

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

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A bill to be entitled

An act relating to traffic infraction enforcement; amending s. 28.37, F.S.; deleting a provision exempting certain penalties and fines from a requirement that a certain percentage of all court-related fines collected by the clerk be deposited into the fines and forfeiture fund for a specified purpose; amending s. 316.003, F.S.; revising the definitions of the terms "local hearing officer" and "speed detection system"; amending s. 316.008, F.S.; revising the periods during which a county or municipality may enforce school zone speed limits, and the violations for which such enforcement is authorized, through the use of a speed detection system; prohibiting the enforcement of a school zone speed limit through the use of a speed detection system under certain circumstances; revising the circumstances for which a county or municipality may place or install, or contract with a vendor to place or install, a speed detection system within a roadway maintained as a school zone; amending s. 316.0083, F.S.; deleting a provision prohibiting the issuance of certain notices of violation and traffic citations for failure to stop before crossing over a stop line or other point at which a stop is required under certain circumstances; defining the term "careful and prudent manner"; providing that certain counties and municipalities are responsible for and must maintain certain data for a specified period; requiring the Department of Highway

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Safety and Motor Vehicles to provide to the Governor and the Legislature recommended legislation, rather than necessary legislation, with a certain report; providing that certain hearings may be conducted either virtually or in person; prohibiting the use of a traffic infraction detector for remote surveillance; providing construction; specifying the purposes for which video and images recorded by a traffic infraction detector may be used; requiring that a traffic infraction detector use technology to obscure certain personal identifying information; providing that certain notices of violation and uniform traffic citations may not be dismissed for a specified reason; requiring the destruction of certain recorded videos and images within a certain timeframe; requiring a traffic infraction detector vendor annually to provide certain written notice to the county or municipality; providing that motor vehicle registration and owner information obtained in a certain manner is not the property of certain manufacturers and vendors; repealing s. 316.00831, F.S., relating to distribution of penalties collected under the Mark Wandall Traffic Safety Program; amending s. 316.07456, F.S.; deleting obsolete provisions; amending s. 316.0776, F.S.; providing that only warnings may be issued for certain violations during the duration of a certain public awareness campaign; deleting an obsolete provision; prohibiting a county or municipality from operating a speed detection system under certain circumstances;

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conforming provisions to changes made by the act;
amending s. 316.173, F.S.; requiring district school
board authorization and a public hearing process
before a school district may place or install, or
contract with a vendor to install, operate, and
maintain, school bus infraction detection systems;
providing requirements for such authorization and
public hearing process; requiring a school district
that establishes a school bus infraction detection
system program after a certain date to enter into a
certain interlocal agreement before beginning its
school bus infraction detection system program;
providing that law enforcement agencies may authorize
traffic infraction enforcement officers to issue
certain uniform traffic citations for violations
enforced through the use of a school bus infraction
detection system; providing construction; deleting a
prohibition on raising certain arguments in a
proceeding challenging certain traffic violations;
deleting a required evidentiary standard for certain
findings and determinations by local hearing officers;
revising the notice of hearing process; revising the
number of times a petitioner may reschedule a certain
hearing; requiring a petitioner to pay certain costs
before the start of the hearing in order to cancel the
hearing; requiring that certain testimony be recorded;
authorizing, rather than requiring, a local hearing
officer to require a petitioner to pay certain costs;
revising authorized uses for videos and images

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recorded as part of a school bus infraction detection system; requiring a school district that operates a school bus infraction detection system annually to report the results of such systems at a meeting of the school board; providing requirements for such meeting; prohibiting certain arguments in a proceeding challenging certain traffic violations; prohibiting a school district from operating school bus infraction detection systems under certain circumstances; requiring certain school districts to submit a certain report to the department annually, rather than quarterly; requiring the department to publish certain reports on its website; deleting obsolete provisions; conforming provisions to changes made by the act; amending s. 316.1896, F.S.; revising the periods for which a county or municipality may authorize a traffic infraction enforcement officer to issue certain uniform traffic citations; prohibiting the enforcement of a school zone speed limit through the use of a speed detection system under certain circumstances; revising the period within which a person may take certain action after receiving a notice of violation; prohibiting an individual from receiving certain commissions or per-ticket fees under a contract established or renewed on or after a certain date; prohibiting a manufacturer or vendor of speed detection systems from receiving certain fees or remuneration; providing that certain hearings may be conducted either virtually or in person; revising

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authorized uses for videos and images recorded as part
of a speed detection system; deleting an obsolete
provision; revising information that must be included
in certain reports; deleting a provision authorizing
the department to require quarterly submission of
certain data components; requiring the department to
publish certain reports on its website; conforming
provisions to changes made by the act; reordering and
amending s. 316.1906, F.S.; conforming provisions to
changes made by the act; making a technical change;
amending ss. 316.640, 316.650, and 318.15, F.S.;
conforming provisions to changes made by the act;
amending s. 318.18, F.S.; prohibiting an individual
from receiving certain commissions or per-ticket fees
under a contract established or renewed on or after a
certain date; prohibiting a manufacturer or vendor of
speed detection systems from receiving certain fees or
remuneration; providing exceptions to requirements
that certain civil penalties be remitted to school
districts; conforming provisions to changes made by
the act; amending s. 320.02, F.S.; authorizing the
department to withhold registration or reregistration
of a motor vehicle under certain circumstances;
amending s. 322.27, F.S.; prohibiting the
admissibility of certain infractions as character
evidence; conforming provisions to changes made by the
act; amending s. 775.15, F.S.; providing that a 1-year
period of limitation for certain noncriminal
violations resets upon receipt of certain affidavits;

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

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

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

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

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

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

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

(38) LOCAL HEARING OFFICER.—The person, designated by a department, county, ~~or~~ municipality, or school district that elects to authorize traffic infraction enforcement officers to 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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~~start of a regularly scheduled school session;~~

~~3. During the entirety of a regularly scheduled school session; and~~

~~4. Within 30 minutes before through 30 minutes after the end of a regularly scheduled school session~~

through the use of a speed detection system for the detection of speed and capturing of photographs or videos for violations in excess of 10 miles per hour over the school zone speed limit ~~in force at the time of the violation~~. A school zone's compliance with s. 316.1895 creates a rebuttable presumption that the school zone is properly maintained. The school zone speed limit may not be enforced through the use of a speed detection system if any flashing beacon used to provide notice of the times during which a restrictive school speed limit is being enforced in the school zone is not activated at the time of the violation.

(b) A county or municipality may place or install, or contract with a vendor to place or install, a speed detection system within a roadway maintained as a school zone as provided in s. 316.1895 to enforce school zone ~~unlawful~~ speed limit violations, as specified in s. 316.1895(10), which are in excess of 10 miles per hour over the school zone speed limit or s. ~~316.183,~~ on that roadway.

Section 4. Paragraph (a) of subsection (1) and subsections (2), (4), and (5) of section 316.0083, Florida Statutes, are amended, and subsection (6) is added to that section, to read:

316.0083 Mark Wandall Traffic Safety Program;
administration; report.—

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

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

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

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

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

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

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

b. The report required under this subparagraph must include a written summary, which must be read aloud at the regular or special meeting, and the summary must contain, for the same time period pertaining to the annual report to the department required under paragraph (b), 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, and the number that were paid and how collected funds were distributed and in what amounts. The county or municipality must report to the department that the county's or municipality's annual report was considered in accordance with this subparagraph, including the date of the regular or special meeting at which the annual report was considered.

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

4. A county or municipality that does not comply with this paragraph may not operate ~~is suspended from operating~~ traffic infraction detectors under this subsection until such 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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before the day of the originally scheduled hearing. The petitioner may cancel his or her appearance before the local hearing officer by paying the penalty assessed under paragraph (1)(b), plus \$50 in administrative costs, before the start of the hearing.

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

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

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

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

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

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

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

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

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

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

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

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

(2)

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

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

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

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

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

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

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

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

2. The report required under this paragraph must include a written summary, which must be read aloud at the regular or special meeting, and the summary must contain, for the same time period pertaining to the annual report to the department under s. 316.1896(16)(a), 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, and the number that were paid and how collected funds were distributed and in what amounts. The county or municipality shall ~~must~~ report to the department that the county's or municipality's annual report was considered in accordance with this paragraph, including the date of the regular or special meeting at which the annual report was considered.

3. The compliance or sufficiency of compliance with this paragraph may not be raised in a proceeding challenging a violation of s. 316.1895 ~~or s. 316.183~~ enforced by a speed 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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comment policies or procedures, and the contract or contract renewal may not be considered as part of a consent agenda.

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

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

(e)-(d) The school district must enter into an interlocal agreement with one or more law enforcement agencies authorized to enforce violations of s. 316.172(1)(a) and (b) within the school district which jointly establishes the responsibilities 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 ~~(c) 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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Hearing form to assist each district or county with administering this subsection.

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

3. The clerk to the local hearing officer shall provide the petitioner with notice of the hearing, including the option for a virtual or in-person hearing, which must be sent ~~Within 120 days after receipt of a timely request for a hearing, the law enforcement agency or its designee shall provide a replica of the notice of violation data to the school district or county by manual or electronic transmission, and thereafter the school district or its designee or the county shall mail a notice of hearing, which shall include a hearing date and may at the discretion of the district or county include virtual and in-person hearing options, to the petitioner~~ by first-class mail. Mailing of the notice of hearing constitutes notification. Upon receipt of the notice ~~of hearing~~, the petitioner may reschedule the hearing up to two times ~~once~~ by submitting a written request to the local hearing officer at least 5 calendar days before the day of the originally scheduled hearing. The petitioner may cancel his or her hearing by paying the penalty assessed in the notice of violation and any costs authorized in s. 316.0083(5)(c) before the start of the hearing.

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

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

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

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

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

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

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s. 316.172 does not constitute remote surveillance.

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

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

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

(18) (a) 1. A school district that operates one or more school bus infraction detection systems shall annually report the results of all such systems operated within the school district by placing the annual report to the department required under paragraph (b) as a single reporting item on the agenda of 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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pursuant to this section, a report to the department which details the results of the school bus infraction detection systems in the school district during the preceding state fiscal year ~~in the preceding quarter~~. The information from the school districts must be submitted in a form and manner determined by the department, ~~which the department must make available to the school districts by August 1, 2023,~~ and must include at least the following:

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

2. The number of notices of violations 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, and the number that were paid.

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

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

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

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

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

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

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

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

316.1896 Roadways maintained as school zones; speed

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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the care, custody, or control of another person;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

316.650 Traffic citations.—

(3)

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

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

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

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

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

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

(b) After the issuance of the person's license plate or revalidation sticker is withheld pursuant to paragraph (a), the 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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uniform traffic citation for a violation of s. 316.1895(10) ~~or~~
s. ~~316.183~~, as enforced by a traffic infraction enforcement
officer under s. 316.1896, presents documentation from the
appropriate governmental entity that the notice of violation or
uniform traffic citation was in error, the clerk of court or
clerk to the local hearing officer may dismiss the case. The
clerk of court or clerk to the local hearing officer may not
charge for this service.

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

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

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

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

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

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

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

(23) In addition to the penalty prescribed under s. 316.0083, s. 316.173, or s. 316.1896 for violations enforced 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:—

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

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

1. Reckless driving, willful and wanton—4 points.
2. Leaving the scene of a crash resulting in property damage of more than \$50—6 points.
3. Unlawful speed, or unlawful use of a wireless communications device, resulting in a crash—6 points.
4. Passing a stopped school bus:
 - a. Not causing or resulting in serious bodily injury to or death of another—4 points.
 - b. Causing or resulting in serious bodily injury to or death of another—6 points.
 - c. Points may not be imposed for a violation of passing a stopped school bus as provided in s. 316.172(1)(a) or (b) when enforced by a school bus infraction detection system pursuant to s. 316.173. In addition, a violation of s. 316.172(1)(a) or (b) when enforced by a school bus infraction detection system pursuant to s. 316.173 may not be used for purposes of setting motor vehicle insurance rates and is not admissible as character evidence under s. 90.404.
5. Unlawful speed:
 - a. Not in excess of 15 miles per hour of lawful or posted speed—3 points.

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

c. Points may not be imposed for a violation of unlawful speed as provided in s. 316.1895 ~~or s. 316.183~~ when enforced by a traffic infraction enforcement officer pursuant to s. 316.1896. In addition, a violation of s. 316.1895 ~~or s. 316.183~~ when enforced by a traffic infraction enforcement officer pursuant to s. 316.1896 may not be used for purposes of setting motor vehicle insurance rates and is not admissible as character evidence under s. 90.404.

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

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

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

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

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

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

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

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

775.15 Time limitations; general time limitations; exceptions.—

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

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

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

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

(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.