

26 Department of Highway Safety and Motor Vehicles;
 27 prohibiting compliance with certain provisions from
 28 being raised in a proceeding challenging a violation;
 29 providing for suspension of a noncompliant county or
 30 municipality from operating traffic infraction
 31 detectors until such noncompliance is corrected;
 32 providing requirements for reports submitted to the
 33 department by counties and municipalities regarding
 34 use of and enforcement by traffic infraction
 35 detectors; requiring the department to publish such
 36 reports on its website; providing an effective date.

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

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 40 Section 1. Section 316.0077, Florida Statutes, is created
 41 to read:

42 316.0077 Camera systems; competitive bidding.—The
 43 provisions of s. 287.057 which exempt the purchase of
 44 commodities or contractual services from competitive bidding
 45 requirements do not apply to contracts entered into with
 46 manufacturers or vendors of school bus infraction detection
 47 systems, speed detection systems, traffic infraction detectors,
 48 or any other camera systems used for enforcing this chapter
 49 which are regulated under s. 316.0076.

50 Section 2. Section 316.0078, Florida Statutes, is created

51 to read:

52 316.0078 Use of camera systems constructed by Chinese
53 manufacturers prohibited.—A school bus infraction detection
54 system, speed detection system, traffic infraction detector, or
55 any other camera system used for enforcing this chapter which is
56 regulated under s. 316.0076, or any component thereof, which is
57 constructed by a Chinese manufacturer or a domestic or
58 international manufacturer that uses materials imported from
59 China may not be used for traffic enforcement in this state.

60 Section 3. Subsection (4) of section 316.0083, Florida
61 Statutes, is amended to read:

62 316.0083 Mark Wandall Traffic Safety Program;
63 administration; report.—

64 (4)(a)1. A county or municipality must enact an ordinance
65 in order to authorize the placement or installation of, or to
66 authorize contracting with a vendor for the placement or
67 installation of, one or more traffic infraction detectors to
68 enforce s. 316.074(1) or s. 316.075(1)(c)1. As part of the
69 public hearing on such proposed ordinance, the county or
70 municipality must consider traffic data or other evidence
71 supporting the installation and operation of each traffic
72 infraction detector, and the county or municipality must
73 determine that the intersection at which a traffic infraction
74 detector is to be placed or installed constitutes a heightened
75 safety risk that warrants additional enforcement measures.

76 2. A county or municipality that operates one or more
77 traffic infraction detectors must annually report the results of
78 all traffic infraction detectors within the county's or
79 municipality's jurisdiction as a single reporting item on the
80 agenda of a regular or special meeting of the county's or
81 municipality's governing body. Before a county or municipality
82 contracts or renews a contract to place or install one or more
83 traffic infraction detectors, the county or municipality must
84 approve the contract or contract renewal at a regular or special
85 meeting of the county's or municipality's governing body.

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

91 b. The report required under this subparagraph must
92 include a written summary, which must be read aloud at the
93 regular or special meeting, and the summary must contain, for
94 the preceding year, the number of notices of violation issued,
95 the number that were contested, the number that were upheld, the
96 number that were dismissed, the number that were issued as
97 uniform traffic citations, and the number that were paid and how
98 collected funds were distributed and in what amounts. The county
99 or municipality must report to the department that the county's
100 or municipality's annual report was considered in accordance

101 with this paragraph, including the date of the regular or
 102 special meeting at which the annual report was considered.

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

107 4. A county or municipality that does not comply with this
 108 paragraph is suspended from operating traffic infraction
 109 detectors under this subsection until such noncompliance is
 110 corrected.

111 (b)-(a) Each county or municipality that operates a traffic
 112 infraction detector shall submit a report by October 1, 2012,
 113 and annually thereafter, to the department which details the
 114 results of using the traffic infraction detector and the
 115 procedures for enforcement for the preceding state fiscal year.
 116 The information submitted by the counties and municipalities
 117 must include:

118 1. The number of notices of violation issued, the number
 119 that were contested, the number that were upheld, the number
 120 that were dismissed, the number that were issued as uniform
 121 traffic citations, the number that were paid, and the number in
 122 each of the preceding categories for which the notice of
 123 violation was issued for a right-hand turn violation.

124 2. A description of alternative safety countermeasures
 125 taken before and after the placement or installation of a

126 | traffic infraction detector.

127 | 3. Statistical data and information required by the
128 | department to complete the summary report required under
129 | paragraph (c) ~~(b)~~.

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131 | The department must publish each report submitted by a county or
132 | municipality pursuant to this paragraph on its website.

133 | ~~(c)(b)~~ On or before December 31, 2012, and annually
134 | thereafter, the department shall provide a summary report to the
135 | Governor, the President of the Senate, and the Speaker of the
136 | House of Representatives regarding the use and operation of
137 | traffic infraction detectors under this section, along with the
138 | department's recommendations and any necessary legislation. The
139 | summary report must include a review of the information
140 | submitted to the department by the counties and municipalities
141 | and must describe the enhancement of the traffic safety and
142 | enforcement programs.

143 | Section 4. This act shall take effect July 1, 2024.