

## CHAPTER 2024-223

### Committee Substitute for Committee Substitute for House Bill No. 1363

An act relating to traffic enforcement; creating s. 316.0077, F.S.; prohibiting contracts awarded by certain entities outside this state from being used to procure contracts with manufacturers or vendors of camera systems used for traffic enforcement; providing applicability; creating s. 316.0078, F.S.; defining the terms “controlling interest” and “foreign country of concern”; prohibiting a governmental entity from knowingly entering into or renewing certain contracts for camera systems used for traffic enforcement; amending s. 316.0083, F.S.; requiring certain counties or municipalities to enact an ordinance to authorize placement or installation of traffic infraction detectors; requiring the county or municipality to consider certain evidence and make a certain determination at a public hearing; requiring a county or municipality to place a specified annual report on the agenda of a regular or special meeting of its governing body; requiring approval by the governing body at a regular or special meeting before contracting or renewing a contract to place or install traffic infraction detectors; providing for public comment; prohibiting such report, contract, or contract renewal from being considered as part of a consent agenda; providing requirements for a written summary of such report; requiring a report to the Department of Highway Safety and Motor Vehicles; prohibiting compliance with certain provisions from being raised in a proceeding challenging a violation; providing for suspension of a noncompliant county or municipality from operating traffic infraction detectors until such noncompliance is corrected; providing requirements for reports submitted to the department by counties and municipalities regarding use of and enforcement by traffic infraction detectors; requiring the department to publish such reports on its website; providing an effective date.

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

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

316.0077 Camera systems; contract procurement.—A contract awarded by another governmental entity outside this state or by a consortium or cooperative of governmental entities outside this state may not be used to procure contracts with manufacturers or vendors of school bus infraction detection systems, speed detection systems, traffic infraction detectors, or any other camera systems used for enforcing this chapter. This section applies to contracts entered into on or after July 1, 2025.

Section 2. Section 316.0078, Florida Statutes, is created to read:

316.0078 Prohibition on contracting for camera systems of vendors of foreign countries of concern.—

(1) As used in this section, the terms “controlling interest” and “foreign country of concern” have the same meanings as in s. 287.138(1).

(2) On or after July 1, 2025, a governmental entity may not knowingly enter into or renew a contract with a contracting vendor of a school bus infraction detection system, speed detection system, traffic infraction detector, or any other camera system used for enforcing this chapter which is subject to s. 316.0076 if:

(a) The contracting vendor is owned by the government of a foreign country of concern; or

(b) The government of a foreign country of concern has a controlling interest in the contracting vendor.

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

316.0083 Mark Wandall Traffic Safety Program; administration; report.

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

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

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

b. The report required under this subparagraph must include a written summary, which must be read aloud at the regular or special meeting, and the summary must contain, for the same time period pertaining to the

annual report to the department required under paragraph (b), the number of notices of violation issued, the number that were contested, the number that were upheld, the number that were dismissed, the number that were issued as uniform traffic citations, and the number that were paid and how collected funds were distributed and in what amounts. The county or municipality must report to the department that the county's or municipality's annual report was considered in accordance with this subparagraph, including the date of the regular or special meeting at which the annual report was considered.

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

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

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

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

2. A description of alternative safety countermeasures taken before and after the placement or installation of a traffic infraction detector.

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

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

(c)(b) On or before December 31, 2012, and annually thereafter, the department shall provide 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 traffic infraction detectors under this section, along with the department's recommendations and any necessary legislation. The summary report must include a review of the information submitted to the department by the counties and municipalities and must describe the enhancement of the traffic safety and enforcement programs.

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

Approved by the Governor May 31, 2024.

Filed in Office Secretary of State May 31, 2024.