

CHAPTER 2023-171

Committee Substitute for Committee Substitute for Senate Bill No. 766

An act relating to enforcement of school bus passing infractions; amending s. 316.003, F.S.; defining the term “school bus infraction detection system”; creating s. 316.173, F.S.; authorizing school districts to install and operate school bus infraction detection systems for a specified purpose; authorizing school districts to contract with a vendor or manufacturer for specified purposes; requiring that the decision to install school bus infraction detection systems be in the interest of public safety; prohibiting an individual from receiving a commission from violations detected through the school bus infraction detection system; prohibiting a vendor or manufacturer from receiving a fee or remuneration based on the number of violations detected; requiring school districts that install a school bus infraction detection system to ensure that each such system meets certain requirements; requiring such school districts to enter into interlocal agreements with law enforcement agencies to enforce violations; providing signage requirements; prohibiting the sufficiency of signage from being raised in certain proceedings; requiring such school districts to provide certain notice to the public; requiring that school districts that never have conducted a school bus infraction detection system program conduct a public awareness campaign before commencing enforcement of such a system; limiting penalties in effect during the public awareness campaign; requiring the vendor or manufacturer to submit information regarding alleged violations within a specified period of time; providing requirements for such submissions; providing notification requirements for challenges or disputes as to the delivery of a notice of violation; providing for the distribution and use of funds; providing requirements for issuance of a uniform traffic citations; providing for waiver of challenge or dispute as to the delivery of such citations; providing notification requirements and procedures; specifying that the registered owner of a motor vehicle is responsible and liable for paying a uniform traffic citation; providing exceptions; requiring the registered owner of a motor vehicle to furnish an affidavit under certain circumstances; specifying requirements for such affidavit; requiring the law enforcement agency to dismiss a notice of violation and provide proof of such dismissal under certain circumstances; requiring the law enforcement agency to notify the registered owner that the notice or citation will not be dismissed under certain circumstances; authorizing the law enforcement agency to issue a certain person a notification of violation; providing that the affidavit is admissible in a proceeding for the purpose of proving who was operating the motor vehicle at the time of the violation; providing that the owner of a leased vehicle is not responsible for paying a traffic citation or submitting an affidavit; specifying a timeframe for a law enforcement agency to issue a notification under certain circumstances; providing a criminal penalty for submitting a false affidavit; providing that certain recorded video and images are

admissible in certain proceedings; providing a rebuttable presumption; providing construction; specifying requirements of and prohibitions on the use of video and images recorded by the school bus infraction detection system; requiring school districts that install a school bus infraction detection system submit a quarterly report to the Department of Highway Safety and Motor Vehicles; requiring each such school district to maintain certain data for a specified time; requiring the department to submit an annual summary report to the Governor and Legislature; requiring that school bus infraction detection systems meet State Board of Education specifications; requiring the state board to establish certain specifications by rule by a specified date; providing that certain equipment is not required to meet the state board specifications; authorizing the state board to adopt rules regarding student privacy; amending s. 318.14, F.S.; conforming provisions to changes made by the act; amending s. 318.18, F.S.; providing civil penalties for school bus passing violations enforced by a school bus infraction detection system; providing for distribution of a certain portion thereof; providing conditions under which a case may be dismissed; amending s. 322.27, F.S.; prohibiting points from being imposed against a driver license for certain infractions enforced by a school bus infraction detection system; prohibiting such infractions from being used to set motor vehicle insurance rates; amending ss. 316.306, 655.960, and 1006.21, F.S.; conforming cross-references and provisions to changes made by the act; providing an effective date.

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

Section 1. Present subsections (78) through (109) of section 316.003, Florida Statutes, are redesignated as subsections (79) through (110), respectively, a new subsection (78) is added to that section, and subsection (64) of that section is 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:

(64) PRIVATE ROAD OR DRIVEWAY.—Except as otherwise provided in paragraph ~~(88)(b)~~ ~~(87)(b)~~, any privately owned way or place used for vehicular travel by the owner and those having express or implied permission from the owner, but not by other persons.

(78) SCHOOL BUS INFRACTION DETECTION SYSTEM.—A camera system affixed to a school bus with two or more camera sensors or computers that produce a recorded video and two or more film or digital photographic still images for the purpose of documenting a motor vehicle being used or operated in a manner that allegedly violates s. 316.172(1)(a) or (b).

Section 2. Section 316.173, Florida Statutes, is created to read:

316.173 School bus infraction detection systems.—

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

(b) The school district may contract with a private vendor or manufacturer to install a school bus infraction detection system on any school bus 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.

(c) The school district must ensure that each school bus infraction detection system meets the requirements of subsection (18).

(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 school bus infraction detection systems consistent with this section.

(2)(a) The school district must post high-visibility reflective signage on the rear of each school bus in which a school bus infraction detection system is installed and operational which indicates the use of such system. The signage must be in the form of one or more signs or stickers and must contain the following elements in substantially the following form:

1. The words “STOP WHEN RED LIGHTS FLASH” or “DO NOT PASS WHEN RED LIGHTS FLASH.”
2. The words “CAMERA ENFORCED.”
3. A graphic depiction of a camera.

(b) The signage must occupy at least 75 percent of the available space that does not contain signs or insignia that are required by other applicable law or by the State Board of Education.

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

(3) If a school district that has never conducted a school bus infraction detection system program begins such a program, the school district must make a public announcement and conduct a public awareness campaign of the proposed use of school bus infraction detection systems at least 30 days before commencing enforcement under the school bus infraction detection

system program and 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. 316.172(1)(a) or (b) enforced by a school bus infraction detection system, and a civil penalty may not be imposed under chapter 318.

(4) Within 30 days after an alleged violation of s. 316.172(1)(a) or (b) is recorded by a school bus infraction detection system, the school district or the private vendor or manufacturer under paragraph (1)(b) must submit the following information to a law enforcement agency that has entered into an interlocal agreement with the school district pursuant to paragraph (1)(d) and has traffic infraction enforcement jurisdiction at the location where the alleged violation occurred:

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

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

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

(5) Within 30 days after receiving the information required in subsection (4), the law enforcement agency, if it determines that the motor vehicle violated s. 316.172(1)(a) or (b), must send notice of violation 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(5) or furnish an affidavit in accordance with subsection (10) within 30 days after the notice of violation is sent in order to avoid court fees, costs, and the issuance of a uniform traffic citation. The notice of violation must be sent by first-class mail and include all of the following:

(a) A copy of one or more recorded images showing the motor vehicle involved in the violation, including an image showing the license plate of the motor vehicle.

(b) The date, time, and location of the violation.

(c) The amount of the civil penalty, the date by which the civil penalty must be paid, and instructions on how to pay the civil penalty.

(d) Instructions on how to request a hearing to contest liability or the notice of violation.

(e) A notice that the owner has the right to review, in person or remotely, the video and images recorded by the school bus infraction detection system which constitute a rebuttable presumption that the motor vehicle was used in violation of s. 316.172(1)(a) or (b).

(f) The time when, and the place or website at which, the recorded video and images may be examined and observed.

(g) A warning that failure to pay the civil penalty or to contest liability within 30 days after the notice is sent will result in the issuance of a uniform traffic citation.

(6) 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 an authorized representative of the owner, co-owner, or identified person initiates a proceeding to challenge the violation, such person waives any challenge or dispute as to the delivery of the notice of violation.

(7) The civil penalties assessed and collected for a violation of s. 316.172(1)(a) or (b) enforced by a school bus infraction detection system must be remitted to the school district in which the violation occurred. Such civil penalties must be used for the installation or maintenance of school bus infraction detection systems on school buses, for any other technology that increases the safety of the transportation of students, or for the administration and costs associated with the enforcement of violations as described in this section.

(8) 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 violation if payment has not been made within 30 days after notification under subsection (5) and if the registered owner has not submitted an affidavit in accordance with subsection (10).

(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, 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 violation must be accompanied by information described in paragraphs (5)(a)-(f).

(9) 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. 316.172(1)(a) or (b) unless the owner can establish that:

(a) The motor vehicle was, at the time of the violation, in the care, custody, or control of another person;

(b) A uniform traffic citation was issued by a law enforcement officer to the driver of the motor vehicle for the alleged violation of s. 316.172(1)(a) or (b); 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.

(10) To establish such facts under subsection (9), the registered owner of the motor vehicle must, within 30 days after the date of issuance of the notice of violation or the uniform traffic citation, furnish to the law enforcement agency that issued the notice of violation or uniform traffic citation an affidavit setting forth information supporting an exception under subsection (9).

(a) An affidavit supporting the exception under paragraph (9)(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. 316.172(1)(a) or (b) 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 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 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 law enforcement agency 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 (11), the law enforcement agency receives an affidavit under subsection (12) from the person who was 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 law enforcement agency must notify the registered owner that 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.

(11) Upon receipt of an affidavit under paragraph (9)(a), the law enforcement agency 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 (5) for a violation of s. 316.172(1)(a) or (b). 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. 316.172(1)(a) or (b) is not responsible for paying the uniform traffic citation and is not required to submit an affidavit as specified in subsection (10) if the motor vehicle involved in the violation is registered in the name of the lessee of such motor vehicle.

(12) If a law enforcement agency receives an affidavit under paragraph (9)(a), the notice of violation required under subsection (5) must be sent to the person identified in the affidavit within 30 days after receipt of the affidavit. The person identified in an affidavit and sent a notice of violation may also affirm he or she did not have care, custody, or control of the motor vehicle at the time of the violation by furnishing to the appropriate law enforcement agency within 30 days after the date of the notice of violation an affidavit stating such.

(13) The submission of a false affidavit is a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083.

(14) The video and images recorded by a school bus infraction detection system which are attached to or referenced in the uniform traffic citation are evidence of a violation of s. 316.172(1)(a) or (b) and are admissible in any proceeding to enforce this section. The recorded video and images raise a rebuttable presumption that the motor vehicle shown in the recorded video and images was used in violation of s. 316.172(1)(a) or (b).

(15) This section supplements the enforcement of s. 316.172(1)(a) and (b) by a law enforcement officer and does not prohibit a law enforcement officer from issuing a uniform traffic citation for a violation of s. 316.172(1)(a) or (b).

(16)(a)1. Notwithstanding any other law, equipment deployed as part of a school bus infraction detection system as provided under this section may not be capable of automated or user-controlled remote surveillance.

2. Video and images recorded as part of the school bus infraction detection system may only be used to document violations of s. 316.172(1)(a) and (b) and may not be used for any other surveillance purposes.

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.

(b) Any recorded video or still image obtained through the use of a school bus infraction detection system must be destroyed within 90 days after the final disposition of the recorded event. The vendor of the school bus infraction detection system must provide the school district with written notice by December 31 of each year that such records have been destroyed in accordance with this section.

(c) Notwithstanding any other law, registered motor vehicle owner information obtained as a result of the operation of a school bus infraction detection system is not the property of the manufacturer or vendor of the system and may be used only for the purposes of this section.

(17)(a) By October 1, 2023, and quarterly thereafter, each school district, in consultation with the law enforcement agencies with which it has interlocal agreements pursuant to this section, operating a school bus infraction detection system must submit a report to the department which details the results of the school bus infraction detection systems in the school district 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 must 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).

(b) Each school district that operates a school bus infraction detection system is responsible for and must maintain its respective data for reporting purposes under this subsection for at least 2 years after such data is reported to the department.

(c) 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.

(18) 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.

(19) The State Board of Education may adopt rules to address student privacy concerns that may arise from the use of a school bus infraction detection system.

Section 3. Subsection (2) of section 318.14, Florida Statutes, is amended to read:

318.14 Noncriminal traffic infractions; exception; procedures.—

(2) Except as provided in ss. 316.1001(2), and 316.0083, and 316.173, any person cited for a violation requiring a mandatory hearing listed in s. 318.19 or any other criminal traffic violation listed in chapter 316 must sign and accept a citation indicating a promise to appear. The officer may indicate on the traffic citation the time and location of the scheduled hearing and must indicate the applicable civil penalty established in s. 318.18. For all other infractions under this section, except for infractions under s. 316.1001, the officer must certify by electronic, electronic facsimile, or written signature

that the citation was delivered to the person cited. This certification is prima facie evidence that the person cited was served with the citation.

Section 4. Paragraphs (b) and (c) of subsection (5) of section 318.18, Florida Statutes, are amended, and paragraph (e) is added to that subsection, to read:

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

(5)

(b)1. Four hundred dollars 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 paragraph is \$200. If, at a hearing, the alleged offender is found to have committed this offense, the court must impose a minimum civil penalty of \$200.

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.

(c) In addition to the penalty under paragraph (a) or paragraph (b), \$65 for a violation of s. 316.172(1)(a) or (b). If the alleged offender is found to have committed the offense, the court shall impose the civil penalty under paragraph (a) or paragraph (b) plus an additional \$65. The additional \$65 collected under this paragraph shall be remitted to the Department of Revenue for deposit into the Emergency Medical Services Trust Fund of the Department of Health to be used as provided in s. 395.4036. If a violation of s. 316.172(1)(a) or (b) is enforced by a school bus infraction detection system pursuant to s. 316.173, the additional amount imposed on the uniform traffic citation or by the court under this paragraph must be \$25, in lieu of the additional \$65.

(e) If a person who is mailed a uniform traffic citation for a violation of s. 316.172(1)(a) or (b), as enforced by a school bus infraction detection system under s. 316.173, presents documentation from the appropriate law enforcement agency that the traffic citation was in error, the clerk of court may dismiss the case. The clerk of court may not charge for this service.

Section 5. Paragraph (d) of subsection (3) of section 322.27, Florida Statutes, is amended to read:

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

(3) There is established a point system for evaluation of convictions of violations of motor vehicle laws or ordinances, and violations of applicable provisions of s. 403.413(6)(b) when such violations involve the use of motor vehicles, for the determination of the continuing qualification of any person to operate a motor vehicle. The department is authorized to suspend the license of any person upon showing of its records or other 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 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.
5. Unlawful speed:
 - a. Not in excess of 15 miles per hour of lawful or posted speed—3 points.
 - b. In excess of 15 miles per hour of lawful or posted speed—4 points.
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, ~~no~~ points may not shall 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.

7. All other moving violations (including parking on a highway outside the limits of a municipality)—3 points. However, ~~no~~ points may not shall be imposed for a violation of s. 316.0741 or s. 316.2065(11); and points may shall be imposed for a violation of s. 316.1001 only when imposed by the court after a hearing pursuant to s. 318.14(5).

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

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

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

11. 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 6. Paragraph (a) of subsection (3) of section 316.306, Florida Statutes, is amended to read:

316.306 School and work zones; prohibition on the use of a wireless communications device in a handheld manner.—

(3)(a)1. A person may not operate a motor vehicle while using a wireless communications device in a handheld manner in a designated school crossing, school zone, or work zone area as defined in s. 316.003(110) ~~s. 316.003(109)~~. This subparagraph shall only be applicable to work zone areas if construction personnel are present or are operating equipment on the road or immediately adjacent to the work zone area. For the purposes of this paragraph, a motor vehicle that is stationary is not being operated and is not subject to the prohibition in this paragraph.

2. Effective January 1, 2020, a law enforcement officer may stop motor vehicles and issue citations to persons who are driving while using a wireless communications device in a handheld manner in violation of subparagraph 1.

Section 7. Subsection (1) of section 655.960, Florida Statutes, is amended to read:

655.960 Definitions; ss. 655.960-655.965.—As used in this section and ss. 655.961-655.965, unless the context otherwise requires:

(1) “Access area” means any paved walkway or sidewalk which is within 50 feet of any automated teller machine. The term does not include any street or highway open to the use of the public, as defined in s. 316.003(88)(a) ~~or (b)~~ ~~s. 316.003(87)(a) or (b)~~, including any adjacent sidewalk, as defined in s. 316.003.

Section 8. Paragraph (h) is added to subsection (3) of section 1006.21, Florida Statutes, 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) May install and operate, or enter into an agreement with a private vendor or manufacturer to provide, a school bus infraction detection system pursuant to s. 316.173.

Section 9. This act shall take effect July 1, 2023.

Approved by the Governor May 31, 2023.

Filed in Office Secretary of State May 31, 2023.