authorized employee or agent
248 of the department, a county, or a municipality before issuance
249 of the traffic citation by the traffic infraction enforcement
250 officer. This paragraph does not prohibit the department, a
251 county, or a municipality from issuing notification as provided
252 in paragraph (b) to the registered owner of the motor vehicle
253 involved in the violation of s. 316.074(1) or s. 316.075(1) (c)1.

254 (2) A notice of violation and a traffic citation may not be
255 issued under this section for failure to stop at a red light if
256 the driver is making a right-hand turn in a careful and prudent
257 manner at an intersection where right-hand turns are
258 permissible. For purposes of this subsection, the term "careful
259 and prudent manner" means that the driver made a right-hand turn
260 after coming to a complete stop and, in the traffic enforcement
261 officer's determination, failed to yield to a pedestrian or

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262 bicyclist or placed a pedestrian or bicyclist in danger of
263 injury as a result of the right-hand turn, failed to yield to
264 another vehicle, or did not substantially reduce the speed of
265 the motor vehicle before making the right-hand turn.

266 (4) (a)1. A county or municipality that desires to have one
267 or more traffic infraction detectors placed or installed on or
268 after July 1, 2025, in an area where no traffic infraction
269 detectors are currently placed or installed must enact an
270 ordinance in order to authorize the placement or installation
271 of, or to authorize contracting with a vendor for the placement
272 or installation of, one or more traffic infraction detectors to
273 enforce s. 316.074(1) or s. 316.075(1)(c)1. As part of the
274 public hearing on such proposed ordinance, the county or
275 municipality must consider traffic data or other evidence
276 supporting the installation and operation of each traffic
277 infraction detector, and the county or municipality must
278 determine that the intersection at which a traffic infraction
279 detector is to be placed or installed constitutes a heightened
280 safety risk that warrants additional enforcement measures.

281 2. A county or municipality that operates one or more
282 traffic infraction detectors must annually report the results of
283 all traffic infraction detectors within the county's or
284 municipality's jurisdiction by placing the annual report to the
285 department required under paragraph (b) as a single reporting
286 item on the agenda of a regular or special meeting of the
287 county's or municipality's governing body. Before a county or
288 municipality contracts or renews a contract to place or install
289 one or more traffic infraction detectors, the county or
290 municipality must approve the contract or contract renewal at a

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291 regular or special meeting of the county's or municipality's
292 governing body.

293 a. Interested members of the public must be allowed to
294 comment regarding the report, contract, or contract renewal
295 under the county's or municipality's public comment policies or
296 procedures formats, and the report, contract, or contract
297 renewal may not be considered as part of a consent agenda.

298 b. The report required under this subparagraph must include
299 a written summary, which must be read aloud at the regular or
300 special meeting, and the summary must contain, for the same time
301 period pertaining to the annual report to the department
302 required under paragraph (b), the number of notices of violation
303 issued, the number that were contested, the number that were
304 upheld, the number that were dismissed, the number that were
305 issued as uniform traffic citations, and the number that were
306 paid and how collected funds were distributed and in what
307 amounts. The county or municipality must report to the
308 department that the county's or municipality's annual report was
309 considered in accordance with this subparagraph, including the
310 date of the regular or special meeting at which the annual
311 report was considered.

312 3. The compliance or sufficiency of compliance with this
313 paragraph may not be raised in a proceeding challenging a
314 violation of s. 316.074(1) or s. 316.075(1)(c)1. enforced by a
315 traffic infraction detector.

316 4. A county or municipality that does not comply with this
317 paragraph may not operate is suspended from operating traffic
318 infraction detectors under this subsection until such
319 noncompliance is corrected.

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

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349 regarding the use and operation of traffic infraction detectors
350 under this section, along with the department's recommendations
351 and any recommended necessary legislation. The summary report
352 must include a review of the information submitted to the
353 department by the counties and municipalities and must describe
354 the enhancement of the traffic safety and enforcement programs.

355 (5) Procedures for a hearing under this section are as
356 follows:

357 (a) The department shall publish and make available
358 electronically to each county and municipality a model Request
359 for Hearing form to assist each county and municipality local
360 government administering this section.

361 (b) The ~~charter county, noncharter~~ county, or municipality
362 electing to authorize traffic infraction enforcement officers to
363 issue traffic citations under paragraph (1)(a) shall designate
364 by resolution existing staff to serve as the clerk to the local
365 hearing officer.

366 (c) Any person, herein referred to as the "petitioner," who
367 elects to request a hearing under paragraph (1)(b) must shall be
368 scheduled for a hearing. The hearing may be conducted either
369 virtually through live video conferencing or in person. The
370 clerk to the local hearing officer shall provide the petitioner
371 with notice of the hearing, including the option for a virtual
372 or in-person hearing, which must by the clerk to the local
373 hearing officer to appear before a local hearing officer with
374 notice to be sent by first-class mail. Upon receipt of the
375 notice, the petitioner may reschedule the hearing up to two
376 times once by submitting a written request to reschedule to the
377 clerk to the local hearing officer, at least 5 calendar days

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378 before the day of the originally scheduled hearing. The
379 petitioner may cancel his or her appearance before the local
380 hearing officer by paying the penalty assessed under paragraph
381 (1) (b), plus \$50 in administrative costs, before the start of
382 the hearing.

383 (6) (a)1. A traffic infraction detector may not be used for
384 remote surveillance. The collection of evidence by a traffic
385 infraction detector to enforce violations of s. 316.074(1) or s.
386 316.075(1) (c)1. does not constitute remote surveillance.

387 2. Video and images recorded by a traffic infraction
388 detector may be used only for the enforcement of violations of
389 s. 316.074(1) or s. 316.075(1) (c)1. and for purposes of
390 determining criminal or civil liability captured by the traffic
391 infraction detector incidental to the permissible use of a
392 traffic infraction detector.

393 3. To the extent practicable, a traffic infraction detector
394 must use necessary technology to ensure that personal
395 identifying information contained in the video and images
396 recorded by the traffic infraction detector which is not
397 relevant to the alleged violation is sufficiently obscured so as
398 to not reveal such personal identifying information.

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

404 (b) Any recorded video or image obtained through the use of
405 a traffic infraction detector must be destroyed within 90 days
406 after the final disposition of the recorded event. The vendor of

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407 the traffic infraction detector must provide the county or
408 municipality with written notice by December 31 of each year
409 that such records have been destroyed in accordance with this
410 paragraph.

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

416 Section 5. Section 316.00831, Florida Statutes, is
417 repealed.

418 Section 6. Section 316.07456, Florida Statutes, is amended
419 to read:

420 316.07456 Traffic infraction detectors; specifications
421 ~~Transitional implementation.~~—Any traffic infraction detector
422 deployed on the highways, streets, and roads of this state must
423 meet specifications established by the Department of
424 Transportation, and must be tested at regular intervals
425 according to specifications prescribed by the Department of
426 Transportation. ~~The Department of Transportation must establish~~
427 ~~such specifications on or before December 31, 2010. However, any~~
428 ~~such equipment acquired by purchase, lease, or other arrangement~~
429 ~~under an agreement entered into by a county or municipality on~~
430 ~~or before July 1, 2011, or equipment used to enforce an~~
431 ~~ordinance enacted by a county or municipality on or before July~~
432 ~~1, 2011, is not required to meet the specifications established~~
433 ~~by the Department of Transportation until July 1, 2011.~~

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

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436 316.0776 Traffic infraction detectors; speed detection
437 systems; placement and installation.—

438 (2)

439 (b) If the department, county, or municipality begins a
440 traffic infraction detector program in a county or municipality
441 that has never conducted such a program, the respective
442 department, county, or municipality must shall also make a
443 public announcement and conduct a public awareness campaign of
444 the proposed use of traffic infraction detectors at least 30
445 days before commencing the enforcement program. During the 30-
446 day public awareness campaign, only a warning may be issued to
447 the registered owner of a motor vehicle for a violation of s.
448 316.074(1) or s. 316.075(1)(c)1. enforced by a traffic
449 infraction detector, and a penalty may not be imposed pursuant
450 to s. 318.18(16)(a)2. or 3.

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

462 (a) If a county or municipality places or installs a speed
463 detection system as authorized by s. 316.008(9), the county or
464 municipality must notify the public that a speed detection

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465 system may be in use by posting signage indicating photographic
466 or video enforcement of the school zone speed limits. Such
467 signage must shall clearly designate the time period during
468 which the school zone speed limits are enforced using a speed
469 detection system and must meet the placement and installation
470 specifications established by the Department of Transportation.
471 For a speed detection system enforcing violations of s. 316.1895
472 ~~or s. 316.183~~ on a roadway maintained as a school zone, this
473 paragraph governs the signage notifying the public of the use of
474 a speed detection system.

475 (b) If a county or municipality begins a school zone speed
476 detection system program in a county or municipality that has
477 never conducted such a program, the respective county or
478 municipality must make a public announcement and conduct a
479 public awareness campaign of the proposed use of speed detection
480 systems at least 30 days before commencing enforcement under the
481 speed detection system program and must notify the public of the
482 specific date on which the program will commence. During the 30-
483 day public awareness campaign, only a warning may be issued to
484 the registered owner of a motor vehicle for a violation of s.
485 316.1895 ~~or s. 316.183~~ enforced by a speed detection system, and
486 liability may not be imposed for the civil penalty under s.
487 318.18(3) (d).

488 (c) A county or municipality that operates one or more
489 school zone speed detection systems shall ~~must~~ annually report
490 the results of all systems within the county's or municipality's
491 jurisdiction by placing the report required under s.
492 316.1896(16) (a) as a single reporting item on the agenda of a
493 regular or special meeting of the county's or municipality's

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494 governing body. Before a county or municipality contracts or
495 renews a contract to place or install a speed detection system
496 in a school zone pursuant to s. 316.008(9), the county or
497 municipality must approve the contract or contract renewal at a
498 regular or special meeting of the county's or municipality's
499 governing body.

500 1. Interested members of the public must be allowed to
501 comment regarding the report, contract, or contract renewal
502 under the county's or municipality's public comment policies or
503 procedures formats, and the report, contract, or contract
504 renewal may not be considered as part of a consent agenda.

505 2. The report required under this paragraph must include a
506 written summary, which must be read aloud at the regular or
507 special meeting, and the summary must contain, for the same time
508 period pertaining to the annual report to the department under
509 s. 316.1896(16)(a), the number of notices of violation issued,
510 the number that were contested, the number that were upheld, the
511 number that were dismissed, the number that were issued as
512 uniform traffic citations, and the number that were paid and how
513 collected funds were distributed and in what amounts. The county
514 or municipality shall ~~must~~ report to the department that the
515 county's or municipality's annual report was considered in
516 accordance with this paragraph, including the date of the
517 regular or special meeting at which the annual report was
518 considered.

519 3. The compliance or sufficiency of compliance with this
520 paragraph may not be raised in a proceeding challenging a
521 violation of s. 316.1895 ~~or s. 316.183~~ enforced by a speed
522 detection system in a school zone.

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

526 Section 8. Subsection (1), paragraph (c) of subsection (2),
527 subsections (4) and (6), paragraph (a) of subsection (17), and
528 subsections (18) and (19) of section 316.173, Florida Statutes,
529 are amended to read:

530 316.173 School bus infraction detection systems.—

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

535 (b) A school district that desires to install one or more
536 school bus infraction detection systems on school buses in its
537 fleet must have specific authorization from the district school
538 board to place or install, or contract with a vendor to install,
539 operate, and maintain, school bus infraction detection systems
540 to enforce s. 316.172(1)(a) and (b). As part of a public hearing
541 held by the school board on such authorization, the school board
542 shall consider traffic data or other evidence supporting the
543 installation and operation of each school bus infraction
544 detection system, and the school board shall determine whether
545 the school bus route for which school bus infraction detection
546 systems are to be placed or installed constitutes a heightened
547 safety risk that warrants additional enforcement measures.

548 Interested members of the public must be allowed to comment
549 regarding a contract or renewal of a contract for the
550 installation, operation, and maintenance of school bus
551 infraction detection systems under the school board's public

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552 comment policies or procedures, and the contract or contract
553 renewal may not be considered as part of a consent agenda.

554 (c) After an affirmative vote from the school board
555 authorizing such a contract, the school district may enter into
556 a contract with a private vendor or manufacturer to install a
557 school bus infraction detection system on any school bus in
558 within its fleet, whether owned, contracted, or leased, and for
559 services including, but not limited to, the installation,
560 operation, and maintenance of the system. ~~The school district's~~
561 ~~decision to install school bus infraction detection systems must~~
562 ~~be based solely on the need to increase public safety.~~ An
563 individual may not receive a commission from any revenue
564 collected from violations detected through the use of a school
565 bus infraction detection system. A private vendor or
566 manufacturer may not receive a fee or remuneration based upon
567 the number of violations detected through the use of a school
568 bus infraction detection system. This paragraph may not be
569 construed to prohibit a private vendor or manufacturer from
570 receiving a fixed amount of collected proceeds for service
571 rendered in relation to the installation, operation, or
572 maintenance of school bus infraction detection systems.

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

576 (e) ~~(d)~~ The school district must enter into an interlocal
577 agreement with one or more law enforcement agencies authorized
578 to enforce violations of s. 316.172(1)(a) and (b) within the
579 school district which jointly establishes the responsibilities
580 of enforcement and the reimbursement of costs associated with

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581 school bus infraction detection systems consistent with this
582 section. For school bus infraction detection system programs
583 established after October 1, 2026, the school district must
584 enter into an interlocal agreement before beginning its school
585 bus infraction detection system program.

586 (f) For purposes of administering this section, a law
587 enforcement agency may authorize a traffic infraction
588 enforcement officer under s. 316.640 to issue uniform traffic
589 citations for violations of s. 316.172(1) (a) and (b). This
590 paragraph does not prohibit the review of information from a
591 school bus infraction detection system by an authorized employee
592 or agent of the school district or law enforcement agency before
593 issuance of the traffic citation by the traffic infraction
594 enforcement officer. This paragraph does not prohibit the law
595 enforcement agency or its designee from issuing a notification
596 as provided in subsection (5) to the registered owner of the
597 motor vehicle involved in the violation of s. 316.172(1) (a) or
598 (b).

599 (2)

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

603 (4) Within 30 days after an alleged violation of s.
604 316.172(1) (a) or (b) is recorded by a school bus infraction
605 detection system, the school district or the private vendor or
606 manufacturer under paragraph (1) (c) ~~(1) (b)~~ must submit the
607 following information to a law enforcement agency that has
608 entered into an interlocal agreement with the school district
609 pursuant to paragraph (1) (e) ~~(1) (d)~~ and has traffic infraction

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610 enforcement jurisdiction at the location where the alleged
611 violation occurred:

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

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

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

617 (6) (a) A local hearing officer appointed by the school
618 district or county shall administer a ~~an administrative~~ hearing
619 process for a contested notice of violation. ~~The school district~~
620 ~~may appoint an attorney who is, and has been for the preceding 5~~
621 ~~years, a member in good standing with The Florida Bar to serve~~
622 ~~as a local hearing officer.~~ The county in which a school
623 district has entered into an interlocal agreement with a law
624 enforcement agency to issue uniform traffic citations may
625 designate by resolution existing staff to serve as clerk to the
626 local hearing officer. At the ~~administrative~~ hearing, the local
627 hearing officer shall determine whether a violation of s.

628 316.172(1)(a) or (b) has occurred. If the local hearing officer
629 finds ~~by a preponderance of the evidence~~ that a violation has
630 occurred, the local hearing officer must uphold the notice of
631 violation and require the petitioner to pay the penalty
632 previously assessed under s. 318.18(5). The local hearing
633 officer may ~~shall~~ also require the petitioner to pay costs
634 consistent with this subsection.

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

637 1. The department shall make available electronically to
638 the school district ~~or its designee~~ or the county a Request for

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639 Hearing form to assist each district or county with
640 administering this subsection.

641 2. A person, referred to in this paragraph as the
642 petitioner, who elects to request a hearing under this
643 subsection must ~~shall~~ be scheduled for a hearing. The hearing
644 may be conducted either virtually through ~~via~~ live video
645 conferencing or in person.

646 3. The clerk to the local hearing officer shall provide the
647 petitioner with notice of the hearing, including the option for
648 a virtual or in-person hearing, which must be sent ~~Within 120~~
649 ~~days after receipt of a timely request for a hearing, the law~~
650 ~~enforcement agency or its designee shall provide a replica of~~
651 ~~the notice of violation data to the school district or county by~~
652 ~~manual or electronic transmission, and thereafter the school~~
653 ~~district or its designee or the county shall mail a notice of~~
654 ~~hearing, which shall include a hearing date and may at the~~
655 ~~discretion of the district or county include virtual and in-~~
656 ~~person hearing options, to the petitioner by first-class mail.~~
657 Mailing of the notice of hearing constitutes notification. Upon

658 receipt of the notice ~~of hearing~~, the petitioner may reschedule

659 the hearing up to two times ~~once~~ by submitting a written request

660 to the local hearing officer at least 5 calendar days before the

661 day of the originally scheduled hearing. The petitioner may

662 cancel his or her hearing by paying the penalty assessed in the

663 notice of violation and any costs authorized in s.

664 316.0083(5)(c) before the start of the hearing.

665 4. All testimony at the hearing must ~~shall~~ be under oath
666 and recorded. The local hearing officer shall take testimony
667 from a representative of the law enforcement agency and the

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668 petitioner, and may take testimony from others. The local
669 hearing officer shall review the video and images recorded by a
670 school bus infraction detection system. Formal rules of evidence
671 do not apply, but due process shall be observed and govern the
672 proceedings.

673 5. At the conclusion of the hearing, the local hearing
674 officer shall determine ~~by a preponderance of the evidence~~
675 whether a violation has occurred and shall uphold or dismiss the
676 violation. The local hearing officer shall issue a final
677 administrative order including the determination and, if the
678 notice of violation is upheld, must require the petitioner to
679 pay the civil penalty previously assessed in the notice of
680 violation, and may shall also require the petitioner to pay
681 costs, not to exceed those established in s. 316.0083(5)(e), to
682 be used by the county for operational costs relating to the
683 hearing process or by the school district for technology and
684 operational costs relating to the hearing process as well as
685 school transportation safety-related initiatives. The final
686 administrative order must shall be mailed to the petitioner by
687 first-class mail.

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

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

694 (17) (a)1. A school bus infraction detection system may not
695 be used for remote surveillance. The collection of evidence by a
696 school bus infraction detection system to enforce violations of

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697 s. 316.172 does not constitute remote surveillance.

698 2. Video and images recorded as part of a school bus
699 infraction detection system may only be used for traffic
700 enforcement and for purposes of determining criminal or civil
701 liability ~~for incidents~~ captured by the school bus infraction
702 detection system incidental to the permissible use of the school
703 bus infraction detection system.

704 3. To the extent practicable, a school bus infraction
705 detection system must use necessary technology to ensure that
706 personal identifying information contained in the video or still
707 images recorded by the system which is not relevant to the
708 alleged violation, including, but not limited to, the identity
709 of the driver and any passenger of a motor vehicle, the interior
710 or contents of a motor vehicle, the identity of an uninvolved
711 person, a number identifying the address of a private residence,
712 and the contents or interior of a private residence, is
713 sufficiently obscured so as not to reveal such personal
714 identifying information.

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

720 (18) (a)1. A school district that operates one or more
721 school bus infraction detection systems shall annually report
722 the results of all such systems operated within the school
723 district by placing the annual report to the department required
724 under paragraph (b) as a single reporting item on the agenda of
725 a regular or special meeting of the school board.

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

730 3. The report required under this paragraph must include a
731 written summary, which must be read aloud at the regular or
732 special meeting, and the summary must contain, for the same time
733 period as the annual report to the department under paragraph
734 (b), the number of school buses that have a school bus
735 infraction detection system installed, including the date of
736 installation and, if applicable, the date the systems were
737 removed; the number of notices of violations issued and the
738 number that were contested, the number that were upheld, the
739 number that were dismissed, the number that were issued as
740 uniform traffic citations, and the number that were paid; and
741 the manner in which collected funds were distributed and in what
742 amounts.

743 4. The compliance or sufficiency of compliance with this
744 paragraph may not be raised in a proceeding challenging a
745 violation of s. 316.172(a) or (b) enforced by a school bus
746 infraction detection system.

747 5. A school district that does not comply with this
748 paragraph may not operate school bus infraction detection
749 systems under this section until such noncompliance is
750 corrected.

751 (b) By October 1, annually 2023, and quarterly thereafter,
752 each school district operating a school bus infraction detection
753 system shall ~~must~~ submit, in consultation with the law
754 enforcement agencies with which it has interlocal agreements

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755 pursuant to this section, a report to the department which
756 details the results of the school bus infraction detection
757 systems in the school district during the preceding state fiscal
758 year in the preceding quarter. The information from the school
759 districts must be submitted in a form and manner determined by
760 the department, ~~which the department must make available to the~~
761 ~~school districts by August 1, 2023~~, and must include at least
762 the following:

763 1. The number of school buses that have a school bus
764 infraction detection system installed, including the date of
765 installation and, if applicable, the date the systems were
766 removed.

767 2. The number of notices of violations issued, the number
768 that were contested, the number that were upheld, the number
769 that were dismissed, the number that were issued as uniform
770 traffic citations, and the number that were paid.

771 3. Data for each infraction to determine locations in need
772 of safety improvements. Such data may include, but is not
773 limited to, global positioning system coordinates of the
774 infraction, the date and time of the infraction, and the name of
775 the school that the school bus was transporting students to or
776 from.

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

779
780 The department shall publish on its website each report
781 submitted by a school district pursuant to this paragraph.

782 (c) ~~(b)~~ Each school district that operates a school bus
783 infraction detection system is responsible for and shall ~~must~~

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784 maintain its respective data for reporting purposes under this
785 subsection for at least 2 years after such data is reported to
786 the department.

787 (d) ~~(e)~~ On or before December 31, 2024, and annually
788 ~~thereafter~~, the department shall submit a summary report to the
789 Governor, the President of the Senate, and the Speaker of the
790 House of Representatives regarding the use and operation of
791 school bus infraction detection systems under this section,
792 along with the department's recommendations and any recommended
793 legislation. The summary report must include a review of the
794 information submitted to the department by the school districts
795 and must describe the enhancement of traffic safety and
796 enforcement programs.

797 (19) A school bus infraction detection system must meet
798 specifications established by the State Board of Education and
799 must be tested at regular intervals according to specifications
800 prescribed by state board rule. ~~The state board must establish~~
801 ~~such specifications by rule on or before December 31, 2023.~~
802 ~~However, any such equipment acquired by purchase, lease, or~~
803 ~~other arrangement under an agreement entered into by a school~~
804 ~~district on or before December 31, 2023, is not required to meet~~
805 ~~the specifications established by the state board until July 1,~~
806 ~~2024.~~

807 Section 9. Subsection (1), paragraphs (b) and (c) of
808 subsection (2), subsections (3), (5) through (9), (12), and
809 (13), paragraph (c) of subsection (14), paragraph (a) of
810 subsection (15), and paragraphs (a) and (c) of subsection (16)
811 of section 316.1896, Florida Statutes, are amended to read:

812 316.1896 Roadways maintained as school zones; speed

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813 detection system enforcement; penalties; appeal procedure;
814 privacy; reports.—

815 (1) For purposes of administering this section, a county or
816 municipality may authorize a traffic infraction enforcement
817 officer under s. 316.640 to issue uniform traffic citations for
818 violations of s. 316.1895 during the times listed in s.
819 316.1895(5) ss. 316.1895 and 316.183 as authorized by s.
820 316.008(9), as follows:

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

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

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

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

836
837 Such violation must be evidenced by a speed detection system
838 described in ss. 316.008(9) and 316.0776(3). This subsection
839 does not prohibit a review of information from a speed detection
840 system by an authorized employee or agent of a county or
841 municipality before issuance of the uniform traffic citation by

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842 the traffic infraction enforcement officer. This subsection does
843 not prohibit a county or municipality from issuing notices as
844 provided in subsection (2) to the registered owner of the motor
845 vehicle for a violation of s. 316.1895. The school zone speed
846 limit may not be enforced through the use of a speed detection
847 system if any flashing beacon used to provide notice of the
848 times during which a restrictive school speed limit is being
849 enforced in the school zone is not activated at the time of the
850 violation or s. 316.183.

851 (2) Within 30 days after a violation, notice must be sent
852 to the registered owner of the motor vehicle involved in the
853 violation specifying the remedies available under s. 318.14 and
854 that the violator must pay the penalty under s. 318.18(3) (d) to
855 the county or municipality, or furnish an affidavit in
856 accordance with subsection (8), within 30 days after the date of
857 the notice of violation in order to avoid court fees, costs, and
858 the issuance of a uniform traffic citation. The notice of
859 violation must:

860 (b) Include a photograph or other recorded image showing
861 the license plate of the motor vehicle; the date, time, and
862 location of the violation; the maximum speed at which the motor
863 vehicle was traveling within the school zone; and the speed
864 limit within the school zone ~~at the time of the violation.~~

865 (c) Include a notice that the owner has the right to
866 review, in person or remotely, the photograph or video captured
867 by the speed detection system and the evidence of the speed of
868 the motor vehicle detected by the speed detection system which
869 constitute a rebuttable presumption that the motor vehicle was
870 used in violation of s. 316.1895 ~~or s. 316.183.~~

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871 (3) Notwithstanding any other law, a person who receives a
872 notice of violation under this section may request a hearing
873 within 60 30 days after the notice of violation or may pay the
874 penalty pursuant to the notice of violation, but a payment or
875 fee may not be required before the hearing requested by the
876 person. The notice of violation must be accompanied by, or
877 direct the person to a website that provides, information on the
878 person's right to request a hearing and on all costs related
879 thereto and a form used for requesting a hearing. As used in
880 this subsection, the term "person" includes a natural person,
881 the registered owner or co-owner of a motor vehicle, or the
882 person identified in an affidavit as having actual care,
883 custody, or control of the motor vehicle at the time of the
884 violation.

885 (5) Penalties assessed and collected by the county or
886 municipality authorized to collect the funds provided for in
887 this section, less the amount retained by the county or
888 municipality pursuant to paragraphs (b) and (e) paragraph (b)
889 and paragraph (e) and the amount remitted to the county school
890 district pursuant to paragraph (d), must be paid to the
891 Department of Revenue weekly. Such payment must be made by means
892 of electronic funds transfer. In addition to the payment, a
893 detailed summary of the penalties remitted must be reported to
894 the Department of Revenue. Penalties to be assessed and
895 collected by the county or municipality as established in s.
896 318.18(3)(d) must be remitted as follows:

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

899 (b) Sixty dollars must be retained by the county or

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900 municipality and must be used to administer speed detection
901 systems in school zones and other public safety initiatives.

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

905 (d) Twelve dollars must be remitted to the county school
906 district in which the violation occurred and must be used for
907 school security initiatives, for student transportation, or to
908 improve the safety of student walking conditions. Funds remitted
909 under this paragraph must be shared with charter schools in the
910 district based on each charter school's proportionate share of
911 the district's total unweighted full-time equivalent student
912 enrollment and must be used for school security initiatives or
913 to improve the safety of student walking conditions.

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

917
918 Under a school zone speed detection system contract entered into
919 or renewed on or after October 1, 2026, an individual may not
920 receive a commission or per-ticket fee from any revenue
921 collected from violations detected through the use of a speed
922 detection system. A manufacturer or vendor of speed detection
923 systems may not receive a fee or remuneration based upon the
924 number of violations detected through the use of a speed
925 detection system.

926 (6) A uniform traffic citation must be issued by mailing
927 the uniform traffic citation by certified mail to the address of
928 the registered owner of the motor vehicle involved in the

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929 violation if payment has not been made within 60 30 days after
930 notification under subsection (2), if the registered owner has
931 not requested a hearing as authorized under subsection (3), and
932 if the registered owner has not submitted an affidavit in
933 accordance with subsection (8).

934 (a) Delivery of the uniform traffic citation constitutes
935 notification of a violation under this subsection. If the
936 registered owner or co-owner of the motor vehicle; the person
937 identified as having care, custody, or control of the motor
938 vehicle at the time of the violation; or a duly authorized
939 representative of the owner, co-owner, or identified person
940 initiates a proceeding to challenge the citation pursuant to
941 this section, such person waives any challenge or dispute as to
942 the delivery of the uniform traffic citation.

943 (b) In the case of joint ownership of a motor vehicle, the
944 uniform traffic citation must be mailed to the first name
945 appearing on the motor vehicle registration, unless the first
946 name appearing on the registration is a business organization,
947 in which case the second name appearing on the registration may
948 be used.

949 (c) The uniform traffic citation mailed to the registered
950 owner of the motor vehicle involved in the infraction must be
951 accompanied by the information described in paragraphs (2) (b) -
952 (d).

953 (7) The registered owner of the motor vehicle involved in
954 the violation is responsible and liable for paying the uniform
955 traffic citation issued for a violation of s. 316.1895 ~~or s.~~
956 ~~316.183~~ unless the owner can establish that:

957 (a) The motor vehicle was, at the time of the violation, in

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958 the care, custody, or control of another person;

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

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

966 (8) To establish such facts under subsection (7), the
967 registered owner of the motor vehicle must, within 60 30 days
968 after the date of issuance of the notice of violation or the
969 uniform traffic citation, furnish to the appropriate
970 governmental entity an affidavit setting forth information
971 supporting an exception under subsection (7).

972 (a) An affidavit supporting the exception under paragraph
973 (7)(a) must include the name, address, date of birth, and, if
974 known, the driver license number of the person who leased,
975 rented, or otherwise had care, custody, or control of the motor
976 vehicle at the time of the alleged violation. If the motor
977 vehicle was stolen at the time of the alleged violation, the
978 affidavit must include the police report indicating that the
979 motor vehicle was stolen.

980 (b) If a uniform traffic citation for a violation of s.
981 316.1895 ~~or s. 316.183~~ was issued at the location of the
982 violation by a law enforcement officer, the affidavit must
983 include the serial number of the uniform traffic citation.

984 (c) If the motor vehicle's owner to whom a notice of
985 violation or a uniform traffic citation has been issued is
986 deceased, the affidavit must include a certified copy of the

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987 owner's death certificate showing that the date of death
988 occurred on or before the date of the alleged violation and one
989 of the following:

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

993 2. Documented proof that the registered license plate
994 belonging to the deceased owner's motor vehicle was returned to
995 the department or any branch office or authorized agent of the
996 department after his or her death but on or before the date of
997 the alleged violation.

998 3. A copy of the police report showing that the deceased
999 owner's registered license plate or motor vehicle was stolen
1000 after his or her death but on or before the date of the alleged
1001 violation.

1002
1003 Upon receipt of the affidavit and documentation required under
1004 paragraphs (b) and (c), or 60 30 days after the date of issuance
1005 of a notice of violation sent to a person identified as having
1006 care, custody, or control of the motor vehicle at the time of
1007 the violation under paragraph (a), the county or municipality
1008 must dismiss the notice or citation and provide proof of such
1009 dismissal to the person who submitted the affidavit. If, within
1010 30 days after the date of a notice of violation sent to a person
1011 under subsection (9), the county or municipality receives an
1012 affidavit under subsection (10) from the person sent a notice of
1013 violation affirming that the person did not have care, custody,
1014 or control of the motor vehicle at the time of the violation,
1015 the county or municipality must notify the registered owner that

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1016 the notice or citation will not be dismissed due to failure to
1017 establish that another person had care, custody, or control of
1018 the motor vehicle at the time of the violation.

1019 (9) Upon receipt of an affidavit under paragraph (8)(a),
1020 the county or municipality may issue the person identified as
1021 having care, custody, or control of the motor vehicle at the
1022 time of the violation a notice of violation pursuant to
1023 subsection (2) for a violation of s. 316.1895 ~~or s. 316.183~~. The
1024 affidavit is admissible in a proceeding pursuant to this section
1025 for the purpose of providing evidence that the person identified
1026 in the affidavit was in actual care, custody, or control of the
1027 motor vehicle. The owner of a leased motor vehicle for which a
1028 uniform traffic citation is issued for a violation of s.
1029 316.1895 ~~or s. 316.183~~ is not responsible for paying the uniform
1030 traffic citation and is not required to submit an affidavit as
1031 specified in subsection (8) if the motor vehicle involved in the
1032 violation is registered in the name of the lessee of such motor
1033 vehicle.

1034 (12) The photograph or video captured by a speed detection
1035 system and the evidence of the speed of the motor vehicle
1036 detected by a speed detection system which are attached to or
1037 referenced in the uniform traffic citation are evidence of a
1038 violation of s. 316.1895 ~~or s. 316.183~~ and are admissible in any
1039 proceeding to enforce this section. The photograph or video and
1040 the evidence of speed detected raise a rebuttable presumption
1041 that the motor vehicle named in the report or shown in the
1042 photograph or video was used in violation of s. 316.1895 ~~or s.~~
1043 ~~316.183~~.

1044 (13) This section supplements the enforcement of s.

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1045 ~~316.1895 ss. 316.1895 and 316.183~~ by a law enforcement officer
1046 and does not prohibit a law enforcement officer from issuing a
1047 uniform traffic citation for a violation of s. 316.1895 ~~or s.~~
1048 ~~316.183.~~

1049 (14) A hearing under this section must be conducted under
1050 the procedures established by s. 316.0083(5) and as follows:

1051 (c) A person, referred to in this subsection as the
1052 "petitioner," who elects to request a hearing under subsection
1053 (3) must be scheduled for a hearing by the clerk to the local
1054 hearing officer. The hearing may be conducted either virtually
1055 through live video conferencing or in person. The clerk to the
1056 local hearing officer shall provide ~~must furnish~~ the petitioner
1057 with notice of the hearing, including the option for a virtual
1058 or in-person hearing, which must be sent by first-class mail.

1059 Upon receipt of the notice, the petitioner may reschedule the
1060 hearing up to two times by submitting a written request to
1061 reschedule to the clerk at least 5 calendar days before the day
1062 of the scheduled hearing. The petitioner may cancel his or her
1063 appearance before the local hearing officer by paying the
1064 penalty assessed under subsection (2), plus the administrative
1065 costs established in s. 316.0083(5)(c), before the start of the
1066 hearing.

1067 (15) (a) A speed detection system in a school zone may not
1068 be used for remote surveillance. The collection of evidence by a
1069 speed detection system to enforce violations of s. 316.1895 ss.
1070 ~~316.1895 and 316.183~~, or user-controlled pan or tilt adjustments
1071 of speed detection system components, do not constitute remote
1072 surveillance. Recorded video or photographs collected by as part
1073 ~~of~~ a speed detection system in a school zone may only be used to

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1074 document violations of s. 316.1895 ss. 316.1895 and 316.183 and
1075 for purposes of determining criminal or civil liability ~~for~~
1076 ~~incidents~~ captured by the speed detection system incidental to
1077 the permissible use of the speed detection system.

1078 (16) (a) Each county or municipality that operates one or
1079 more speed detection systems ~~shall~~ ~~must~~ submit a report by
1080 October 1, ~~2024~~, and annually ~~thereafter~~, to the department
1081 which identifies the public safety objectives used to identify a
1082 school zone for enforcement under this section, reports
1083 compliance with s. 316.0776(3) (c), and details the results of
1084 the speed detection system in the school zone during the
1085 preceding state fiscal year and the procedures for enforcement.
1086 The information from counties and municipalities must be
1087 submitted in a form and manner determined by the department,
1088 ~~which the department must make available to the counties and~~
1089 ~~municipalities by August 1, 2023, and the department may require~~
1090 ~~data components to be submitted quarterly~~. The report must
1091 include at least the following:

1092 1. Information related to the location of each speed
1093 detection system, including the geocoordinates of the school
1094 zone, the directional approach of the speed detection system,
1095 the school name, the school level, the times the speed detection
1096 system was active, the restricted school zone speed limit
1097 enforced pursuant to s. 316.1895(5), ~~the posted speed limit~~
1098 ~~enforced at times other than those authorized by s. 316.1895(5)~~,
1099 the date the systems were activated to enforce violations of s.
1100 316.1895 ss. 316.1895 and 316.183, and, if applicable, the date
1101 the systems were deactivated.

1102 2. The number of notices of violation issued, the number,

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1103 if any, that were issued outside of the enforcement periods
1104 authorized in subsection (1), the number that were contested,
1105 the number that were upheld, the number that were dismissed, the
1106 number that were issued as uniform traffic citations, and the
1107 number that were paid.

1108 3. Any other statistical data and information related to
1109 the procedures for enforcement which is required by the
1110 department to complete the report required under paragraph (c).
1111

1112 The department shall publish on its website each report
1113 submitted by a county or municipality pursuant to this
1114 paragraph.

1115 (c) On or before December 31, 2024, and annually
1116 thereafter, the department shall ~~must~~ submit a summary report to
1117 the Governor, the President of the Senate, and the Speaker of
1118 the House of Representatives regarding the use of speed
1119 detection systems under this section, along with any recommended
1120 legislation ~~legislative recommendations~~ from the department. The
1121 summary report must include a review of the information
1122 submitted to the department by the counties and municipalities
1123 and must describe the enhancement of safety and enforcement
1124 programs.

1125 Section 10. Paragraph (d) of subsection (1) of section
1126 316.1906, Florida Statutes, is reordered and amended, and
1127 subsection (3) of that section is amended, to read:

1128 316.1906 Radar speed-measuring devices; speed detection
1129 systems; evidence, admissibility.—

1130 (1) DEFINITIONS.—

1131 (d) "Officer" means any:

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1132 2.1. "Law enforcement officer" who is elected, appointed,
1133 or employed full time by any municipality or the state or any
1134 political subdivision thereof; who is vested with the authority
1135 to bear arms and make arrests; and whose primary responsibility
1136 is the prevention and detection of crime or the enforcement of
1137 the penal, criminal, traffic, or highway laws of the state;

1138 3.2. "Part-time law enforcement officer" who is employed or
1139 appointed less than full time, as defined by an employing
1140 agency, with or without compensation; who is vested with
1141 authority to bear arms and make arrests; and whose primary
1142 responsibility is the prevention and detection of crime or the
1143 enforcement of the penal, criminal, traffic, or highway laws of
1144 the state; or

1145 1.3. "Auxiliary law enforcement officer" who is employed or
1146 appointed, with or without compensation; who aids or assists a
1147 full-time or part-time law enforcement officer; and who, while
1148 under the direct supervision of a full-time or part-time law
1149 enforcement officer, has the authority to arrest and perform law
1150 enforcement functions; or

1151 4. "Traffic infraction enforcement officer" who is employed
1152 or appointed, with or without compensation, and satisfies the
1153 requirements of s. 316.640(5) and is vested with authority to
1154 enforce violations of s. 316.1895 ss. 316.1895 and 316.183
1155 pursuant to s. 316.1896.

1156 (3) A speed detection system is exempt from the design
1157 requirements for radar or LiDAR units established by the
1158 department. A speed detection system must have the ability to
1159 perform self-tests as to its detection accuracy. The system must
1160 perform a self-test at least once every 30 days. The law

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1161 enforcement agency, or an agent acting on behalf of the law
1162 enforcement agency, operating a speed detection system must
1163 maintain a log of the results of the system's self-tests. The
1164 law enforcement agency, or an agent acting on behalf of the law
1165 enforcement agency, operating a speed detection system must also
1166 perform an independent calibration test on the speed detection
1167 system at least once every 12 months. The self-test logs, as
1168 well as the results of the annual calibration test, are
1169 admissible in any court proceeding for a uniform traffic
1170 citation issued for a violation of s. 316.1895 ~~or s. 316.183~~
1171 enforced pursuant to s. 316.1896. Notwithstanding subsection
1172 (2), evidence of the speed of a motor vehicle detected by a
1173 speed detection system compliant with this subsection and the
1174 determination by a traffic infraction enforcement officer that a
1175 motor vehicle is operating in excess of the applicable speed
1176 limit is admissible in any proceeding with respect to an alleged
1177 violation of law regulating the speed of motor vehicles in
1178 school zones.

1179 Section 11. Paragraph (a) of subsection (5) of section
1180 316.640, Florida Statutes, is amended to read:

1181 316.640 Enforcement.—The enforcement of the traffic laws of
1182 this state is vested as follows:

1183 (5)(a) Any sheriff's department or police department of a
1184 municipality may employ, as a traffic infraction enforcement
1185 officer, any individual who successfully completes instruction
1186 in traffic enforcement procedures and court presentation through
1187 the Selective Traffic Enforcement Program as approved by the
1188 Division of Criminal Justice Standards and Training of the
1189 Department of Law Enforcement, or through a similar program, but

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1190 who does not necessarily otherwise meet the uniform minimum
1191 standards established by the Criminal Justice Standards and
1192 Training Commission for law enforcement officers or auxiliary
1193 law enforcement officers under s. 943.13. Any such traffic
1194 infraction enforcement officer who observes the commission of a
1195 traffic infraction or, in the case of a parking infraction, who
1196 observes an illegally parked vehicle may issue a traffic
1197 citation for the infraction when, based upon personal
1198 investigation, he or she has reasonable and probable grounds to
1199 believe that an offense has been committed which constitutes a
1200 noncriminal traffic infraction as defined in s. 318.14. In
1201 addition, any such traffic infraction enforcement officer may
1202 issue a traffic citation under ss. 316.0083, 316.173, and
1203 316.1896 ~~ss. 316.0083 and 316.1896~~. For purposes of enforcing
1204 ss. 316.074(1), 316.075(1)(c)1., 316.172(1)(a) and (b), and
1205 316.1895(10) ~~ss. 316.0083, 316.1895, and 316.183~~, any sheriff's
1206 department or police department of a municipality may designate
1207 employees as traffic infraction enforcement officers. The
1208 traffic infraction enforcement officers must be physically
1209 located in the county of the respective sheriff's or police
1210 department.

1211 Section 12. Paragraph (c) of subsection (3) of section
1212 316.650, Florida Statutes, is amended to read:

1213 316.650 Traffic citations.—

1214 (3)

1215 (c) If a traffic citation is issued under s. 316.0083, s.
1216 316.173, or s. 316.1896, the traffic infraction enforcement
1217 officer must ~~shall~~ provide by electronic transmission a replica
1218 of the traffic citation data to the court having jurisdiction

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1219 over the alleged offense or its traffic violations bureau within
1220 5 business days after the date of issuance of the traffic
1221 citation to the violator. If a hearing is requested, the traffic
1222 infraction enforcement officer must shall provide a replica of
1223 the ~~traffic~~ notice of violation data to the clerk to for the
1224 local hearing officer having jurisdiction over the alleged
1225 offense within 14 days.

1226 Section 13. Subsection (3) of section 318.15, Florida
1227 Statutes, is amended to read:

1228 318.15 Failure to comply with civil penalty or to appear;
1229 penalty.—

1230 (3) The clerk shall notify the department of persons who
1231 were mailed a notice of violation of s. 316.074(1) or s.
1232 316.075(1)(c)1. pursuant to s. 316.0083, of s. 316.172(1)(a) or
1233 (b) pursuant to s. 316.173, or of s. 316.1895(10) pursuant to s.
1234 316.1896, and who failed to enter into, or comply with the terms
1235 of, a penalty payment plan, or order with the clerk to the local
1236 hearing officer or failed to appear at a scheduled hearing
1237 within 10 days after such failure, and shall reference the
1238 person's driver license number, or in the case of a business
1239 entity, vehicle registration number.

1240 (a) Upon receipt of such notice, the department, or
1241 authorized agent thereof, may not issue a license plate or
1242 revalidation sticker for any motor vehicle owned or co-owned by
1243 that person pursuant to s. 320.03(8) until the amounts assessed
1244 have been fully paid.

1245 (b) After the issuance of the person's license plate or
1246 revalidation sticker is withheld pursuant to paragraph (a), the
1247 person may challenge the withholding of the license plate or

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1248 revalidation sticker only on the basis that the outstanding
1249 fines and civil penalties have been paid pursuant to s.
1250 320.03(8).

1251 Section 14. Paragraph (d) of subsection (3), paragraphs (a)
1252 and (b) of subsection (5), and subsection (23) of section
1253 318.18, Florida Statutes, are amended to read:

1254 318.18 Amount of penalties.—The penalties required for a
1255 noncriminal disposition pursuant to s. 318.14 or a criminal
1256 offense listed in s. 318.17 are as follows:

1257 (3)

1258 (d)1. Notwithstanding paragraphs (b) and (c), a person
1259 cited for a violation of s. 316.1895(10) ~~or s. 316.183~~ for
1260 exceeding the speed limit in force at the time of the violation
1261 on a roadway maintained as a school zone as provided in s.
1262 316.1895, when enforced by a traffic infraction enforcement
1263 officer pursuant to s. 316.1896, must pay a fine of \$100. Fines
1264 collected under this paragraph must be distributed as follows:

1265 a. Twenty dollars must be remitted to the Department of
1266 Revenue for deposit into the General Revenue Fund.

1267 b. Seventy-seven dollars must be distributed to the county
1268 for any violations occurring in any unincorporated areas of the
1269 county or to the municipality for any violations occurring in
1270 the incorporated boundaries of the municipality in which the
1271 infraction occurred, to be used as provided in s. 316.1896(5).

1272 c. Three dollars must be remitted to the Department of
1273 Revenue for deposit into the Department of Law Enforcement
1274 Criminal Justice Standards and Training Trust Fund to be used as
1275 provided in s. 943.25.

1276 2. If a person who is mailed a notice of violation or a

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1277 uniform traffic citation for a violation of s. 316.1895(10) or
1278 ~~s. 316.183~~, as enforced by a traffic infraction enforcement
1279 officer under s. 316.1896, presents documentation from the
1280 appropriate governmental entity that the notice of violation or
1281 uniform traffic citation was in error, the clerk of court or
1282 clerk to the local hearing officer may dismiss the case. The
1283 clerk of court or clerk to the local hearing officer may not
1284 charge for this service.

1285 3. Under a school zone speed detection system contract
1286 entered into or renewed on or after October 1, 2026, an
1287 individual may not receive a commission or per-ticket fee from
1288 any revenue collected from violations detected through the use
1289 of a speed detection system. A manufacturer or vendor may not
1290 receive a fee or remuneration based upon the number of
1291 violations detected through the use of a speed detection system.

1292 (5)(a)1. Except as provided in subparagraph 2., \$200 for a
1293 violation of s. 316.172(1)(a), failure to stop for a school bus.
1294 If, at a hearing, the alleged offender is found to have
1295 committed this offense, the court shall impose a minimum civil
1296 penalty of \$200. In addition to this penalty, for a second or
1297 subsequent offense within a period of 5 years, the department
1298 shall suspend the driver license of the person for not less than
1299 180 days and not more than 1 year.

1300 2. If a violation of s. 316.172(1)(a) is enforced by a
1301 school bus infraction detection system pursuant to s. 316.173,
1302 the penalty of \$200 shall be imposed. If, at a ~~an~~ administrative
1303 hearing contesting a notice of violation or uniform traffic
1304 citation, the alleged offender is found to have committed this
1305 offense, a minimum civil penalty of \$200 shall be imposed.

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1306 Notwithstanding any other provision of law except s. 28.37(6),
1307 the civil penalties assessed under this subparagraph resulting
1308 from a notice of violation or uniform traffic citation shall be
1309 remitted to the school district at least monthly and used
1310 pursuant to s. 316.173(8).

1311 (b)1. Except as provided in subparagraph 2., \$400 for a
1312 violation of s. 316.172(1)(b), passing a school bus on the side
1313 that children enter and exit when the school bus displays a stop
1314 signal. If, at a hearing, the alleged offender is found to have
1315 committed this offense, the court shall impose a minimum civil
1316 penalty of \$400.

1317 2. If a violation of s. 316.172(1)(b) is enforced by a
1318 school bus infraction detection system pursuant to s. 316.173,
1319 the penalty under this subparagraph is a minimum of \$200. If, at
1320 a hearing contesting a notice of violation or uniform traffic
1321 citation, the alleged offender is found to have committed this
1322 offense, the court shall impose a minimum civil penalty of \$200.
1323 Notwithstanding any other provision of law except s. 28.37(6),
1324 the civil penalties assessed under this subparagraph resulting
1325 from notice of violation or uniform traffic citation shall be
1326 remitted to the school district at least monthly and used
1327 pursuant to s. 316.173(8).

1328 3. In addition to this penalty, for a second or subsequent
1329 offense within a period of 5 years, the department shall suspend
1330 the driver license of the person for not less than 360 days and
1331 not more than 2 years.

1332 (23) In addition to the penalty prescribed under s.
1333 316.0083, s. 316.173, or s. 316.1896 for violations enforced
1334 under those sections s. 316.0083 which are upheld by the local

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1335 hearing officer, the local hearing officer may also order the
1336 payment of county, ~~or~~ municipal, or school district costs, not
1337 to exceed \$250.

1338 Section 15. Subsection (12) of section 320.02, Florida
1339 Statutes, is amended to read:

1340 320.02 Registration required; application for registration;
1341 forms.—

1342 (12) The department is authorized to withhold registration
1343 or reregistration of any motor vehicle if the owner, or one of
1344 the co-owners of the vehicle:^r

1345 (a) Has a driver license which is under suspension for the
1346 failure to remit payment of any fines levied in this state
1347 pursuant to chapter 318 or chapter 322; or

1348 (b) Received a traffic citation for a violation of s.
1349 316.074(1) or s. 316.075(1)(c)1., s. 316.172(1)(a) or (b), or s.
1350 316.1895(10), as enforced by s. 316.0083, s. 316.173, or s.
1351 316.1896, respectively, and did not request a hearing, submit an
1352 affidavit claiming an exception, or pay the traffic citation.

1353 Section 16. Paragraph (d) of subsection (3) of section
1354 322.27, Florida Statutes, is amended to read:

1355 322.27 Authority of department to suspend or revoke driver
1356 license or identification card.—

1357 (3) There is established a point system for evaluation of
1358 convictions of violations of motor vehicle laws or ordinances,
1359 and violations of applicable provisions of s. 403.413(6)(b) when
1360 such violations involve the use of motor vehicles, for the
1361 determination of the continuing qualification of any person to
1362 operate a motor vehicle. The department is authorized to suspend
1363 the license of any person upon showing of its records or other

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1364 good and sufficient evidence that the licensee has been
1365 convicted of violation of motor vehicle laws or ordinances, or
1366 applicable provisions of s. 403.413(6)(b), amounting to 12 or
1367 more points as determined by the point system. The suspension
1368 shall be for a period of not more than 1 year.

1369 (d) The point system shall have as its basic element a
1370 graduated scale of points assigning relative values to
1371 convictions of the following violations:

1372 1. Reckless driving, willful and wanton—4 points.

1373 2. Leaving the scene of a crash resulting in property
1374 damage of more than \$50—6 points.

1375 3. Unlawful speed, or unlawful use of a wireless
1376 communications device, resulting in a crash—6 points.

1377 4. Passing a stopped school bus:

1378 a. Not causing or resulting in serious bodily injury to or
1379 death of another—4 points.

1380 b. Causing or resulting in serious bodily injury to or
1381 death of another—6 points.

1382 c. Points may not be imposed for a violation of passing a
1383 stopped school bus as provided in s. 316.172(1)(a) or (b) when
1384 enforced by a school bus infraction detection system pursuant to
1385 s. 316.173. In addition, a violation of s. 316.172(1)(a) or (b)
1386 when enforced by a school bus infraction detection system
1387 pursuant to s. 316.173 may not be used for purposes of setting
1388 motor vehicle insurance rates and is not admissible as character
1389 evidence under s. 90.404.

1390 5. Unlawful speed:

1391 a. Not in excess of 15 miles per hour of lawful or posted
1392 speed—3 points.

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1393 b. In excess of 15 miles per hour of lawful or posted
1394 speed—4 points.

1395 c. Points may not be imposed for a violation of unlawful
1396 speed as provided in s. 316.1895 ~~or s.~~ 316.183 when enforced by
1397 a traffic infraction enforcement officer pursuant to s.

1398 316.1896. In addition, a violation of s. 316.1895 ~~or s.~~ 316.183
1399 when enforced by a traffic infraction enforcement officer
1400 pursuant to s. 316.1896 may not be used for purposes of setting
1401 motor vehicle insurance rates and is not admissible as character
1402 evidence under s. 90.404.

1403 6. A violation of a traffic control signal device as
1404 provided in s. 316.074(1) or s. 316.075(1)(c)1.—4 points.
1405 However, points may not be imposed for a violation of s.
1406 316.074(1) or s. 316.075(1)(c)1. when a driver has failed to
1407 stop at a traffic signal and when enforced by a traffic
1408 infraction enforcement officer. In addition, a violation of s.
1409 316.074(1) or s. 316.075(1)(c)1. when a driver has failed to
1410 stop at a traffic signal and when enforced by a traffic
1411 infraction enforcement officer may not be used for purposes of
1412 setting motor vehicle insurance rates and is not admissible as
1413 character evidence under s. 90.404.

1414 7. Unlawfully driving a vehicle through a railroad-highway
1415 grade crossing—6 points.

1416 8. All other moving violations (including parking on a
1417 highway outside the limits of a municipality)—3 points. However,
1418 points may not be imposed for a violation of s. 316.2065(11);
1419 and points may be imposed for a violation of s. 316.1001 only
1420 when imposed by the court after a hearing pursuant to s.
1421 318.14(5).

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1422 9. Any moving violation covered in this paragraph,
1423 excluding unlawful speed and unlawful use of a wireless
1424 communications device, resulting in a crash—4 points.

1425 10. Any conviction under s. 403.413(6)(b)—3 points.

1426 11. Any conviction under s. 316.0775(2)—4 points.

1427 12. A moving violation covered in this paragraph which is
1428 committed in conjunction with the unlawful use of a wireless
1429 communications device within a school safety zone—2 points, in
1430 addition to the points assigned for the moving violation.

1431 Section 17. Subsection (23) is added to section 775.15,
1432 Florida Statutes, to read:

1433 775.15 Time limitations; general time limitations;
1434 exceptions.—

1435 (23) For a traffic violation enforced pursuant to s.
1436 316.0083, s. 316.173, or s. 316.1896, the 1-year period of
1437 limitation for a noncriminal violation pursuant to paragraph
1438 (2)(d) resets upon receipt by the appropriate county,
1439 municipality, or law enforcement agency of an affidavit
1440 indicating that the motor vehicle was in the care, custody, and
1441 control of another person at the time of the violation, as
1442 authorized in s. 316.0083, s. 316.173, or s. 316.1896,
1443 respectively.

1444 Section 18. Paragraph (h) of subsection (3) of section
1445 1006.21, Florida Statutes, is amended to read:

1446 1006.21 Duties of district school superintendent and
1447 district school board regarding transportation.—

1448 (3) District school boards, after considering
1449 recommendations of the district school superintendent:

1450 (h) Upon an affirmative vote of the school board

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1451 authorizing the use of school bus infraction detection systems,
1452 may install and operate, or enter into an agreement with a
1453 private vendor or manufacturer to install, operate, and maintain
1454 provide, a school bus infraction detection system pursuant to s.
1455 316.173.

1456 Section 19. For the purpose of incorporating the amendment
1457 made by this act to section 318.18, Florida Statutes, in a
1458 reference thereto, section 318.121, Florida Statutes, is
1459 reenacted to read:

1460 318.121 Preemption of additional fees, fines, surcharges,
1461 and costs.—Notwithstanding any general or special law, or
1462 municipal or county ordinance, additional fees, fines,
1463 surcharges, or costs other than the court costs and surcharges
1464 assessed under s. 318.18(12), (14), (19), (20), and (23) may not
1465 be added to the civil traffic penalties assessed under this
1466 chapter.

1467 Section 20. This act shall take effect October 1, 2026.