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# **Transportation & Economic Development Appropriations Subcommittee**

**Monday, March 24, 2014  
12:30 PM - 2:30 PM  
Reed Hall (102 HOB)**

**ACTION PACKET**

**Will Weatherford  
Speaker**

**Ed Hooper  
Chair**

# Committee Meeting Notice

## HOUSE OF REPRESENTATIVES

### Transportation & Economic Development Appropriations Subcommittee

**Start Date and Time:** Monday, March 24, 2014 12:30 pm

**End Date and Time:** Monday, March 24, 2014 02:30 pm

**Location:** Reed Hall (102 HOB)

**Duration:** 2.00 hrs

**Consideration of the following bill(s):**

CS/HB 3 Freight Logistics Zones by Transportation & Highway Safety Subcommittee, Ray

CS/HB 147 Concrete Masonry Education by Higher Education & Workforce Subcommittee, Caldwell

CS/HB 311 Orlando-Orange County Expressway Authority by Transportation & Highway Safety Subcommittee, Nelson

HB 7005 Department of Transportation by Transportation & Highway Safety Subcommittee, Artilles

HB 7063 Certificates of Destruction by Transportation & Highway Safety Subcommittee, Ray

Pursuant to rule 7.12, the deadline for amendments to bills on the agenda by non-appointed members shall be 6:00 p.m., Friday, March 21, 2014.

By request of the chair, all committee members are asked to have amendments to bills on the agenda submitted to staff by 6:00 p.m., Friday, March 21, 2014.

**NOTICE FINALIZED on 03/20/2014 16:14 by MRI**

**COMMITTEE MEETING REPORT**  
**Transportation & Economic Development Appropriations Subcommittee**  
**3/24/2014 12:30:00PM**

**Location:** Reed Hall (102 HOB)

**Summary:**

**Transportation & Economic Development Appropriations Subcommittee**

*Monday March 24, 2014 12:30 pm*

CS/HB 3	Favorable With Committee Substitute	Yeas: 13	Nays: 0
	Amendment 950233 Adopted Without Objection		
	Strike All		
CS/HB 147	Favorable	Yeas: 13	Nays: 0
CS/HB 311	Favorable	Yeas: 12	Nays: 0
HB 7005	Favorable With Committee Substitute	Yeas: 13	Nays: 0
	Amendment 039251 Adopted as Amended		
	Am 1		
	Amendment 075923. Withdrawn		
	Am 1 to Am 1		
	Amendment 075189 Withdrawn		
	Am 2 to Am 1		
	Amendment 912183 Adopted Without Objection		
	Am 3 to Am 1		
	Amendment 231599 Adopted Without Objection		
	Am 2		
HB 7063	Favorable With Committee Substitute	Yeas: 12	Nays: 1
	Amendment 974109 Adopted Without Objection		
	Am 1 Strike All		

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Committee meeting was reported out: Monday, March 24, 2014 7:52:59PM

**COMMITTEE MEETING REPORT**  
**Transportation & Economic Development Appropriations Subcommittee**  
**3/24/2014 12:30:00PM**

**Location:** Reed Hall (102 HOB)

**Attendance:**

	<i>Present</i>	<i>Absent</i>	<i>Excused</i>
Ed Hooper (Chair)	X		
Bruce Antone	X		
Frank Artiles	X		
Reggie Fullwood	X		
Tom Goodson	X		
Jeanette Nuñez	X		
Jose Oliva	X		
Kathleen Peters	X		
Elizabeth Porter	X		
Lake Ray	X		
David Richardson	X		
Hazelle Rogers	X		
Victor Torres, Jr.	X		
<b>Totals:</b>	<b>13</b>	<b>0</b>	<b>0</b>

Committee meeting was reported out: Monday, March 24, 2014 7:52:59PM

**COMMITTEE MEETING REPORT**  
**Transportation & Economic Development Appropriations Subcommittee**  
**3/24/2014 12:30:00PM**

**Location:** Reed Hall (102 HOB)

**CS/HB 3 : Freight Logistics Zones**

*Favorable With Committee Substitute*

	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
Bruce Antone	X				
Frank Artiles	X				
Reggie Fullwood	X				
Tom Goodson	X				
Jeanette Nuñez	X				
Jose Oliva	X				
Kathleen Peters	X				
Elizabeth Porter	X				
Lake Ray	X				
David Richardson	X				
Hazelle Rogers	X				
Victor Torres, Jr.	X				
Ed Hooper (Chair)	X				
<b>Total Yeas: 13</b>					
		<b>Total Nays: 0</b>			

**CS/HB 3 Amendments**

**Amendment 950233**

*Adopted Without Objection*

**Appearances:**

CS/HB 3

Adams, Leticia (Lobbyist) - Waive In Support  
 Florida Chamber of Commerce  
 136 S. Bronough St.  
 Tallahassee FL 32301  
 Phone: (850) 544-6866

CS/HB 3

Sansom, Jerry (Lobbyist) - Waive In Support  
 Port Canaveral  
 PO Box 98  
 Cocoa FL 32920  
 Phone: (321)777-8130

CS/HB 3

Pinsky, Richard (Lobbyist) - Waive In Support  
 Port of Palm Beach  
 106 E College Avenue, #1200  
 Tallahassee FL 32301

Committee meeting was reported out: Monday, March 24, 2014 7:52:59PM

**COMMITTEE MEETING REPORT**  
**Transportation & Economic Development Appropriations Subcommittee**  
**3/24/2014 12:30:00PM**

**Location:** Reed Hall (102 HOB)

**CS/HB 3 : Freight Logistics Zones (continued)**

**Appearances: (continued)**

CS/HB 3

Rubin, Michael (Lobbyist) - Waive In Support

Florida Ports Council

502 E Jefferson St

Tallahassee FL 32301

Phone: (850)222-8028

Committee meeting was reported out: Monday, March 24, 2014 7:52:59PM

Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	—	(Y/N)
ADOPTED AS AMENDED	—	(Y/N)
ADOPTED W/O OBJECTION	✓	(Y/N)
FAILED TO ADOPT	—	(Y/N)
WITHDRAWN	—	(Y/N)
OTHER	_____	

*3/24/14 Adopted w/out objection*

1 Committee/Subcommittee hearing bill: Transportation & Economic  
 2 Development Appropriations Subcommittee  
 3 Representative Ray offered the following:

**Amendment (with title amendment)**

6 Remove everything after the enacting clause and insert:  
 7 Section 1. Paragraph (b) of subsection (3) of section  
 8 311.07, Florida Statutes, is amended to read:

9 311.07 Florida seaport transportation and economic  
 10 development funding.—

11 (3)

12 (b) Projects eligible for funding by grants under the  
 13 program are limited to the following port facilities or port  
 14 transportation projects:

15 1. Transportation facilities within the jurisdiction of  
 16 the port.

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17 2. The dredging or deepening of channels, turning basins,  
18 or harbors.

19 3. The construction or rehabilitation of wharves, docks,  
20 structures, jetties, piers, storage facilities, cruise  
21 terminals, automated people mover systems, or any facilities  
22 necessary or useful in connection with any of the foregoing.

23 4. The acquisition of vessel tracking systems, container  
24 cranes, or other mechanized equipment used in the movement of  
25 cargo or passengers in international commerce.

26 5. The acquisition of land to be used for port purposes.

27 6. The acquisition, improvement, enlargement, or extension  
28 of existing port facilities.

29 7. Environmental protection projects which are necessary  
30 because of requirements imposed by a state agency as a condition  
31 of a permit or other form of state approval; which are necessary  
32 for environmental mitigation required as a condition of a state,  
33 federal, or local environmental permit; which are necessary for  
34 the acquisition of spoil disposal sites and improvements to  
35 existing and future spoil sites; or which result from the  
36 funding of eligible projects listed in this paragraph.

37 8. Transportation facilities as defined in s. 334.03(30)  
38 which are not otherwise part of the Department of  
39 Transportation's adopted work program.

40 9. Intermodal access projects.

41 10. Construction or rehabilitation of port facilities as  
42 defined in s. 315.02, excluding any park or recreational



Amendment No. 1

43 facilities, in ports listed in s. 311.09(1) with operating  
44 revenues of \$5 million or less, provided that such projects  
45 create economic development opportunities, capital improvements,  
46 and positive financial returns to such ports.

47 11. Seaport master plan or strategic plan development or  
48 updates, including the purchase of data to support such plans,  
49 and asset management plans.

50 Section 2. Subsection (7) of section 311.101, Florida  
51 Statutes, is amended to read:

52 311.101 Intermodal Logistics Center Infrastructure Support  
53 Program.—

54 (7) Beginning in fiscal year 2014-2015, at least 2012-  
55 2013, up to \$5 million per year shall be made available from the  
56 State Transportation Trust Fund for the program. The Department  
57 of Transportation shall include projects proposed to be funded  
58 under this section in the tentative work program developed  
59 pursuant to s. 339.135(4).

60 Section 3. Section 311.103, Florida Statutes, is created  
61 to read:

62 311.103 Designation of state freight logistics zones.—

63 (1) As used in this section, the term "freight logistics  
64 zone" means a grouping of activities and infrastructure  
65 associated with freight transportation and related services  
66 within a defined area around an intermodal logistics center as  
67 defined in s. 311.101(2).

68 (2) A county, or two or more contiguous counties, may

Amendment No. 1

69 designate a geographic area or areas within its jurisdiction as  
70 a freight logistics zone. The designation must be accompanied by  
71 a strategic plan adopted by the county or counties. At a  
72 minimum, the strategic plan must include, but is not limited to:

73 (a) A map depicting the geographic area or areas to be  
74 included within the designation.

75 (b) Identification of the existing or planned freight  
76 facilities or logistics clusters located within the designated  
77 zone.

78 (c) Identification of existing transportation  
79 infrastructure, such as roads, rail, airports, and seaports,  
80 within or in close proximity to the proposed freight logistics  
81 zone.

82 (d) Identification of existing workforce availability  
83 within or in close proximity to the proposed zone.

84 (e) Identification of any existing or planned local,  
85 state, or federal workforce training capabilities available for  
86 a business seeking to locate or expand within the proposed zone.

87 (f) Identification of any local, state, or federal plans,  
88 including transportation, seaport, or airport plans, concerning  
89 the movement of freight within or in close proximity to the  
90 proposed zone.

91 (g) Identification of financial or other local government  
92 incentives to encourage new development, expansion of existing  
93 development, or redevelopment within the proposed zone.

94 (h) Documentation that the plan is consistent with

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95 applicable local government comprehensive plans and adopted  
96 long-range transportation plans of a Metropolitan Planning  
97 Organization, where applicable.

98 (3) Projects within freight logistics zones designated  
99 pursuant to this section, which are consistent with the Freight  
100 Mobility and Trade Plan developed in accordance with s.  
101 334.044(33), may be eligible for priority in state funding and  
102 incentive programs relating to freight logistics zones,  
103 including applicable programs identified in parts I, III, and V  
104 of chapter 288.

105 (4) When evaluating projects within a designated freight  
106 logistics zone for purposes of determining funding or incentive  
107 program eligibility under this section, consideration must be  
108 given to:

109 (a) The presence of an existing or planned intermodal  
110 logistics center within the freight logistics zone.

111 (b) Whether the project serves a strategic state interest.

112 (c) Whether the project facilitates the cost-effective and  
113 efficient movement of goods.

114 (d) The extent to which the project contributes to  
115 economic activity, including job creation, increased wages, and  
116 revenues.

117 (e) The extent to which the project efficiently interacts  
118 with and supports the existing or planned transportation  
119 network.

120 (f) The amount of investment or commitments made by the

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121 owner or developer of the existing or proposed facility.

122 (g) The extent to which the county or counties have  
123 commitments with private sector businesses planning to locate  
124 operations within the freight logistics zone.

125 (h) Demonstrated local financial support and commitment to  
126 the project, including in-kind contributions.

127 Section 4. Section 311.141, Florida Statutes, is created  
128 to read:

129 311.141 Florida seaports continuity of operations and  
130 resumption of trade plan, and asset management planning.-

131 (1) The Department of Transportation, in consultation with  
132 the Division of Emergency Management and the Florida Seaport  
133 Transportation and Economic Development Council, and other  
134 appropriate partners, shall review the need for, and, if needed,  
135 develop, a statewide all-hazards economic recovery and  
136 resumption of trade plan for Florida's seaports listed in s.  
137 311.09. The review shall examine existing continuity of  
138 operations plans at the seaports and at other appropriate  
139 agencies and shall identify any gaps or needed linkages to  
140 ensure expedited resumption of business operations following any  
141 major incident at a Florida port. This review shall also include  
142 examining current procedures and planning developed pursuant to  
143 s. 252.35 to identify any changes needed to ensure appropriate  
144 integration of this plan into statewide emergency management  
145 plans.

146 (2) The Department of Transportation, in consultation with

Amendment No. 1

147 the Florida Seaport Transportation and Economic Development  
148 Council, shall examine the need for, and possible benefits from,  
149 implementation of a consistent asset management program at each  
150 of Florida's seaports listed in s. 311.09(1). Any asset  
151 management plans developed will identify systematic and  
152 coordinated activities and practices to optimally and  
153 sustainably manage assets and asset systems, their associated  
154 performance, risks and expenditures over their lifecycles for  
155 the purposes of achieving statewide transportation and economic  
156 development goals as well as goals of the seaport's strategic  
157 plan.

158 Section 5. Subsection (2) of section 320.525, Florida  
159 Statutes, is amended to read:

160 320.525 Port vehicles and equipment; definition;  
161 exemption.—

162 (2) Port vehicles and equipment shall be exempt from the  
163 provisions of this chapter which require the registration of  
164 motor vehicles, the payment of license taxes, and the display of  
165 license plates when operated or used within the port facility of  
166 any deepwater port of this state, as listed in s. 403.021(9)(b),  
167 for the purpose of transporting cargo, containers, or other  
168 equipment:

169 (a) From wharves to storage areas or terminals and return  
170 to wharves within the port; ~~and~~

171 (b) From such storage areas or terminals to other storage  
172 areas or terminals within the port; and-

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173           (c) On public roads connecting port facilities of a single  
174 deepwater port listed in s. 403.021(9)(b), that are designated  
175 as Port District Roads for the purpose of transporting cargo,  
176 containers, and other equipment. Port District Roads shall be  
177 designated by the Department of Transportation with appropriate  
178 signage.

179           Section 6. This act shall take effect July 1, 2014.  
180  
181  
182

183           -----  
184                                   **T I T L E   A M E N D M E N T**

185           Remove everything before the enacting clause and insert:  
186 An act relating to freight and trade; amending s. 311.07, F.S.,  
187 providing that seaport asset management plans are eligible for  
188 funding from the Florida Seaport Transportation and Economic  
189 Development Program; amending s. 311.101, F.S.; revising the  
190 amount of funds to be annually made available from the State  
191 Transportation Trust Fund for the Intermodal Logistics Center  
192 Infrastructure Support Program; creating s. 311.103, F.S.;  
193 defining the term "freight logistics zone"; authorizing a county  
194 or two or more contiguous counties to designate a geographic  
195 area or areas within its jurisdiction as a freight logistics  
196 zone; requiring the adoption of a strategic plan which must  
197 include certain information; providing that certain projects  
198 within freight logistics zones may be eligible for priority in

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199 state funding and certain incentive programs; providing  
200 evaluation criteria for freight logistics zones; creating s.  
201 311.141, F.S.; providing for a review and the development of a  
202 all-hazard recovery plan for seaports; providing for asset  
203 management programs for seaports; amending s. 320.525, F.S.,  
204 providing that certain public roads may be designated as port  
205 district roads; requiring authorization from the Department of  
206 Transportation and signage; providing an effective date.

**COMMITTEE MEETING REPORT**  
**Transportation & Economic Development Appropriations Subcommittee**  
**3/24/2014 12:30:00PM**

**Location:** Reed Hall (102 HOB)

**CS/HB 147 : Concrete Masonry Education**

Favorable

	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
Bruce Antone	X				
Frank Artiles	X				
Reggie Fullwood	X				
Tom Goodson	X				
Jeanette Nuñez	X				
Jose Oliva	X				
Kathleen Peters	X				
Elizabeth Porter	X				
Lake Ray	X				
David Richardson	X				
Hazelle Rogers	X				
Victor Torres, Jr.	X				
Ed Hooper (Chair)	X				
<b>Total Yeas: 13</b>		<b>Total Nays: 0</b>			

**Appearances:**

CS/HB 147

Watson, Richard (Lobbyist) - Waive In Support  
 Legislative Counsel, Associated Builders  
 PO Box 10038  
 Tallahassee Florida 32302  
 Phone: 850-222-0000

CS/HB 147

Leonard, Curtis - Waive In Support  
 Titan America  
 645 Riverpark Circle  
 Longwood FL 32779  
 Phone: 407-709-9000

CS/HB 147

Painter, Jim - Waive In Support  
 Painter Masonry  
 2425 NE 19th Drive  
 Gainesville Florida 32609  
 Phone: 352-378-7511

CS/HB 147

McLaughlin, Patrick - Waive In Support  
 Masonry Association of Florida  
 398 Camino Real Blvd, #108  
 Boca Raton Florida 33432  
 Phone: 561-239-2462

Committee meeting was reported out: Monday, March 24, 2014 7:52:59PM



**COMMITTEE MEETING REPORT**  
**Transportation & Economic Development Appropriations Subcommittee**  
**3/24/2014 12:30:00PM**

**Location:** Reed Hall (102 HOB)

**CS/HB 147 : Concrete Masonry Education (continued)**

**Appearances: (continued)**

CS/HB 147

Murtha, Mike (Lobbyist) - Waive In Support  
Florida Concrete & Products Association  
6353 Lee Vista Blvd  
Orlando Florida  
Phone: 407-895-9333

CS/HB 147

Jenkins, Rocky - Waive In Support  
CEMEX  
880 Maple Ridge Drive  
Merritt Island Florida 32952  
Phone: 321-543-1415

Committee meeting was reported out: Monday, March 24, 2014 7:52:59PM

# COMMITTEE MEETING REPORT

## Transportation & Economic Development Appropriations Subcommittee

3/24/2014 12:30:00PM

Location: Reed Hall (102 HOB)

CS/HB 311 : Orlando-Orange County Expressway Authority

Favorable

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Bruce Antone	X				
Frank Artiles	X				
Reggie Fullwood	X				
Tom Goodson	X				
Jeanette Nuñez	X				
Jose Oliva	X				
Kathleen Peters	X				
Elizabeth Porter			X		
Lake Ray	X				
David Richardson	X				
Hazelle Rogers	X				
Victor Torres, Jr.	X				
Ed Hooper (Chair)	X				
<b>Total Yeas: 12</b>		<b>Total Nays: 0</b>			

Committee meeting was reported out: Monday, March 24, 2014 7:52:59PM

**COMMITTEE MEETING REPORT**  
**Transportation & Economic Development Appropriations Subcommittee**  
**3/24/2014 12:30:00PM**

**Location:** Reed Hall (102 HOB)

**HB 7005 : Department of Transportation**

*Favorable With Committee Substitute*

	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
Bruce Antone	X				
Frank Artiles	X				
Reggie Fullwood	X				
Tom Goodson	X				
Jeanette Nuñez	X				
Jose Oliva	X				
Kathleen Peters	X				
Elizabeth Porter	X				
Lake Ray	X				
David Richardson	X				
Hazelle Rogers	X				
Victor Torres, Jr.	X				
Ed Hooper (Chair)	X				
<b>Total Yeas: 13</b>					
		<b>Total Nays: 0</b>			

**HB 7005 Amendments**

**Amendment 039251**

*Adopted as Amended*

**Amendment 075923**

*Withdrawn*

**Amendment 075189**

*Withdrawn*

**Amendment 912183**

*Adopted Without Objection*

**Amendment 231599**

*Adopted Without Objection*

Committee meeting was reported out: Monday, March 24, 2014 7:52:59PM

**COMMITTEE MEETING REPORT**  
**Transportation & Economic Development Appropriations Subcommittee**  
**3/24/2014 12:30:00PM**

**Location:** Reed Hall (102 HOB)

**HB 7005 : Department of Transportation (continued)**

**Appearances:**

HB 7005 Am 1 039251

Sigerson, David (Lobbyist) - Proponent  
City of Margate  
2410 Van Buren Street  
Hollywood FL 33020  
Phone: (954)336-3544

HB 7005 Am 1 039251/ Am 2 231599

Book, Ron (Lobbyist) - Information Only  
Miami Project to Cure Paralysis  
104 West Jefferson Street  
Tallahassee Florida 32301  
Phone: 850-224-3427

HB 7005 Am 1 039251 and Am 1 to 1

Henry, Paul (Lobbyist) - Opponent  
Liberty First Network  
P. O. Box 698  
Monticello FL  
Phone: 850-629-9550

HB 7005 Am 1 039251

Black, Ray - Proponent  
Florida Police Chiefs Association  
3064 North Commerce Pkwy  
Miramar Florida 33025  
Phone: 954-602-4400

HB 7005 Am 1 039251

Fewless, Mike (Lobbyist) - Proponent  
Captain, Orange County Sheriff's Office  
2500 W. Colonial Drive  
Orlando FL 32804  
Phone: 407-858-3889

HB 7005 Am 1 039251

Wandall, Melissa - Information Only  
The Mark Wandall Traffic Safety Net  
6711 63rd Terrace e  
Bradenton Florida 34203  
Phone: 941-545-3359

HB 7005 Am 1 039251

McEachnie, Bill - Information Only  
City of Maitland/League of Cities  
1837 Fennell Street  
Orlando Florida 32810  
Phone: 407-875-2820

Committee meeting was reported out: Monday, March 24, 2014 7:52:59PM

**COMMITTEE MEETING REPORT**  
**Transportation & Economic Development Appropriations Subcommittee**  
**3/24/2014 12:30:00PM**

**Location:** Reed Hall (102 HOB)

**HB 7005 : Department of Transportation (continued)**

**Appearances: (continued)**

HB 7005 Am 2 231599

Henry, Paul - Information Only

Liberty First Network

P. O. Box 698

Monticello FL 32345

Phone: 850-629-9550

HB 7005

Padgett, Ryan (Lobbyist) - Opponent

Florida League of Cities

PO Box 1757

Tallahassee FL 32302

Phone: 850-701-3616

HB 7005

Rhodes, Mike - Opponent

City of Orlando

400 S. Orange Ave

Orlando Florida 32801

Phone: 407-246-3331

HB 7005

Henry, Paul - Proponent

Liberty First Network

P. O. Box 698

Monticello FL 32345

Phone: 850-629-9550

HB 7005

Adams, Leticia (Lobbyist) - Waive In Support

Florida Chamber of Commerce

136 S Bronough St

Tallahassee FL 32301

Phone: 850-544-6866

HB 7005

Phend, Jim - Proponent

Melbourne Motorists Association

1625 Marcello Drive

Melbourne Florida 32934

Phone: 317-590-6488

HB 7005 Am 1 to 1 75923

Padgett, Ryan (Lobbyist) - Proponent

Florida League of Cities

PO Box 1757

Tallahassee FL

Phone: 850 701-3616

Committee meeting was reported out: Monday, March 24, 2014 7:52:59PM

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 7005 (2014)

Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	—	(Y/N)
ADOPTED AS AMENDED	✓	(Y/N)
ADOPTED W/O OBJECTION	—	(Y/N)
FAILED TO ADOPT	—	(Y/N)
WITHDRAWN	—	(Y/N)
OTHER	_____	

*Adopted as amended 3/24/14*

1 Committee/Subcommittee hearing bill: Transportation & Economic  
 2 Development Appropriations Subcommittee  
 3 Representative Artiles offered the following:

**Amendment (with title amendment)**

Remove lines 237-505 and insert:

7 Section 1. Section 316.0083, Florida Statutes, is amended  
8 to read:

9 316.0083 Mark Wandall Traffic Safety Program;  
10 administration; report.—

11 (1)(a) For purposes of administering this section, ~~the~~  
 12 ~~department,~~ a county, or a municipality may authorize a traffic  
 13 infraction enforcement officer under s. 316.640 to issue a  
 14 traffic citation for a violation of s. 316.074(1) or s.  
 15 316.075(1)(c)1. A notice of violation ~~and a traffic citation~~ may  
 16 not be issued for failure to stop at a red light at an  
 17 intersection where right hand or left hand turns on red signal

Amendment No. 1

18 are permissible if the driver is making a right-hand or left-  
19 hand turn, unless pedestrians are in or immediately adjacent to  
20 the crosswalk in a careful and prudent manner at an intersection  
21 where right-hand turns are permissible. A notice of violation  
22 may be issued at an intersection where right or left hand turns  
23 on red signal are permissible if in the reviewing traffic  
24 infraction enforcement officer's discretion the driver is making  
25 a turn and one or more of the following factors is present at  
26 the time of violation:

27 1. The operator of the motor vehicle fails to yield to a  
28 pedestrian or bicyclist; or

29 2. The operator of the motor vehicle fails to yield to  
30 another vehicle.

31 (b) A notice of violation and a traffic citation may not be  
32 issued under this section if the driver of the vehicle came to a  
33 complete stop after crossing the stop line and before turning  
34 right if permissible at a red light, but failed to stop before  
35 crossing over the stop line or other point at which a stop is  
36 required. This paragraph does not prohibit a review of  
37 information from a traffic infraction detector by an authorized  
38 employee or agent of ~~the department~~, a county, or a municipality  
39 before issuance of the notice of violation ~~traffic citation~~ by  
40 the traffic infraction enforcement officer. This paragraph does  
41 not prohibit ~~the department~~, a county, or a municipality from  
42 issuing notification as provided in paragraph (b) to the

Amendment No. 1

43 registered owner of the motor vehicle involved in the violation  
44 of s. 316.074(1) or s. 316.075(1)(c)1.

45 (c)~~(b)~~1.a. Within 30 days after a violation, notification  
46 must be sent to the registered owner of the motor vehicle  
47 involved in the violation specifying the remedies available  
48 under s. 318.14 and that the violator must pay the penalty of  
49 \$158 as described in this section to the ~~department,~~ county, or  
50 municipality, or furnish an affidavit in accordance with  
51 paragraph (c) ~~(d)~~, or request a hearing within 60 days following  
52 the date of the notification in order to avoid a hold on the  
53 vehicle's registration pursuant to s. 320.03(8) ~~the issuance of~~  
54 ~~a traffic citation~~. The notification must be sent by first-class  
55 mail. The mailing of the notice of violation constitutes  
56 notification.

57 b. Included with the notification to the registered owner  
58 of the motor vehicle involved in the infraction must be a notice  
59 that the owner has the right to review the photographic or  
60 electronic images or the streaming video evidence that  
61 constitutes a rebuttable presumption against the owner of the  
62 vehicle. The notice must state the time and place or Internet  
63 location where the evidence may be examined and observed.

64 c. Notwithstanding any other provision of law, a person  
65 who receives a notice of violation under this section may  
66 request a hearing within 60 days following the notification of  
67 violation or pay the penalty pursuant to the notice of  
68 violation, but a payment or fee may not be required before the



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69 hearing requested by the person. The notice of violation must be  
70 accompanied by, or direct the person to a website that provides,  
71 information on the person's right to request a hearing and on  
72 all court costs related thereto and a form to request a hearing.  
73 As used in this sub-subparagraph, the term "person" includes a  
74 natural person, registered owner or coowner of a motor vehicle,  
75 or person identified on an affidavit as having care, custody, or  
76 control of the motor vehicle at the time of the violation.

77 d. If the registered owner or coowner of the motor  
78 vehicle, or the person designated as having care, custody, or  
79 control of the motor vehicle at the time of the violation, or an  
80 authorized representative of the owner, coowner, or designated  
81 person, initiates a proceeding to challenge the violation  
82 pursuant to this paragraph, such person waives any challenge or  
83 dispute as to the delivery of the notice of violation.

84 2. Penalties assessed and collected by the ~~department,~~  
85 county, or municipality authorized to collect the funds provided  
86 for in this paragraph, less the amount retained by the county or  
87 municipality pursuant to subparagraph 3., shall be paid to the  
88 Department of Revenue weekly. Payment by the ~~department,~~ county,  
89 or municipality to the state shall be made by means of  
90 electronic funds transfers. In addition to the payment, summary  
91 detail of the penalties remitted shall be reported to the  
92 Department of Revenue.

93 3. Penalties to be assessed and collected by the  
94 ~~department,~~ county, or municipality are as follows:

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95 ~~a. One hundred fifty-eight dollars for a violation of s.~~  
96 ~~316.074(1) or s. 316.075(1)(c)1. when a driver failed to stop at~~  
97 ~~a traffic signal if enforcement is by the department's traffic~~  
98 ~~infraction enforcement officer. One hundred dollars shall be~~  
99 ~~remitted to the Department of Revenue for deposit into the~~  
100 ~~General Revenue Fund, \$10 shall be remitted to the Department of~~  
101 ~~Revenue for deposit into the Department of Health Emergency~~  
102 ~~Medical Services Trust Fund, \$3 shall be remitted to the~~  
103 ~~Department of Revenue for deposit into the Brain and Spinal Cord~~  
104 ~~Injury Trust Fund, and \$45 shall be distributed to the~~  
105 ~~municipality in which the violation occurred, or, if the~~  
106 ~~violation occurred in an unincorporated area, to the county in~~  
107 ~~which the violation occurred. Funds deposited into the~~  
108 ~~Department of Health Emergency Medical Services Trust Fund under~~  
109 ~~this sub-subparagraph shall be distributed as provided in s.~~  
110 ~~395.4036(1). Proceeds of the infractions in the Brain and Spinal~~  
111 ~~Cord Injury Trust Fund shall be distributed quarterly to the~~  
112 ~~Miami Project to Cure Paralysis and used for brain and spinal~~  
113 ~~cord research.~~

114 ~~b. One hundred fifty-eight dollars for a violation of s.~~  
115 ~~316.074(1) or s. 316.075(1)(c)1. when a driver failed to stop at~~  
116 ~~a traffic signal if enforcement is by a county or municipal~~  
117 ~~traffic infraction enforcement officer. Seventy dollars shall be~~  
118 ~~remitted by the county or municipality to the Department of~~  
119 ~~Revenue for deposit into the General Revenue Fund, \$10 shall be~~  
120 ~~remitted to the Department of Revenue for deposit into the~~

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121 Department of Health Emergency Medical Services Trust Fund, \$3  
122 shall be remitted to the Department of Revenue for deposit into  
123 the Brain and Spinal Cord Injury Trust Fund, and \$75 shall be  
124 retained by the county or municipality enforcing the ordinance  
125 enacted pursuant to this section. Seventy percent of the funds  
126 retained by the county or municipality must be used for traffic  
127 safety projects. Funds deposited into the Department of Health  
128 Emergency Medical Services Trust Fund under this sub-  
129 subparagraph shall be distributed as provided in s. 395.4036(1).  
130 Proceeds of the infractions in the Brain and Spinal Cord Injury  
131 Trust Fund shall be distributed quarterly to the Miami Project  
132 to Cure Paralysis and used for brain and spinal cord research.

133 4. An individual may not receive a commission from any  
134 revenue collected from violations detected through the use of a  
135 traffic infraction detector. A manufacturer or vendor may not  
136 receive a fee or remuneration based upon the number of  
137 violations detected through the use of a traffic infraction  
138 detector.

139 ~~(c)1.a. A traffic citation issued under this section shall~~  
140 ~~be issued by mailing the traffic citation by certified mail to~~  
141 ~~the address of the registered owner of the motor vehicle~~  
142 ~~involved in the violation if payment has not been made within 60~~  
143 ~~days after notification under paragraph (b), if the registered~~  
144 ~~owner has not requested a hearing as authorized under paragraph~~  
145 ~~(b), or if the registered owner has not submitted an affidavit~~  
146 ~~under this section.~~

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147 ~~b. Delivery of the traffic citation constitutes~~  
148 ~~notification under this paragraph. If the registered owner or~~  
149 ~~coowner of the motor vehicle, or the person designated as having~~  
150 ~~care, custody, or control of the motor vehicle at the time of~~  
151 ~~the violation, or a duly authorized representative of the owner,~~  
152 ~~coowner, or designated person, initiates a proceeding to~~  
153 ~~challenge the citation pursuant to this section, such person~~  
154 ~~waives any challenge or dispute as to the delivery of the~~  
155 ~~traffic citation.~~

156 ~~e. In the case of joint ownership of a motor vehicle, the~~  
157 ~~traffic citation shall be mailed to the first name appearing on~~  
158 ~~the registration, unless the first name appearing on the~~  
159 ~~registration is a business organization, in which case the~~  
160 ~~second name appearing on the registration may be used.~~

161 ~~2. Included with the notification to the registered owner~~  
162 ~~of the motor vehicle involved in the infraction shall be a~~  
163 ~~notice that the owner has the right to review, in person or~~  
164 ~~remotely, the photographic or electronic images or the streaming~~  
165 ~~video evidence that constitutes a rebuttable presumption against~~  
166 ~~the owner of the vehicle. The notice must state the time and~~  
167 ~~place or Internet location where the evidence may be examined~~  
168 ~~and observed.~~

169 ~~(d)-(d)1. The owner of the motor vehicle involved in the~~  
170 ~~violation is responsible and liable for paying the notice of~~  
171 ~~violation ~~the uniform traffic citation~~ issued for a violation of~~

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172 s. 316.074(1) or s. 316.075(1)(c)1. when the driver failed to  
173 stop at a traffic signal, unless the owner can establish that:

174 a. The motor vehicle passed through the intersection in  
175 order to yield right-of-way to an emergency vehicle or as part  
176 of a funeral procession;

177 b. The motor vehicle passed through the intersection at  
178 the direction of a law enforcement officer;

179 c. The motor vehicle was, at the time of the violation, in  
180 the care, custody, or control of another person;

181 d. A uniform traffic citation was issued by a law  
182 enforcement officer to the driver of the motor vehicle for the  
183 alleged violation of s. 316.074(1) or s. 316.075(1)(c)1.; or

184 e. The motor vehicle's owner was deceased on or before the  
185 date that the notice of violation ~~uniform traffic citation~~ was  
186 issued, as established by an affidavit submitted by the  
187 representative of the motor vehicle owner's estate or other  
188 designated person or family member.

189 2. In order to establish such facts, the owner of the  
190 motor vehicle shall, within 30 days after the date of issuance  
191 of the notice of violation ~~traffic citation~~, furnish to the  
192 appropriate governmental entity an affidavit setting forth  
193 detailed information supporting an exemption as provided in this  
194 paragraph.

195 a. An affidavit supporting an exemption under sub-  
196 subparagraph 1.c. must include the name, address, date of birth,  
197 and, if known, the driver license number of the person who

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198 leased, rented, or otherwise had care, custody, or control of  
199 the motor vehicle at the time of the alleged violation. If the  
200 vehicle was stolen at the time of the alleged offense, the  
201 affidavit must include the police report indicating that the  
202 vehicle was stolen.

203 b. If a traffic citation for a violation of s. 316.074(1)  
204 or s. 316.075(1)(c)1. was issued at the location of the  
205 violation by a law enforcement officer, the affidavit must  
206 include the serial number of the uniform traffic citation.

207 c. If the motor vehicle's owner to whom a notice of  
208 violation ~~a traffic citation~~ has been issued is deceased, the  
209 affidavit must include a certified copy of the owner's death  
210 certificate showing that the date of death occurred on or before  
211 the issuance of the uniform traffic citation and one of the  
212 following:

213 (I) A bill of sale or other document showing that the  
214 deceased owner's motor vehicle was sold or transferred after his  
215 or her death, but on or before the date of the alleged  
216 violation.

217 (II) Documentary proof that the registered license plate  
218 belonging to the deceased owner's vehicle was returned to the  
219 department or any branch office or authorized agent of the  
220 department, but on or before the date of the alleged violation.

221 (III) A copy of a police report showing that the deceased  
222 owner's registered license plate or motor vehicle was stolen

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223 after the owner's death, but on or before the date of the  
224 alleged violation.

225  
226 Upon receipt of the affidavit and documentation required under  
227 this sub-subparagraph, the governmental entity must dismiss the  
228 notice of violation ~~citation~~ and provide proof of such dismissal  
229 to the person that submitted the affidavit.

230 3. Upon receipt of an affidavit, the person designated as  
231 having care, custody, or control of the motor vehicle at the  
232 time of the violation may be issued a notice of violation  
233 pursuant to paragraph (b) for a violation of s. 316.074(1) or s.  
234 316.075(1)(c)1. when the driver failed to stop at a traffic  
235 signal. The affidavit is admissible in a proceeding pursuant to  
236 this section for the purpose of providing proof that the person  
237 identified in the affidavit was in actual care, custody, or  
238 control of the motor vehicle. The owner of a leased vehicle for  
239 which a notice of violation ~~traffic citation~~ is issued for a  
240 violation of s. 316.074(1) or s. 316.075(1)(c)1. when the driver  
241 failed to stop at a traffic signal is not responsible for paying  
242 the notice of violation ~~traffic citation~~ and is not required to  
243 submit an affidavit as specified in this subsection if the motor  
244 vehicle involved in the violation is registered in the name of  
245 the lessee of such motor vehicle.

246 4. Paragraph ~~Paragraphs~~ (b) and ~~(c)~~ applies ~~apply~~ to the  
247 person identified on the affidavit, except that the notification  
248 under sub-subparagraph (b)1.a. must be sent to the person

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249 identified on the affidavit within 30 days after receipt of an  
250 affidavit.

251 5. The submission of a false affidavit is a misdemeanor of  
252 the second degree, punishable as provided in s. 775.082 or s.  
253 775.083.

254 ~~(e)~~ (e) The photographic or electronic images or streaming  
255 video attached to or referenced in the notice of violation  
256 ~~traffic citation~~ is evidence that a violation of s. 316.074(1)  
257 or s. 316.075(1)(c)1. when the driver failed to stop at a  
258 traffic signal has occurred and is admissible in any proceeding  
259 to enforce this section and raises a rebuttable presumption that  
260 the motor vehicle named in the report or shown in the  
261 photographic or electronic images or streaming video evidence  
262 was used in violation of s. 316.074(1) or s. 316.075(1)(c)1.  
263 when the driver failed to stop at a traffic signal. The  
264 photographic or electronic images or streaming video are not  
265 admissible as evidence in any other proceeding.

266 (2) A notice of violation ~~and a traffic citation~~ may not  
267 be issued for failure to stop at a red light at an intersection  
268 where right-hand or left-hand turns on red signal are  
269 permissible if the driver is making a right-hand or left-hand  
270 turn, unless pedestrians are in or immediately adjacent to the  
271 crosswalk in a careful and prudent manner at an intersection  
272 ~~where right-hand turns are permissible.~~

273 (a) A notice of violation may be issued at an intersection  
274 where right or left hand turns on red signal are permissible if



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275 in the reviewing traffic infraction enforcement officer's  
276 discretion the driver is making a turn and one or more of the  
277 following factors is present at the time of violation:

278 1. The operator of the motor vehicle fails to yield to a  
279 pedestrian or bicyclist; or

280 2. The operator of the motor vehicle fails to yield to  
281 another vehicle.

282 (3) This section supplements the enforcement of s.  
283 316.074(1) or s. 316.075(1)(c)1. by law enforcement officers  
284 when a driver fails to stop at a traffic signal and does not  
285 prohibit a law enforcement officer from issuing a traffic  
286 citation for a violation of s. 316.074(1) or s. 316.075(1)(c)1.  
287 when a driver fails to stop at a traffic signal in accordance  
288 with normal traffic enforcement techniques.

289 (4)(a) Each county or municipality that operates a traffic  
290 infraction detector shall submit a report by October 1, and  
291 April 1, 2014-2012, and semiannually on these dates annually  
292 thereafter, to the department. The report shall detail which  
293 details the results of using the traffic infraction detector and  
294 the procedures for enforcement for the preceding state fiscal  
295 year. The department shall notify the Department of  
296 Transportation which counties and municipalities fail to submit  
297 the report. The information submitted by the counties and  
298 municipalities must include statistical data and information  
299 required by the department to complete the report required under

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300 paragraph (b), including details of engineering countermeasures,  
301 traffic studies performed, and crash data by type of crash.

302 (b) Within 30 days following the semiannual reporting date,  
303 the Department of Transportation shall notify by certified mail  
304 any county or municipality that fails to submit the semiannual  
305 report that the report is overdue. A county or municipality that  
306 does not submit the report within 60 days following receipt of  
307 the notice by the Department of Transportation shall immediately  
308 disable all traffic infraction detectors within the county or  
309 municipality until the report is submitted to the department.

310 (c) On or before January ~~December~~ 31, of each year ~~2012,~~  
311 and annually thereafter, the department shall provide a summary  
312 report to the Governor, the President of the Senate, and the  
313 Speaker of the House of Representatives regarding the use and  
314 operation of traffic infraction detectors under this section,  
315 along with the department's recommendations and any necessary  
316 legislation. The summary report must include a review of the  
317 information submitted to the department by the counties and  
318 municipalities and must describe the enhancement of the traffic  
319 safety and enforcement programs, details of engineering  
320 countermeasures taken, traffic studies performed, and crash data  
321 by type of crash.

322 (5) Procedures for a hearing under this section are as  
323 follows:

324 (a) The department shall publish and make available  
325 electronically to each county and municipality a model Request

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326 for Hearing form to assist each local government administering  
327 this section.

328 (b) The charter county, noncharter county, or municipality  
329 electing to authorize traffic infraction enforcement officers to  
330 issue notices of violation ~~traffic citations~~ under paragraph  
331 (1)(a) shall designate by resolution existing staff to serve as  
332 the clerk to the local hearing officer.

333 (c) Any person, herein referred to as the "petitioner,"  
334 who elects to request a hearing under paragraph (1)(b) shall be  
335 scheduled for a hearing by the clerk to the local hearing  
336 officer to appear before a local hearing officer with notice to  
337 be sent by first-class mail. Upon receipt of the notice, the  
338 petitioner may reschedule the hearing once by submitting a  
339 written request to reschedule to the clerk to the local hearing  
340 officer, at least 5 calendar days before the day of the  
341 originally scheduled hearing. The petitioner may cancel his or  
342 her appearance before the local hearing officer by paying the  
343 penalty assessed under paragraph (1)(b), plus \$25 ~~\$50~~ in  
344 administrative costs, before the start of the hearing.

345 (d) All testimony at the hearing shall be under oath and  
346 shall be recorded. The local hearing officer shall take  
347 testimony from a traffic infraction enforcement officer and the  
348 petitioner, and may take testimony from others. The local  
349 hearing officer shall review the photographic or electronic  
350 images or the streaming video made available under sub-

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351 subparagraph(1)(b)1.b. Formal rules of evidence do not apply,  
352 but due process shall be observed and govern the proceedings.

353 (e) At the conclusion of the hearing, the local hearing  
354 officer shall determine whether a violation under this section  
355 has occurred, in which case the hearing officer shall uphold or  
356 dismiss the violation. The local hearing officer shall issue a  
357 final administrative order including the determination and, if  
358 the notice of violation is upheld, require the petitioner to pay  
359 the penalty previously assessed under paragraph (1)(b), and may  
360 also require the petitioner to pay county or municipal costs,  
361 not to exceed \$100 ~~\$250~~. The final administrative order shall be  
362 mailed to the petitioner by first-class mail.

363 (f) An aggrieved party may appeal a final administrative  
364 order consistent with the process provided under s. 162.11.

365 Section 2. Subsection (1) of section 316.0776, Florida  
366 Statutes, is amended to read:

367 316.0776 Traffic infraction detectors; placement and  
368 installation.—

369 (1) Traffic infraction detectors are allowed on state  
370 roads when permitted by the Department of Transportation and  
371 under placement and installation specifications developed by the  
372 Department of Transportation. Traffic infraction detectors are  
373 allowed on streets and highways under the jurisdiction of  
374 counties or municipalities in accordance with placement and  
375 installation specifications developed by the Department of  
376 Transportation. In addition, the Department of Transportation

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377 shall identify engineering countermeasures intended to reduce  
378 violations of s. 316.074(1) and s. 316.075(1)(c)1. to be  
379 considered prior to the installation of a traffic infraction  
380 detector on any roadway. The determination to place a traffic  
381 infraction detector on any roadway must be based on the results  
382 of a traffic engineering study which documents the  
383 implementation and failure of any engineering countermeasure  
384 appropriate for the specific location. The study must be signed  
385 and sealed by a professional engineer licensed in this state.

386 Section 3. Paragraph (b) of subsection (1) of section  
387 316.640, Florida Statutes, is amended to read:

388 316.640 Enforcement.—The enforcement of the traffic laws  
389 of this state is vested as follows:

390 (1) STATE.—

391 (b)1. The Department of Transportation has authority to  
392 enforce on all the streets and highways of this state all laws  
393 applicable within its authority.

394 2.a. The Department of Transportation shall develop  
395 training and qualifications standards for toll enforcement  
396 officers whose sole authority is to enforce the payment of tolls  
397 pursuant to s. 316.1001. Nothing in this subparagraph shall be  
398 construed to permit the carrying of firearms or other weapons,  
399 nor shall a toll enforcement officer have arrest authority.

400 b. For the purpose of enforcing s. 316.1001, governmental  
401 entities, as defined in s. 334.03, which own or operate a toll  
402 facility may employ independent contractors or designate

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403 employees as toll enforcement officers; however, any such toll  
404 enforcement officer must successfully meet the training and  
405 qualifications standards for toll enforcement officers  
406 established by the Department of Transportation.

407 ~~3. For the purpose of enforcing s. 316.0083, the~~  
408 ~~department may designate employees as traffic infraction~~  
409 ~~enforcement officers. A traffic infraction enforcement officer~~  
410 ~~must successfully complete instruction in traffic enforcement~~  
411 ~~procedures and court presentation through the Selective Traffic~~  
412 ~~Enforcement Program as approved by the Division of Criminal~~  
413 ~~Justice Standards and Training of the Department of Law~~  
414 ~~Enforcement, or through a similar program, but may not~~  
415 ~~necessarily otherwise meet the uniform minimum standards~~  
416 ~~established by the Criminal Justice Standards and Training~~  
417 ~~Commission for law enforcement officers or auxiliary law~~  
418 ~~enforcement officers under s. 943.13. This subparagraph does not~~  
419 ~~authorize the carrying of firearms or other weapons by a traffic~~  
420 ~~infraction enforcement officer and does not authorize a traffic~~  
421 ~~infraction enforcement officer to make arrests. The department's~~  
422 ~~traffic infraction enforcement officers must be physically~~  
423 ~~located in the state.~~

424 Section 4. Subsection (3) of section 318.15, Florida  
425 Statutes, is amended to read:

426 318.15 Failure to comply with civil penalty or to appear;  
427 penalty.—

428 (3) The clerk shall provide ~~notify~~ the department with a

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429 list of persons who were mailed a notice of violation of s.  
430 316.074(1) or s. 316.075(1)(c)1. pursuant to s. 316.0083 and who  
431 failed to enter into, or comply with the terms of, a penalty  
432 payment plan, or order with the clerk to the local hearing  
433 officer or failed to appear at a scheduled hearing within 10  
434 days after such failure, and shall reference the person's driver  
435 license number, and vehicle registration number that is  
436 identified on the notice of violation, or in the case of a  
437 business entity, the vehicle registration number identified on  
438 the notice of violation.

439 (a) Pursuant to s. 320.03(8), upon receipt of such notice,  
440 the department, or authorized agent thereof, may not issue a  
441 license plate or revalidation sticker to a person on the list  
442 for the any motor vehicle that is identified on the traffic  
443 infraction detector violation ~~owned or coowned by that person~~  
444 ~~pursuant to s. 320.03(8)~~ until the amounts assessed have been  
445 fully paid.

446 (b) The clerk shall notify the department to remove a  
447 person's name from the list upon payment of the outstanding  
448 finances and civil penalties ~~After the issuance of the person's~~  
449 ~~license plate or revalidation sticker is withheld pursuant to~~  
450 ~~paragraph (a), the person may challenge the withholding of the~~  
451 ~~license plate or revalidation sticker only on the basis that the~~  
452 ~~outstanding fines and civil penalties have been paid pursuant to~~  
453 ~~s. 320.03(8).~~

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454 Section 5. Subsections (15) and (22) of section 318.18,  
455 Florida Statutes, is amended to read:

456 318.18 Amount of penalties.—The penalties required for a  
457 noncriminal disposition pursuant to s. 318.14 or a criminal  
458 offense listed in s. 318.17 are as follows:

459 (15)(a)1. One hundred and fifty-eight dollars for a  
460 violation of s. 316.074(1) or s. 316.075(1)(c)1. when a driver  
461 has failed to stop at a traffic signal and when enforced by a  
462 law enforcement officer. Sixty dollars shall be distributed as  
463 provided in s. 318.21, \$30 shall be distributed to the General  
464 Revenue Fund, \$3 shall be remitted to the Department of Revenue  
465 for deposit into the Brain and Spinal Cord Injury Trust Fund,  
466 and the remaining \$65 shall be remitted to the Department of  
467 Revenue for deposit into the Emergency Medical Services Trust  
468 Fund of the Department of Health.

469 ~~2. One hundred and fifty-eight dollars for a violation of~~  
470 ~~s. 316.074(1) or s. 316.075(1)(c)1. when a driver has failed to~~  
471 ~~stop at a traffic signal and when enforced by the department's~~  
472 ~~traffic infraction enforcement officer. One hundred dollars~~  
473 ~~shall be remitted to the Department of Revenue for deposit into~~  
474 ~~the General Revenue Fund, \$45 shall be distributed to the county~~  
475 ~~for any violations occurring in any unincorporated areas of the~~  
476 ~~county or to the municipality for any violations occurring in~~  
477 ~~the incorporated boundaries of the municipality in which the~~  
478 ~~infraction occurred, \$10 shall be remitted to the Department of~~  
479 ~~Revenue for deposit into the Department of Health Emergency~~



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480 ~~Medical Services Trust Fund for distribution as provided in s.~~  
481 ~~395.4036(1), and \$3 shall be remitted to the Department of~~  
482 ~~Revenue for deposit into the Brain and Spinal Cord Injury Trust~~  
483 ~~Fund.~~

484 2.3. One hundred and fifty-eight dollars for a violation  
485 of s. 316.074(1) or s. 316.075(1)(c)1. when a driver has failed  
486 to stop at a traffic signal and when enforced by a county's or  
487 municipality's traffic infraction enforcement officer. Seventy-  
488 five dollars shall be distributed to the county or municipality  
489 issuing the traffic citation, \$70 shall be remitted to the  
490 Department of Revenue for deposit into the General Revenue Fund,  
491 \$10 shall be remitted to the Department of Revenue for deposit  
492 into the Department of Health Emergency Medical Services Trust  
493 Fund for distribution as provided in s. 395.4036(1), and \$3  
494 shall be remitted to the Department of Revenue for deposit into  
495 the Brain and Spinal Cord Injury Trust Fund. Seventy percent of  
496 the revenue distributed to the municipality or county must be  
497 used for traffic safety.

498 (b) Amounts deposited into the Brain and Spinal Cord  
499 Injury Trust Fund pursuant to this subsection shall be  
500 distributed quarterly to the Miami Project to Cure Paralysis and  
501 shall be used for brain and spinal cord research.

502 (c) If a person who is mailed a notice of violation or  
503 cited for a violation of s. 316.074(1) or s. 316.075(1)(c)1., as  
504 enforced by a traffic infraction enforcement officer under s.  
505 316.0083, presents documentation from the appropriate

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506 governmental entity that the notice of violation ~~or traffic~~  
507 ~~citation~~ was in error, the clerk of court or clerk to the local  
508 hearing officer may dismiss the case. The clerk of court or  
509 clerk to the local hearing officer may not charge for this  
510 service.

511 (d) An individual may not receive a commission or per-  
512 ticket fee from any revenue collected from violations detected  
513 through the use of a traffic infraction detector. A manufacturer  
514 or vendor may not receive a fee or remuneration based upon the  
515 number of violations detected through the use of a traffic  
516 infraction detector.

517 (e) Funds deposited into the Department of Health  
518 Emergency Medical Services Trust Fund under this subsection  
519 shall be distributed as provided in s. 395.4036(1).

520 (22) In addition to the penalty prescribed under s.  
521 316.0083 for violations enforced under s. 316.0083 which are  
522 upheld, the local hearing officer may also order the payment of  
523 county or municipal costs, not to exceed \$100 ~~\$250~~.

524 Section 6. Subsection (8) of section 320.03, Florida  
525 Statutes, is amended to read:

526 320.03 Registration; duties of tax collectors;  
527 International Registration Plan.—

528 (8) If the applicant's name appears on the list referred  
529 to in s. 316.1001(4), s. 316.1967(6), s. 318.15(3), or s.  
530 713.78(13), a license plate or revalidation sticker may not be  
531 issued for the traffic infraction detector violation until that

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532 person's name no longer appears on the list; the governmental  
533 entity has notified the department to remove the person's name  
534 from the list pursuant to s. 318.15(3), or until the person  
535 presents a receipt from the governmental entity or the clerk of  
536 court that provided the data showing that the fines outstanding  
537 have been paid. This subsection does not apply to the owner of a  
538 leased vehicle if the vehicle is registered in the name of the  
539 lessee of the vehicle. The tax collector and the clerk of the  
540 court are each entitled to receive monthly 10 percent of the  
541 civil penalties and fines recovered from such persons to  
542 reimburse them for the cost of, ~~as costs for~~ implementing and  
543 administering this subsection, ~~10 percent of the civil penalties~~  
544 ~~and fines recovered from such persons.~~ As used in this  
545 subsection, the term "civil penalties and fines" does not  
546 include a wrecker operator's lien as described in s. 713.78(13);  
547 and for civil penalties and fines assessed in s. 316.0083(1)(b)3  
548 and 318.18(15)(a)2, the term does not include funds remitted to  
549 the Department of Revenue for deposit into the General Revenue  
550 Fund. If the tax collector has private tag agents, such tag  
551 agents are entitled to receive a pro rata share of the amount  
552 paid to the tax collector, based upon the percentage of license  
553 plates and revalidation stickers issued by the tag agent  
554 compared to the total issued within the county. The authority of  
555 any private agent to issue license plates shall be revoked,  
556 after notice and a hearing as provided in chapter 120, if he or  
557 she issues any license plate or revalidation sticker contrary to

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558 the provisions of this subsection. This section applies only to  
559 the annual renewal in the owner's birth month of a motor vehicle  
560 registration and does not apply to the transfer of a  
561 registration of a motor vehicle sold by a motor vehicle dealer  
562 licensed under this chapter, except for the transfer of  
563 registrations which includes the annual renewals. This section  
564 does not affect the issuance of the title to a motor vehicle,  
565 notwithstanding s. 319.23(8)(b).

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569  
570 **T I T L E A M E N D M E N T**

571 Remove lines 10-31 and insert:

572 Traffic Control Law; amending s. 316.0083, F.S.; clarifying  
573 provisions relating to failure to stop at a red light where a  
574 turn on red is permissible; revising remedies available that a  
575 violator must pay replacing the uniform traffic citation from an  
576 unpaid notice of violation to a registration hold on the  
577 vehicle; removes the department's authority for red light  
578 cameras; provides a funding requirement for counties and  
579 municipalities; revises the annual reporting requirements for  
580 counties and municipalities; revises the department's reporting  
581 requirements; reduces administrative costs and county and  
582 municipal costs relating to local hearings; amending s.  
583 316.0776, F.S.; requires the Department of Transportation to

Amendment No. 1

584 identify engineering countermeasure for traffic infraction  
585 detectors; requires traffic infraction detectors placement  
586 determinations be based on a traffic engineering study; amending  
587 s. 316.640, F.S.; removes the department's authority to  
588 designate traffic infraction enforcement officers; removes  
589 traffic infraction enforcement officer criminal justice  
590 standards and law enforcement training requirements; amending s.  
591 318.15, F.S.; revising clerks of court requirements when a  
592 person fails to comply with a notice of violation; amending s.  
593 318.18, F.S.; conforming penalties and local funding  
594 requirements; amending s. 320.03, F.S.; revising criteria for  
595 when a license plate or revalidation sticker may be issued;  
596 revises allocation of revalidation penalties and fines for tax  
597 collectors; amending s.  
598

⌘ -# 4

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 7005 (2014)

Amendment No. Am 1 to 1

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	<u>      </u>	(Y/N)
ADOPTED AS AMENDED	<u>      </u>	(Y/N)
ADOPTED W/O OBJECTION	<u>      </u>	(Y/N)
FAILED TO ADOPT	<u>      </u>	(Y/N)
WITHDRAWN	<u>  Y  </u>	(Y/N)
OTHER		

W/D  
3/24/14

1 Committee/Subcommittee hearing bill: Transportation & Economic  
 2 Development Appropriations Subcommittee  
 3 Representative Peters offered the following:

5 **Amendment to Amendment (039251) by Representative Artiles**  
 6 **(with title amendment)**

7 Remove lines 28-30 of the amendment and insert:  
 8 pedestrian or bicyclist;

9 2. The operator of the motor vehicle fails to yield to  
 10 another vehicle; or

11 3. The operator of the motor vehicle does not  
 12 substantially reduce the speed of the motor vehicle before  
 13 turning and the vehicle speed reported is 8 miles per hour or  
 14 more.

16 A county or municipality that installs a traffic infraction  
 17 detector at an intersection shall install a sign notifying the

Amendment No. Am 1 to 1

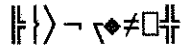
18 public that the intersection is photo enforced. Such signage  
 19 must specifically include in a conspicuous manner notification  
 20 of camera enforcement of violations for turns at that  
 21 intersection. Such signage must meet the specifications for  
 22 uniform signals and devices adopted by the Department of  
 23 Transportation.

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**T I T L E   A M E N D M E N T**

Remove line 572 of the amendment and insert:

Traffic Control Law; amending s. 316.0083, F.S.; revising



Amendment No. Am 2 to 1

COMMITTEE/SUBCOMMITTEE ACTION

- ADOPTED  (Y/N)
- ADOPTED AS AMENDED  (Y/N)
- ADOPTED W/O OBJECTION  (Y/N)
- FAILED TO ADOPT  (Y/N)
- WITHDRAWN  (Y/N)
- OTHER

*w/d  
3/24/14*

1 Committee/Subcommittee hearing bill: Transportation & Economic  
 2 Development Appropriations Subcommittee  
 3 Representative Peters offered the following:

4  
 5 **Amendment to Amendment (039251) by Representative Artiles**  
 6 **(with title amendment)**

7 Remove lines 279-281 of the amendment and insert:  
 8 pedestrian or bicyclist;

9 2. The operator of the motor vehicle fails to yield to  
 10 another vehicle; or

11 3. The operator of the motor vehicle does not  
 12 substantially reduce the speed of the motor vehicle before  
 13 turning and the vehicle speed reported is 8 miles per hour or  
 14 more.

15  
 16 A county or municipality that installs a traffic infraction  
 17 detector at an intersection shall install a sign notifying the





Amendment No. Am 2 to 1

18 public that the intersection is photo enforced. Such signage  
19 must specifically include in a conspicuous manner notification  
20 of camera enforcement of violations for turns at that  
21 intersection. Such signage must meet the specifications for  
22 uniform signals and devices adopted by the Department of  
23 Transportation.

24  
25 -----  
26 **T I T L E A M E N D M E N T**

27 Remove line 572 of the amendment and insert:  
28 Traffic Control Law; amending s. 316.0083, F.S.; revising

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 7005 (2014)

Amendment No. Am 3 to 1

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED \_\_\_\_\_ (Y/N)  
ADOPTED AS AMENDED \_\_\_\_\_ (Y/N)  
ADOPTED W/O OBJECTION ✓ (Y/N)  
FAILED TO ADOPT \_\_\_\_\_ (Y/N)  
WITHDRAWN \_\_\_\_\_ (Y/N)  
OTHER \_\_\_\_\_

*Adopted w/out  
objection  
3/24/14*

1 Committee/Subcommittee hearing bill: Transportation & Economic  
2 Development Appropriations Subcommittee  
3 Representative Artiles offered the following:  
4

**Amendment to Amendment (039251) by Representative Artiles**

5 Remove lines 290-291 of the amendment and insert:  
6  
7 infraction detector shall submit a report by October 1, 2014 and  
8 April 1, 2015 ~~2012~~, and semiannually on these dates ~~annually~~  
9

Amendment No. 2

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	—	(Y/N)
ADOPTED AS AMENDED	—	(Y/N)
ADOPTED W/O OBJECTION	<u>Y</u>	(Y/N)
FAILED TO ADOPT	—	(Y/N)
WITHDRAWN	—	(Y/N)
OTHER	—	

*adopted  
w/out objection*

1 Committee/Subcommittee hearing bill: Transportation & Economic  
 2 Development Appropriations Subcommittee  
 3 Representative Artiles offered the following:

**Amendment (with title amendment)**

Between lines 1376 and 1377, insert:

7 Section 13. The sum of \$5,100,000 of recurring general  
 8 revenue is transferred to trust funds in agencies that may be  
 9 negatively impacted by the provisions of this bill as follows:  
 10 \$700,000 to the Brain and Spinal Cord Injury Trust Fund within  
 11 the Department of Health; \$2,700,000 to The Emergency Medical  
 12 Services Trust Fund within the Department of Health; \$500,000 to  
 13 the State Courts Revenue Trust Fund in the State Courts System;  
 14 \$400,000 to the State Attorneys Revenue Trust Fund in the  
 15 Justice Administrative Commission; \$200,000 to the Public  
 16 Defender Revenue Trust Fund in the Justice Administrative  
 17 Commission; \$300,000 to the State Agency Law Enforcement Radio

Amendment No. 2

18 System Trust Fund in the Department of Management Services; and,  
 19 \$300,000 to the Additional Court Cost Clearing Trust Fund in the  
 20 Department of Revenue.

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 22  
 23  
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**T I T L E   A M E N D M E N T**

Remove line 86 and insert:  
 references; providing an appropriation; providing an effective  
 date.

## COMMITTEE MEETING REPORT

### Transportation & Economic Development Appropriations Subcommittee

3/24/2014 12:30:00PM

**Location:** Reed Hall (102 HOB)

**HB 7063 : Certificates of Destruction**

Favorable With Committee Substitute

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Bruce Antone	X				
Frank Artiles	X				
Reggie Fullwood	X				
Tom Goodson		X			
Jeanette Nuñez	X				
Jose Oliva	X				
Kathleen Peters	X				
Elizabeth Porter	X				
Lake Ray	X				
David Richardson	X				
Hazelle Rogers	X				
Victor Torres, Jr.	X				
Ed Hooper (Chair)	X				
<b>Total Yeas: 12</b>		<b>Total Nays: 1</b>			

**HB 7063 Amendments**

**Amendment 974109**

Adopted Without Objection

**Appearances:**

HB 7063 Amendment  
 Oliver, Mark - Proponent  
 Insurance Auto Auctions  
 2700 Longwood Drive  
 Lakeland Florida 33811  
 Phone: 863-698-9227

HB 7063 Bill/Amendment  
 Fraser, Towson (Lobbyist) - Proponent  
 Copart, Inc  
 123 S Adams Street  
 Tallahassee Florida 32301  
 Phone: (850)671-4401

HB 7063 Bill/Amendment  
 Mask, Trevor (Lobbyist) - Opponent  
 Florida Auto Dismantlers and Recyclers Association  
 215 South Monroe Street  
 Tallahassee FL 32301

Committee meeting was reported out: Monday, March 24, 2014 7:52:59PM

Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

- ADOPTED \_\_\_\_\_ (Y/N)
- ADOPTED AS AMENDED \_\_\_\_\_ (Y/N)
- ADOPTED W/O OBJECTION Y (Y/N)
- FAILED TO ADOPT \_\_\_\_\_ (Y/N)
- WITHDRAWN \_\_\_\_\_ (Y/N)
- OTHER \_\_\_\_\_

*Adopted w/out  
objection  
3/24/14*

1 Committee/Subcommittee hearing bill: Transportation & Economic  
 2 Development Appropriations Subcommittee  
 3 Representative Ray offered the following:

**Amendment (with title amendment)**

Remove everything after the enacting clause and insert:

7 Section 1. Present paragraphs (o) through (w) of  
 8 subsection (1) of section 319.30, Florida Statutes, are  
 9 redesignated as paragraphs (p) through (x), respectively, a new  
 10 paragraph (o) is added to that subsection, and paragraph (b) of  
 11 subsection (3) of that section is amended, to read:

12 319.30 Definitions; dismantling, destruction, change of  
13 identity of motor vehicle or mobile home; salvage.-

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

15 (o) "Late model vehicle" means a motor vehicle that has a  
 16 manufacturer's model year of 7 years or newer.

17 (3)

Amendment No. 1

18 (b) The owner, including persons who are self-insured, of  
19 a ~~any~~ motor vehicle or mobile home that ~~which~~ is considered to  
20 be salvage shall, within 72 hours after the motor vehicle or  
21 mobile home becomes salvage, forward the title to the motor  
22 vehicle or mobile home to the department for processing.  
23 However, an insurance company that ~~which~~ pays money as  
24 compensation for the total loss of a motor vehicle or mobile  
25 home shall obtain the certificate of title for the motor vehicle  
26 or mobile home, make the required notification to the National  
27 Motor Vehicle Title Information System, and, within 72 hours  
28 after receiving such certificate of title, ~~shall~~ forward such  
29 title to the department for processing. The owner or insurance  
30 company, as applicable ~~the case may be~~, may not dispose of a  
31 vehicle or mobile home that is a total loss before it obtains  
32 ~~has obtained~~ a salvage certificate of title or certificate of  
33 destruction from the department. When applying for a salvage  
34 certificate of title or certificate of destruction, the owner or  
35 insurance company must provide the department with an estimate  
36 of the costs of repairing the physical and mechanical damage  
37 suffered by the vehicle for which a salvage certificate of title  
38 or certificate of destruction is sought. If the estimated costs  
39 of repairing the physical and mechanical damage to the mobile  
40 home ~~vehicle~~ are equal to 80 percent or more of the current  
41 retail cost of the mobile home ~~vehicle~~, as established in any  
42 official ~~used car or~~ used mobile home guide, the department  
43 shall declare the mobile home ~~vehicle~~ unrebuildable and print a

Amendment No. 1

44 certificate of destruction, which authorizes the dismantling or  
 45 destruction of the ~~motor vehicle or mobile home described~~  
 46 ~~therein.~~ For a late model vehicle with a current retail cost of  
 47 at least \$7,500 just prior to sustaining the damage that  
 48 resulted in the total loss, as established in any official used  
 49 car guide, if the owner or insurance company determines that the  
 50 estimated costs of repairing the physical and mechanical damage  
 51 to the vehicle are equal to 90 percent or more of the current  
 52 retail cost of the vehicle, as established in any official used  
 53 motor vehicle guide, the department shall declare the vehicle  
 54 unrebuildable and print a certificate of destruction, which  
 55 authorizes the dismantling or destruction of the motor vehicle.  
 56 However, if the damaged motor vehicle is equipped with custom-  
 57 lowered floors for wheelchair access or a wheelchair lift, the  
 58 insurance company may, upon determining that the vehicle is  
 59 repairable to a condition that is safe for operation on public  
 60 roads, submit the certificate of title to the department for  
 61 reissuance as a salvage rebuildable title and the addition of a  
 62 title brand of "insurance-declared total loss." The certificate  
 63 of destruction shall be reassignable a maximum of two times  
 64 before dismantling or destruction of the vehicle is ~~shall be~~  
 65 required, and shall accompany the motor vehicle or mobile home  
 66 for which it is issued, when such motor vehicle or mobile home  
 67 is sold for such purposes, in lieu of a certificate of title, ~~and,~~  
 68 ~~thereafter,~~ The department may not issue a shall refuse  
 69 ~~issuance of any~~ certificate of title for that vehicle. ~~Nothing~~



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70 ~~in~~ This subsection ~~is not shall be~~ applicable if when a mobile  
71 home vehicle is worth less than \$1,500 retail just prior to  
72 sustaining the damage that resulted in the total loss in  
73 ~~undamaged condition~~ in any official ~~used motor vehicle guide or~~  
74 used mobile home guide or when a stolen motor vehicle or mobile  
75 home is recovered in substantially intact condition and is  
76 readily resalable without extensive repairs to or replacement of  
77 the frame or engine. If a motor vehicle has a current retail  
78 cost of less than \$7,500 just prior to sustaining the damage  
79 that resulted in the total loss, as established in any official  
80 used motor vehicle guide, or if the vehicle is not a late model  
81 vehicle, the owner or insurance company that pays money as  
82 compensation for the total loss of the motor vehicle shall  
83 obtain a certificate of destruction, if the motor vehicle is  
84 damaged, wrecked, or burned to the extent that the only residual  
85 value of the motor vehicle is as a source of parts or scrap  
86 metal, or if the motor vehicle comes into this state under a  
87 title or other ownership document that indicates that the motor  
88 vehicle is not repairable, is junked, or is for parts or  
89 dismantling only. ~~A~~ Any person who knowingly violates this  
90 paragraph or falsifies documentation ~~any document~~ to avoid the  
91 requirements of this paragraph commits a misdemeanor of the  
92 first degree, punishable as provided in s. 775.082 or s.  
93 775.083.

94 Section 2. This act shall take effect July 1, 2014.

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Amendment No. 1

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**T I T L E A M E N D M E N T**  
Remove everything before the enacting clause and insert:  
A bill to be entitled  
An act relating to certificates of destruction;  
amending s. 319.30, F.S.; defining a term; revising  
requirements for the Department of Highway Safety and  
Motor Vehicles to declare certain mobile homes and  
motor vehicles unrebuildable and to issue a  
certificate of destruction; requiring the department  
to issue certificates of destruction for motor  
vehicles that are worth less than a specified amount  
and are above a certain age under certain  
circumstances; providing an effective date.