

1 A bill to be entitled

2 An act relating to persons who are deaf; creating s.
3 320.0849, F.S.; authorizing a deaf individual to make
4 a written request to the Department of Highway Safety
5 and Motor Vehicles for an identification card and
6 placard to indicate that the individual is deaf;
7 requiring the department to issue such a card and
8 placard under certain circumstances; requiring the
9 department to design and develop such cards and
10 placards; requiring the department to develop and
11 adopt rules; amending s. 901.245, F.S.; requiring a
12 law enforcement officer to seek an interpreter before
13 arresting a deaf person for an alleged criminal
14 violation; providing an exception in the case of an
15 emergency; creating s. 943.1723, F.S.; requiring the
16 Criminal Justice Standards and Training Commission to
17 provide basic skills training for law enforcement
18 officers to deal with the deaf; requiring a law
19 enforcement agency to have at least one on-call
20 officer who is trained in or knows American Sign
21 Language; defining the term "law enforcement agency";
22 providing an effective date.

23
24 Be It Enacted by the Legislature of the State of Florida:

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26 Section 1. Section 320.0849, Florida Statutes, is created

27 | to read:

28 | 320.0849 Identification for the deaf.-

29 | (1) An individual who is deaf may submit a written request
 30 | to the department for an identification card and placard that
 31 | indicates the individual is deaf. The department shall issue the
 32 | card and placard to an individual who submits sufficient proof
 33 | that he or she is deaf, as determined by the department. The
 34 | identification card may be presented to a law enforcement
 35 | officer at the beginning of any stop, and the placard may be
 36 | placed in a motor vehicle so as to be visible from the front and
 37 | rear of the vehicle, to indicate that the individual is deaf.

38 | (2) The department is responsible for the design and
 39 | content of the identification card and placard and shall develop
 40 | and adopt rules relating to the eligibility and application for,
 41 | and the issuance and control of, the identification card and
 42 | placard.

43 | Section 2. Section 901.245, Florida Statutes, is amended
 44 | to read:

45 | 901.245 Interpreter services for deaf persons.-

46 | (1) ~~In the event that a person who is deaf is arrested and~~
 47 | ~~taken into custody for an alleged violation of a criminal law of~~
 48 | ~~this state,~~ The services of a qualified interpreter must ~~shall~~
 49 | be sought prior to a law enforcement officer arresting or
 50 | interrogating a ~~such~~ deaf person who is suspected of a violation
 51 | of a criminal law in this state, except as provided in
 52 | subsection (2).

53 (2) In the case of an emergency when public safety is at
 54 risk, a law enforcement officer may arrest a deaf person, but a
 55 qualified interpreter must be provided as soon as possible. If
 56 the services of a qualified interpreter cannot be obtained and
 57 all reasonable efforts have been made to obtain a qualified
 58 interpreter, the arresting officer may interrogate or take a
 59 statement from the deaf ~~such~~ person if the ~~provided such~~
 60 interrogation and the answers are ~~thereto shall be~~ in writing.
 61 The interrogation and the answers ~~thereto~~ shall be preserved and
 62 turned over to the court if ~~in the event~~ such person is tried
 63 for the alleged offense.

64 Section 3. Section 943.1723, Florida Statutes, is created
 65 to read:

66 943.1723 Basic skills training for dealing with the deaf.-

67 (1) The commission shall establish standards for the
 68 training of law enforcement officers in dealing with the deaf.

69 (2) Each law enforcement agency shall maintain at least
 70 one officer on call who is trained in or knows American Sign
 71 Language. As used in this section, the term "law enforcement
 72 agency" means a lawfully established state or local public
 73 agency whose primary responsibility is the prevention and
 74 detection of crime or the enforcement of the penal, traffic, or
 75 highway laws of this state and whose agents and officers are
 76 empowered by law to conduct criminal investigations and to make
 77 arrests.

78 Section 4. This act shall take effect July 1, 2015.