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# **ROADS, BRIDGES & PORTS POLICY COMMITTEE**

## **Action Packet**

**Wednesday, January 13, 2010  
9:00 A.M.  
404 HOB**

**Larry Cretul  
Speaker**

**Gary Aubuchon  
Chair**

**COMMITTEE MEETING REPORT**  
**Roads, Bridges & Ports Policy Committee**  
**1/13/2010 9:00:00AM**

**Location:** 404 HOB

**Summary:**

**Roads, Bridges & Ports Policy Committee**

*Wednesday January 13, 2010 09:00 am*

HB 263	Favorable	Yeas: 13	Nays: 0
HB 289	Favorable With Committee Substitute	Yeas: 12	Nays: 1
HB 321	Favorable	Yeas: 13	Nays: 0
HB 325	Favorable With Committee Substitute	Yeas: 12	Nays: 0
HB 351	Favorable With Committee Substitute	Yeas: 12	Nays: 1
HB 399	Favorable With Committee Substitute	Yeas: 13	Nays: 0

**COMMITTEE MEETING REPORT**  
**Roads, Bridges & Ports Policy Committee**

**1/13/2010 9:00:00AM**

**Location:** 404 HOB

**Attendance:**

	<i>Present</i>	<i>Absent</i>	<i>Excused</i>
Gary Aubuchon (Chair)	X		
Gwyndolen Clarke-Reed	X		
Clay Ford	X		
Audrey Gibson	X		
Mike Horner	X		
Jimmy Patronis	X		
Stephen Precourt	X		
Lake Ray	X		
Julio Robaina	X		
Hazelle Rogers	X		
Richard Steinberg	X		
Dwayne Taylor	X		
Nicholas Thompson	X		
Ritch Workman	X		
<b>Totals:</b>	<b>14</b>	<b>0</b>	<b>0</b>

**COMMITTEE MEETING REPORT**  
**Roads, Bridges & Ports Policy Committee**

**1/13/2010 9:00:00AM**

**Location:** 404 HOB  
**HB 263 : Motor Vehicles**

Favorable

	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
Gwyndolen Clarke-Reed	X				
Clay Ford	X				
Audrey Gibson	X				
Mike Horner	X				
Jimmy Patronis	X				
Stephen Precourt	X				
Lake Ray	X				
Julio Robaina			X		
Hazelle Rogers	X				
Richard Steinberg	X				
Dwayne Taylor	X				
Nicholas Thompson	X				
Ritch Workman	X				
Gary Aubuchon (Chair)	X				
<b>Total Yeas: 13</b>		<b>Total Nays: 0</b>			

Committee meeting was reported out: Wednesday, January 13, 2010 1:26:56PM

**COMMITTEE MEETING REPORT**  
**Roads, Bridges & Ports Policy Committee**

**1/13/2010 9:00:00AM**

**Location:** 404 HOB

**HB 289 : Specialty License Plates**

*Favorable With Committee Substitute*

	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
Gwyndolen Clarke-Reed	X				
Clay Ford	X				
Audrey Gibson		X			
Mike Horner	X				
Jimmy Patronis	X				
Stephen Precourt	X				
Lake Ray	X				
Julio Robaina			X		
Hazelle Rogers	X				
Richard Steinberg	X				
Dwayne Taylor	X				
Nicholas Thompson	X				
Ritch Workman	X				
Gary Aubuchon (Chair)	X				
<b>Total Yeas: 12      Total Nays: 1</b>					

Committee meeting was reported out: Wednesday, January 13, 2010 1:26:56PM

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 1

Bill No. 289

COUNCIL/COMMITTEE ACTION

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

1 Council/Committee hearing bill: Roads, Bridges, and Ports  
2 Policy Committee  
3 Representative(s) Brandenburg offered the following:

**Amendment**

Remove line 40 and insert:

1. A maximum of 10 percent of the proceeds may be used to

**COMMITTEE MEETING REPORT**  
**Roads, Bridges & Ports Policy Committee**

**1/13/2010 9:00:00AM**

**Location:** 404 HOB

**HB 321 : Road Designations**

Favorable

	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
Gwyndolen Clarke-Reed	X				
Clay Ford	X				
Audrey Gibson	X				
Mike Horner	X				
Jimmy Patronis	X				
Stephen Precourt	X				
Lake Ray	X				
Julio Robaina			X		
Hazelle Rogers	X				
Richard Steinberg	X				
Dwayne Taylor	X				
Nicholas Thompson	X				
Ritch Workman	X				
Gary Aubuchon (Chair)	X				
<b>Total Yeas: 13      Total Nays: 0</b>					

Committee meeting was reported out: Wednesday, January 13, 2010 1:26:56PM

**COMMITTEE MEETING REPORT**  
**Roads, Bridges & Ports Policy Committee**

**1/13/2010 9:00:00AM**

**Location:** 404 HOB

**HB 325 : Uniform Traffic Control**

Favorable With Committee Substitute

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Gwyndolen Clarke-Reed	X				
Clay Ford	X				
Audrey Gibson	X				
Mike Horner	X				
Jimmy Patronis				X	
Stephen Precourt	X				
Lake Ray	X				
Julio Robaina			X		
Hazelle Rogers	X				
Richard Steinberg	X				
Dwayne Taylor	X				
Nicholas Thompson	X				
Ritch Workman	X				
Gary Aubuchon (Chair)	X				
<b>Total Yeas: 12</b>		<b>Total Nays: 0</b>			

**Appearances:**

Uniform Traffic Control

C. Scott Dudley, Senior Legislative Advocate (Lobbyist) - Proponent  
 Florida League of Cities  
 301 S Bronough Street  
 Tallahassee FL 32301  
 Phone: 850-222-9684

Uniform Traffic Control

Mark Jeffries, Public Affairs Director (Lobbyist) - Proponent  
 Orange County Government  
 201 S Rosalind Avenue  
 Orlando FL 32802  
 Phone: 407-836-5909

Uniform Traffic Control

Karen MacFarland, Legislative Director (Lobbyist) - Proponent  
 AAA Auto Club South  
 309 Oaks Will Court  
 Tallahassee FL 32312  
 Phone: 850-766-1026

Uniform Traffic Control

Kathy Russell, Director of Government Relations (Lobbyist) - Proponent  
 City of Orlando  
 400 S Orange Avenue  
 Orlando FL  
 Phone: 407-383-2075

Committee meeting was reported out: Wednesday, January 13, 2010 1:26:56PM



**COMMITTEE MEETING REPORT**  
**Roads, Bridges & Ports Policy Committee**

**1/13/2010 9:00:00AM**

**Location:** 404 HOB

Uniform Traffic Control

Sarrah Troncoso, Legislative Advocate (Lobbyist) - Proponent

Florida Association of Counties

100 S Monroe Street

Tallahassee FL 32309

Phone: 850-284-5993

**Committee meeting was reported out: Wednesday, January 13, 2010 1:26:56PM**

COUNCIL/COMMITTEE AMENDMENT

Bill No. HB 325 (2010)

Amendment No. 1

COUNCIL/COMMITTEE ACTION

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

1 Council/Committee hearing bill: Roads, Bridges & Ports Policy  
2 Committee  
3 Representative Reagan offered the following:

**Amendment (with title amendment)**

6 Remove everything after the enacting clause and insert:

7 Section 1. This act may be cited as the "Mark Wandall  
8 Traffic Safety Act."

9 Section 2. Subsection (86) is added to section 316.003,  
10 Florida Statutes, to read:

11 316.003 Definitions.—The following words and phrases, when  
12 used in this chapter, shall have the meanings respectively  
13 ascribed to them in this section, except where the context  
14 otherwise requires:

15 (86) TRAFFIC INFRACTION DETECTOR.—A vehicle sensor  
16 installed to work in conjunction with a traffic control signal  
17 and a camera or cameras synchronized to automatically record two  
18 or more sequenced photographic or electronic images or streaming  
19 video of only the rear of a motor vehicle at the time the

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20 vehicle fails to stop behind the stop bar or clearly marked stop  
21 line when facing a traffic control signal steady red light. Any  
22 ticket issued by the use of a traffic infraction detector must  
23 include a photograph or other recorded image showing both the  
24 license tag of the offending vehicle and the traffic control  
25 device being violated.

26 Section 3. Section 316.0083, Florida Statutes, is created  
27 to read:

28 316.0083 Mark Wandall Traffic Safety Program;  
29 administration; report.-

30 (1) There is created the Mark Wandall Traffic Safety  
31 Program governing the operation of traffic infraction detectors.  
32 The program shall be administered by the Department of  
33 Transportation and shall include the following provisions:

34 (a) In order to use a traffic infraction detector, a  
35 county or municipality must enact an ordinance that provides for  
36 the use of a traffic infraction detector to enforce s.  
37 316.075(1)(c), which requires the driver of a vehicle to stop  
38 the vehicle when facing a traffic control signal steady red  
39 light on the streets and highways under the jurisdiction of the  
40 county or municipality. The traffic infraction detector must  
41 conform to the contract specifications adopted by the Department  
42 of Transportation under s. 316.0776. A county or municipality  
43 may install such detectors within the boundaries of the county  
44 or municipality on rights-of-way owned or maintained by the  
45 Department of Transportation or on rights-of-way or areas owned,  
46 leased, or maintained by that county or municipality. Only a  
47 municipality may install or authorize the installation of any

COUNCIL/COMMITTEE AMENDMENT

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48 such detectors within the incorporated area of the municipality.  
49 A municipality may authorize the state or county to install such  
50 detectors within its incorporated area. Only a county may  
51 install or authorize the installation of any such detectors  
52 within the unincorporated area of the county. A county may  
53 authorize the state to install such detectors in the  
54 unincorporated area of the county. A county or municipality that  
55 operates a traffic infraction detector must authorize a traffic  
56 infraction enforcement officer or a code enforcement officer to  
57 issue a ticket for a violation of s. 316.075(1)(c) and to  
58 enforce the payment of the ticket for such violation. This  
59 paragraph does not authorize a traffic infraction enforcement  
60 officer or a code enforcement officer to carry a firearm or  
61 other weapon and does not authorize such an officer to make  
62 arrests. The ordinance must require signs to be posted at  
63 locations designated by the county or municipality providing  
64 notification that a traffic infraction detector may be in use.  
65 Such signage must conform to the specifications adopted by the  
66 Department of Transportation under s. 316.0745 or must be in  
67 accordance with all applicable provisions of the latest edition  
68 of the Manual on Uniform Traffic Control Devices, part 2, signs.  
69 The ordinance must provide for the county or municipality to  
70 install, maintain, and operate traffic infraction detectors  
71 within the boundaries of the county or municipality on rights-  
72 of-way owned or maintained by the Department of Transportation  
73 or on rights-of-way or areas owned, leased, or maintained by  
74 that county or municipality. The ordinance must also require  
75 that the county or municipality make a public announcement and

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76 conduct a public awareness campaign of the proposed use of  
77 traffic infraction detectors at least 30 days before commencing  
78 the enforcement program. In addition, the ordinance must  
79 establish a fine of \$155 to be assessed against the registered  
80 owner of a motor vehicle that fails to stop when facing a  
81 traffic control signal steady red light as determined through  
82 the use of a traffic infraction detector. Any other provision of  
83 law to the contrary notwithstanding, an additional surcharge,  
84 fee, or cost may not be added to the civil penalty authorized by  
85 this paragraph, except as provided in paragraph (g).

86 (b) When responding to an emergency call, an emergency  
87 vehicle is exempt from any ordinance enacted under this section.

88 (c) A county or municipality must adopt an ordinance under  
89 this section that provides for the use of a traffic infraction  
90 detector in order to impose a fine on the registered owner of a  
91 motor vehicle for a violation of s. 316.075(1)(c). The fine  
92 shall be imposed in the same manner and is subject to the same  
93 limitations as provided for parking violations under s.  
94 316.1967. Except as specifically provided in this section,  
95 chapter 318 and s. 322.27 do not apply to a violation of s.  
96 316.075(1)(c) for which a ticket has been issued under an  
97 ordinance enacted pursuant to this section. Enforcement of a  
98 ticket issued under the ordinance is not a conviction of the  
99 operator of the motor vehicle, may not be made a part of the  
100 driving record of the operator, and may not be used for purposes  
101 of setting motor vehicle insurance rates. Points under s. 322.27  
102 may not be assessed based upon such enforcement.

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103        (d) The procedures set forth in s. 316.1967(2)-(5) apply  
104 to an ordinance enacted pursuant to this section, except that  
105 the ticket must contain the name and address of the person  
106 alleged to be liable as the registered owner of the motor  
107 vehicle involved in the violation, the tag number of the motor  
108 vehicle, the violation charged, a copy of the photographic image  
109 or images evidencing the violation, the location where the  
110 violation occurred, the date and time of the violation, and a  
111 signed statement by a specifically trained technician employed  
112 by the agency or its contractor that, based on inspection of  
113 photographs or other recorded images, the motor vehicle was  
114 being operated in violation of s. 316.075(1)(c). The ticket must  
115 advise the registered owner of the motor vehicle involved in the  
116 violation of the amount of the fine, the date by which the fine  
117 must be paid, and the procedure for contesting the violation  
118 alleged in the ticket. The ticket must contain a warning that  
119 failure to contest the violation in the manner and time provided  
120 is deemed an admission of the liability and that a default may  
121 be entered thereon. The violation shall be processed by the  
122 county or municipality that has jurisdiction over the street or  
123 highway where the violation occurred or by any entity authorized  
124 by the county or municipality to prepare and mail the ticket.

125        (e) The ticket shall be sent by first-class or certified  
126 mail, addressed to the registered owner of the motor vehicle,  
127 and postmarked no later than 30 days after obtaining the name  
128 and address of the registered owner of the vehicle, but in no  
129 event later than 60 days after the date of the violation.

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130       (f)1. The registered owner of the motor vehicle involved  
131 in a violation is responsible and liable for payment of the fine  
132 assessed pursuant to this section unless the owner can establish  
133 that:

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

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

139       c. The motor vehicle was stolen at the time of the alleged  
140 violation; or

141       d. A uniform traffic citation was issued to the driver of  
142 the motor vehicle for the alleged violation of s. 316.075(1)(c).

143       2. In order to establish any such fact pursuant to  
144 subparagraph 1., the registered owner of the vehicle must,  
145 within 60 days after receipt of notification of the alleged  
146 violation, furnish to the county or municipality, as  
147 appropriate, an affidavit that sets forth detailed information  
148 supporting an exemption under subparagraph 1. For an exemption  
149 under sub-subparagraph 1.c., the affidavit must set forth that  
150 the vehicle was stolen and be accompanied by a copy of the  
151 police report indicating that the vehicle was stolen at the time  
152 of the alleged violation. For an exemption under sub-  
153 subparagraph 1.d., the affidavit must set forth that a citation  
154 was issued and be accompanied by a copy of the citation  
155 indicating the time of the alleged violation and the location of  
156 the intersection where it occurred.

COUNCIL/COMMITTEE AMENDMENT

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Amendment No.

157 (g) A registered owner may contest the determination that  
158 such person failed to stop at a traffic control signal steady  
159 red light as evidenced by a traffic infraction detector by  
160 electing to appear before any judge or locally designated  
161 official authorized by law to preside over an administrative  
162 hearing that adjudicates traffic infractions. If a hearing is  
163 requested by the registered owner, the notification by the  
164 issuing authority of a hearing date, time, and location shall be  
165 made by first class mail. A person who elects to appear before  
166 the judge or designated official to present evidence is deemed  
167 to have waived the limitation of civil penalties imposed for the  
168 violation. The judge or designated official shall make a  
169 determination as to whether a red light violation has been  
170 committed and may impose a civil penalty not to exceed \$155,  
171 plus court costs. Any person who fails to pay the civil penalty  
172 within the time allowed by the county, municipality, or court is  
173 deemed to have been convicted of a violation and the court shall  
174 take appropriate measures to enforce collection of the fine.

175 (h) A certificate sworn to or affirmed by a person  
176 authorized under this section who is employed by or under  
177 contract with the county or municipality where the infraction  
178 occurred, or a facsimile thereof that is based upon inspection  
179 of photographs or other recorded images produced by a traffic  
180 infraction detector, is prima facie evidence of the facts  
181 contained in the certificate. A photograph or other recorded  
182 image evidencing a violation of s. 316.075(1)(c) must be  
183 available for inspection in any proceeding to adjudicate  
184 liability under an ordinance enacted pursuant to this section.



COUNCIL/COMMITTEE AMENDMENT

Bill No. HB 325 (2010)

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185 (i) In any county or municipality in which tickets are  
186 issued as provided in this section, the names of persons who  
187 have one or more outstanding violations may be included on the  
188 list authorized under s. 316.1967(6).

189 (2) Of the fine imposed and collected pursuant to  
190 paragraph (1)(a) or paragraph (1)(g), \$55 shall be remitted by  
191 the county or municipality to the Department of Revenue for  
192 deposit into the General Revenue Fund, \$25 shall be remitted to  
193 the Department of Revenue for deposit into the Department of  
194 Health Administrative Trust Fund, and \$75 shall be retained by  
195 the county or municipality enforcing the ordinance enacted  
196 pursuant to this section. Funds deposited into the Department of  
197 Health Administrative Trust Fund under this subsection shall be  
198 distributed as provided in s. 395.4036(1).

199 (3) A complaint that a county or municipality is employing  
200 traffic infraction detectors for purposes other than the  
201 promotion of public health, welfare, and safety or in a manner  
202 inconsistent with this section may be submitted to the governing  
203 body of such county or municipality. Such complaints, along with  
204 any investigation and corrective action taken by the county or  
205 municipal governing body, shall be included in the biannual  
206 report to the Department of Transportation and in that  
207 department's biannual summary report to the Governor, the  
208 President of the Senate, and the Speaker of the House  
209 Representatives, as required by this section. Based on its  
210 review of the report, the Legislature may exclude a county or  
211 municipality from further participation in the program.

Amendment No.

212       (4) (a) Each county or municipality that operates a traffic  
213 infraction detector shall submit a biannual report to the  
214 Department of Transportation that details the results of using  
215 the traffic infraction detector and the procedures for  
216 enforcement.

217       (b) The Department of Transportation shall provide a  
218 biannual summary report to the Governor, the President of the  
219 Senate, and the Speaker of the House of Representatives  
220 regarding the use and operation of traffic infraction detectors  
221 under this section. The summary report must include a review of  
222 the information submitted to the Department of Transportation by  
223 the counties and municipalities and must describe the  
224 enhancement of the traffic safety and enforcement programs. The  
225 Department of Transportation shall report its recommendations,  
226 including any necessary legislation, on or before December 1 of  
227 each even numbered year to the Governor, the President of the  
228 Senate, and the Speaker of the House of Representatives.

229       Section 4. Subsection (6) of section 316.0745, Florida  
230 Statutes, is amended to read:

231       316.0745 Uniform signals and devices.—

232       (6) Any system of traffic control devices controlled and  
233 operated from a remote location by electronic computers or  
234 similar devices must ~~shall~~ meet all requirements established for  
235 the uniform system, and, if where such a system affects ~~systems~~  
236 ~~affect~~ the movement of traffic on state roads, the design of the  
237 system must ~~shall~~ be reviewed and approved by the Department of  
238 Transportation.

Amendment No.

239 Section 5. Section 316.07456, Florida Statutes, is created  
240 to read:

241 316.07456 Grandfather clause.-

242 (1) Any traffic infraction detector deployed on the  
243 streets and highways of the state must meet the contract  
244 specifications established by the Department of Transportation  
245 and must be tested at regular intervals according to procedures  
246 prescribed by that department.

247 (2) Notwithstanding any provision of law to the contrary,  
248 nothing in this act shall prohibit any county or municipality  
249 from using red light traffic enforcement devices of any type or  
250 from enforcing violations of s. 316.074(1) or s. 316.075(1)(c)  
251 or other red light traffic enforcement ordinances if such county  
252 or municipality has enacted an ordinance to enforce red light  
253 violations or has entered into a contract to purchase or lease  
254 equipment to enforce red light violations before the effective  
255 date of this act.

256 (3) Of the fine imposed and collected pursuant to s.  
257 316.0083(1)(a) or (g), \$55 shall be remitted by the county or  
258 municipality to the Department of Revenue for deposit into the  
259 General Revenue Fund, \$25 shall be remitted to the Department of  
260 Revenue for deposit into the Department of Health Administrative  
261 Trust Fund, and \$75 shall be retained by the county or  
262 municipality enforcing the ordinance enacted pursuant to this  
263 section. Funds deposited into the Department of Health  
264 Administrative Trust Fund under this subsection shall be  
265 distributed as provided in s. 395.4036(1).

Amendment No.

266       (4) This section expires 1 year after the Department of  
267 Transportation's final adoption of specifications or on July 1,  
268 2015, whichever occurs first.

269       Section 6. Section 316.0776, Florida Statutes, is created  
270 to read:

271       316.0776 Traffic infraction detectors; placement and  
272 installation.—Placement and installation of traffic infraction  
273 detectors is allowed on the State Highway System, county roads,  
274 city streets, and leased areas pursuant to specifications  
275 developed by the Department of Transportation, included in the  
276 handbook addressing material and equipment connections to the  
277 state electrical signal boxes and placement of signs on state  
278 equipment to protect the safety and operation of the traffic  
279 along roadways.

280       Section 7. Subsection (6) of section 316.1967, Florida  
281 Statutes, is amended to read:

282       316.1967 Liability for payment of parking ticket  
283 violations and other ~~parking~~ violations.—

284       (6) Any county or municipality may provide by ordinance  
285 that the clerk of the court or the traffic violations bureau  
286 shall supply the department with a magnetically encoded computer  
287 tape reel or cartridge or send by other electronic means data  
288 which is machine readable by the installed computer system at  
289 the department, listing persons who have three or more  
290 outstanding parking violations, including violations of s.  
291 316.1955, or who have one or more outstanding tickets for a  
292 violation of a traffic control signal steady red light  
293 indication issued pursuant to an ordinance adopted under s.

Amendment No.

294 316.0083. Each county shall provide by ordinance that the clerk  
295 of the court or the traffic violations bureau shall supply the  
296 department with a magnetically encoded computer tape reel or  
297 cartridge or send by other electronic means data that is machine  
298 readable by the installed computer system at the department,  
299 listing persons who have any outstanding violations of s.  
300 316.0083 or s. 316.1955 or any similar local ordinance that  
301 regulates parking in spaces designated for use by persons who  
302 have disabilities. The department shall mark the appropriate  
303 registration records of persons who are so reported. Section  
304 320.03(8) applies to each person whose name appears on the list.

305 Section 8. Section 395.4036, Florida Statutes, is amended  
306 to read:

307 395.4036 Trauma payments.—

308 (1) Recognizing the Legislature's stated intent to provide  
309 financial support to the current verified trauma centers and to  
310 provide incentives for the establishment of additional trauma  
311 centers as part of a system of state-sponsored trauma centers,  
312 the department shall use ~~utilize~~ funds collected under ss.  
313 316.0083 and ~~s.~~ 318.18 and deposited into the Administrative  
314 Trust Fund of the department to ensure the availability and  
315 accessibility of trauma and emergency services throughout the  
316 state as provided in this subsection.

317 (a) Funds collected under ss. 316.0083 and ~~s.~~ 318.18(15)  
318 shall be distributed as follows:

319 1. Five dollars of each fine collected under s. 316.0083  
320 shall be distributed equally among all children's crisis  
321 stabilization units and rural health initiatives.

Amendment No.

322        2. Fourteen percent of the total funds collected under s.  
323 316.0083 shall be distributed to the Miami Project to Cure  
324 Paralysis for brain and spinal cord injury.

325        3. Three percent of the total funds collected under s.  
326 316.0083 shall be distributed equally to community-based support  
327 programs that provide support and services for individuals who  
328 have sustained a traumatic brain injury.

329        3.1. Eighteen percent of the total remaining funds  
330 collected under s. 316.0083 and 20 ~~Twenty~~ percent of the total  
331 funds collected under s. 318.18(15) during the state fiscal year  
332 shall be distributed to verified trauma centers that have a  
333 local funding contribution as of December 31. Distribution of  
334 funds under this subparagraph shall be based on trauma caseload  
335 volume for the most recent calendar year available.

336        4.2. Thirty percent of the total remaining funds collected  
337 under s. 316.0083 and 40 ~~Forty~~ percent of the total funds  
338 collected under s. 318.18(15) shall be distributed to verified  
339 trauma centers based on trauma caseload volume for the most  
340 recent calendar year available. The determination of caseload  
341 volume for distribution of funds under this subparagraph shall  
342 be based on the department's Trauma Registry data.

343        5.3. Thirty-two percent of the total remaining funds  
344 collected under s. 316.0083 and 40 ~~Forty~~ percent of the total  
345 funds collected under s. 318.18(15) shall be distributed to  
346 verified trauma centers based on severity of trauma patients for  
347 the most recent calendar year available. The determination of  
348 severity for distribution of funds under this subparagraph shall  
349 be based on the department's International Classification Injury

Amendment No.

350 Severity Scores or another statistically valid and  
351 scientifically accepted method of stratifying a trauma patient's  
352 severity of injury, risk of mortality, and resource consumption  
353 as adopted by the department by rule, weighted based on the  
354 costs associated with and incurred by the trauma center in  
355 treating trauma patients. The weighting of scores shall be  
356 established by the department by rule.

357 6. Three percent of the total remaining funds collected  
358 under s. 316.0083 shall be distributed to public hospitals that  
359 qualify for distributions under s. 409.911(4), that are not  
360 verified trauma centers but are located in trauma service areas,  
361 as defined under s. 395.402, and that do not have a verified  
362 trauma center based on their proportionate number of emergency  
363 room visits on an annual basis. The Agency for Health Care  
364 Administration shall provide the department with a list of  
365 public hospitals and emergency room visits.

366 (b) Funds collected under s. 318.18(5)(c) and (20) ~~(19)~~  
367 shall be distributed as follows:

368 1. Thirty percent of the total funds collected shall be  
369 distributed to Level II trauma centers operated by a public  
370 hospital governed by an elected board of directors as of  
371 December 31, 2008.

372 2. Thirty-five percent of the total funds collected shall  
373 be distributed to verified trauma centers based on trauma  
374 caseload volume for the most recent calendar year available. The  
375 determination of caseload volume for distribution of funds under  
376 this subparagraph shall be based on the department's Trauma  
377 Registry data.

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378 3. Thirty-five percent of the total funds collected shall  
379 be distributed to verified trauma centers based on severity of  
380 trauma patients for the most recent calendar year available. The  
381 determination of severity for distribution of funds under this  
382 subparagraph shall be based on the department's International  
383 Classification Injury Severity Scores or another statistically  
384 valid and scientifically accepted method of stratifying a trauma  
385 patient's severity of injury, risk of mortality, and resource  
386 consumption as adopted by the department by rule, weighted based  
387 on the costs associated with and incurred by the trauma center  
388 in treating trauma patients. The weighting of scores shall be  
389 established by the department by rule.

390 (2) Funds deposited in the department's Administrative  
391 Trust Fund for verified trauma centers and nontrauma center  
392 public hospitals may be used to maximize the receipt of federal  
393 funds that may be available for such trauma centers and  
394 nontrauma center public hospitals. Notwithstanding this section  
395 and s. 318.14, distributions to trauma centers and nontrauma  
396 center public hospitals may be adjusted in a manner to ensure  
397 that total payments to trauma centers and nontrauma center  
398 public hospitals represent the same proportional allocation as  
399 set forth in this section and s. 318.14. For purposes of this  
400 section and s. 318.14, total funds distributed to trauma centers  
401 and nontrauma center public hospitals may include revenue from  
402 the Administrative Trust Fund and federal funds for which  
403 revenue from the Administrative Trust Fund is used to meet state  
404 or local matching requirements. Funds collected under ss.  
405 318.14, 316.0083, and 318.18 and deposited in the Administrative



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406 Trust Fund of the department shall be distributed to trauma  
407 centers and nontrauma center public hospitals on a quarterly  
408 basis using the most recent calendar year data available. Such  
409 data shall not be used for more than four quarterly  
410 distributions unless there are extenuating circumstances as  
411 determined by the department, in which case the most recent  
412 calendar year data available shall continue to be used and  
413 appropriate adjustments shall be made as soon as the more recent  
414 data becomes available.

415 (3) Funds distributed under this section are not subject  
416 to the provisions of s. 215.97.

417 ~~(a) Any trauma center not subject to audit pursuant to s.~~  
418 ~~215.97 shall annually attest, under penalties of perjury, that~~  
419 ~~such proceeds were used in compliance with law. The annual~~  
420 ~~attestation shall be made in a form and format determined by the~~  
421 ~~department. The annual attestation shall be submitted to the~~  
422 ~~department for review within 9 months after the end of the~~  
423 ~~organization's fiscal year.~~

424 ~~(b) Any trauma center subject to audit pursuant to s.~~  
425 ~~215.97 shall submit an audit report in accordance with rules~~  
426 ~~adopted by the Auditor General.~~

427 (4) The department, working with the Agency for Health  
428 Care Administration, shall maximize resources for trauma  
429 services wherever possible.

430 Section 9. This act recognizes, validates, and ratifies  
431 any enforcement action taken by a county or municipality using a  
432 traffic infraction detector that is installed until 1 year after  
433 the Department of Transportation's final specifications are

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434 adopted, including any and all civil fines, penalties, fees, and  
435 costs collected pursuant to such enforcement action.

436 Section 10. If any provision of this act or its  
437 application to any person or circumstance is held invalid, the  
438 invalidity shall not affect other provisions or applications of  
439 this act which can be given effect without the invalid provision  
440 or application, and to this end the provisions of this act are  
441 declared severable.

442 Section 11. This act shall take effect upon becoming a  
443 law.

444

445

446

447

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

448

Remove the entire title and insert:

449

A bill to be entitled

450

An act relating to uniform traffic control; creating the

451

"Mark Wandall Traffic Safety Act"; amending s. 316.003,

452

F.S.; defining the term "traffic infraction detector";

453

creating s. 316.0083, F.S.; creating the Mark Wandall

454

Traffic Safety Program to be administered by the

455

Department of Transportation; requiring a county or

456

municipality to enact an ordinance in order to use a

457

traffic infraction detector to identify a motor vehicle

458

that fails to stop at a traffic control signal steady red

459

light; requiring such detectors to meet department

460

contract specifications; requiring authorization of a

461

traffic infraction enforcement officer or a code

COUNCIL/COMMITTEE AMENDMENT

Bill No. HB 325 (2010)

Amendment No.

462 enforcement officer to issue and enforce a ticket for such  
463 violation; requiring signage; requiring certain public  
464 awareness procedures; requiring the ordinance to establish  
465 a fine of a certain amount; requiring the ordinance to  
466 provide for installing, maintaining, and operating such  
467 detectors on a right-of-way owned or maintained by the  
468 Department of Transportation or on a right-of-way or area  
469 owned, leased, or maintained by the county or municipality  
470 in which the traffic infraction detector is to be  
471 installed; prohibiting additional charges; exempting  
472 emergency vehicles; providing that the registered owner of  
473 the motor vehicle involved in the violation is responsible  
474 and liable for payment of the fine assessed; providing  
475 exceptions; providing procedures for disposition and  
476 enforcement of tickets; providing for a person to contest  
477 such ticket; providing for disposition of revenue  
478 collected; providing complaint procedures; providing for  
479 the Legislature to exclude a county or municipality from  
480 the program; requiring reports from participating  
481 municipalities and counties to the department; requiring  
482 the department to make reports to the Governor and the  
483 Legislature; amending s. 316.0745, F.S.; providing that  
484 traffic infraction detectors must meet certain  
485 specifications; creating s. 316.07456, F.S.; providing for  
486 preexisting equipment; requiring counties and  
487 municipalities that enacted an ordinance to enforce red  
488 light violations or entered into a contract to purchase or  
489 lease equipment to enforce red light violations before the

COUNCIL/COMMITTEE AMENDMENT

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490 effective date of this act to charge a certain penalty  
491 amount; requiring counties or municipalities that have  
492 acquired such equipment pursuant to an agreement entered  
493 into before the effective date of this act to make certain  
494 payments to the state; providing for future expiration of  
495 such provisions; creating s. 316.0776, F.S.; providing for  
496 placement and installation of detectors on the State  
497 Highway System, county roads, city streets, and leased  
498 areas; amending s. 316.1967, F.S., relating to liability  
499 for payment of parking ticket violations and other  
500 violations; providing for inclusion of persons with  
501 outstanding violations in a list sent to the Department of  
502 Highway Safety and Motor Vehicles for enforcement  
503 purposes; amending s. 395.4036, F.S.; providing for  
504 distribution of funds to trauma centers, certain  
505 hospitals, certain nursing homes, and certain health units  
506 and programs, to be used for specified purposes;  
507 correcting a cross-reference; exempting such funds from  
508 specified audit provisions; ratifying prior enforcement  
509 actions; providing for severability; providing an  
510 effective date.

COUNCIL/COMMITTEE AMENDMENT

Bill No. HB 325 (2010)

Amendment No. 1a

COUNCIL/COMMITTEE ACTION

ADOPTED	<input type="checkbox"/>	(Y/N)
ADOPTED AS AMENDED	<input type="checkbox"/>	(Y/N)
ADOPTED W/O OBJECTION	<input checked="" type="checkbox"/>	(Y/N)
FAILED TO ADOPT	<input type="checkbox"/>	(Y/N)
WITHDRAWN	<input type="checkbox"/>	(Y/N)
OTHER	<input type="checkbox"/>	

1 Council/Committee hearing bill: Roads, Bridges & Ports Policy  
2 Committee

3 Representative(s) Steinberg offered the following:  
4

5 **Amendment to Amendment (1) by Representative Reagan**

6 Remove line 432 and insert:

7 traffic infraction detector that was previously or is currently  
8 installed until 1 year after

**COMMITTEE MEETING REPORT**  
**Roads, Bridges & Ports Policy Committee**

**1/13/2010 9:00:00AM**

**Location:** 404 HOB

**HB 351 : Specialty License Plates**

*Favorable With Committee Substitute*

	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
Gwyndolen Clarke-Reed	X				
Clay Ford	X				
Audrey Gibson		X			
Mike Horner	X				
Jimmy Patronis	X				
Stephen Precourt	X				
Lake Ray	X				
Julio Robaina			X		
Hazelle Rogers	X				
Richard Steinberg	X				
Dwayne Taylor	X				
Nicholas Thompson	X				
Ritch Workman	X				
Gary Aubuchon (Chair)	X				
<b>Total Yeas: 12      Total Nays: 1</b>					

**Appearances:**

Specialty License Plates  
 Lisa Henning (Lobbyist) - Proponent  
 Fraternal Order of Police  
 242 Office Plaza Drive  
 Tallahassee FL 32301  
 Phone: 850-656-9881

Specialty License Plates  
 Fred Dickinson (Lobbyist) - Proponent  
 Guy Harvey Ocean Foundation  
 Tallahassee FL 32301  
 Phone: 850-681-1980

Committee meeting was reported out: Wednesday, January 13, 2010 1:26:56PM

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 1

Bill No. 351

COUNCIL/COMMITTEE ACTION

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

1 Council/Committee hearing bill: Roads, Bridges, and Ports  
2 Policy Committee  
3 Representative Patterson offered the following:

4  
5                   **Amendment**

6                   Remove lines 36-40 and insert:

7                   Thereafter, up to 10 percent of the annual use fee revenue may  
8                   be used for administrative costs directly associated with the  
9                   operations of the Guy Harvey Ocean Foundation, Inc., and  
10                   promotion and marketing of the specialty license plate.

**COMMITTEE MEETING REPORT**  
**Roads, Bridges & Ports Policy Committee**

**1/13/2010 9:00:00AM**

**Location:** 404 HOB

**HB 399 : Motor Vehicles**

*Favorable With Committee Substitute*

	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
Gwyndolen Clarke-Reed	X				
Clay Ford	X				
Audrey Gibson	X				
Mike Horner	X				
Jimmy Patronis	X				
Stephen Precourt	X				
Lake Ray	X				
Julio Robaina			X		
Hazelle Rogers	X				
Richard Steinberg	X				
Dwayne Taylor	X				
Nicholas Thompson	X				
Ritch Workman	X				
Gary Aubuchon (Chair)	X				
<b>Total Yeas: 13</b>		<b>Total Nays: 0</b>			

**Appearances:**

Motor Vehicles

Dixie Sansom (Lobbyist) - Proponent

ARC of Florida

P. O. Box 98

Cocoa FL 32923-0098

Phone: 321-543-7195

Motor Vehicles

Deborah Linton, Executive Director (Lobbyist) - Proponent

The Arc of Florida

2898 Mahan Drive

Tallahassee FL 32308

Phone: 850-921-0460

Committee meeting was reported out: Wednesday, January 13, 2010 1:26:56PM



COUNCIL/COMMITTEE AMENDMENT

Bill No. HB 399 (2010)

Amendment No.

COUNCIL/COMMITTEE ACTION

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

1 Council/Committee hearing bill: Roads, Bridges & Ports Policy  
2 Committee

3 Representative Ford offered the following:

4  
5       **Amendment (with title amendment)**

6       Remove lines 23-84 and insert:

7       Section 1. Paragraphs (i) and (j) are added to subsection  
8 (15) of section 320.02, Florida Statutes, to read:

9       320.02 Registration required; application for  
10 registration; forms.-

11       (15)

12       (i) The application form for motor vehicle registration  
13 and renewal of registration must include language permitting a  
14 voluntary contribution of \$1 to Blind Babies and Blind Youth  
15 Services. Such contributions shall be transferred by the  
16 department each month to the Florida Association of Agencies  
17 Serving the Blind, Inc., a not-for-profit organization.

18       (j) The application form for motor vehicle registration  
19 and renewal of registration must include language permitting a

COUNCIL/COMMITTEE AMENDMENT

Bill No. HB 399 (2010)

Amendment No.

20 voluntary contribution of \$1 for services for persons with  
21 developmental disabilities. Such contributions shall be  
22 transferred by the department to The Arc of Florida to be used  
23 by that organization for programs and services in this state for  
24 persons with developmental disabilities.  
25

26 For the purpose of applying the service charge provided in s.  
27 215.20, contributions received under this subsection are not  
28 income of a revenue nature.

29 Section 2. Subsection (7) of section 322.08, Florida  
30 Statutes, is amended to read:

31 322.08 Application for license.—

32 (7) The application form for a driver's license or  
33 duplicate thereof shall include language permitting the  
34 following:

35 (a) A voluntary contribution of \$1 per applicant, which  
36 contribution shall be deposited into the Health Care Trust Fund  
37 for organ and tissue donor education and for maintaining the  
38 organ and tissue donor registry.

39 (b) A voluntary contribution of \$1 per applicant, which  
40 contribution shall be distributed to the Florida Council of the  
41 Blind.

42 (c) A voluntary contribution of \$2 per applicant, which  
43 shall be distributed to the Hearing Research Institute,  
44 Incorporated.

45 (d) A voluntary contribution of \$1 per applicant, which  
46 shall be distributed to the Juvenile Diabetes Foundation  
47 International.

COUNCIL/COMMITTEE AMENDMENT

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48 (e) A voluntary contribution of \$1 per applicant, which  
49 shall be distributed to the Children's Hearing Help Fund.

50 (f) A voluntary contribution of \$1 per applicant, which  
51 shall be distributed to Family First, a nonprofit organization.

52 (g) A voluntary contribution of \$1 per applicant, to Stop  
53 Heart Disease, which shall be distributed to the Florida Heart  
54 Research Institute, a nonprofit organization.

55 (h) A voluntary contribution of \$1 per applicant to Senior  
56 Vision Services, which shall be distributed to the Florida  
57 Association of Agencies Serving the Blind, Inc., a not-for-  
58 profit organization.

59 (i) A voluntary contribution of \$1 per applicant for  
60 services for persons with developmental disabilities, which  
61 shall be distributed to The Arc of Florida.

62  
63 A statement providing an explanation of the purpose of the trust  
64 funds shall also be included. For the purpose of applying the  
65 service charge provided in s. 215.20, contributions received  
66 under paragraphs (b)-(i) ~~(b)~~, ~~(c)~~, ~~(d)~~, ~~(e)~~, ~~(f)~~, and ~~(g)~~ and  
67 under s. 322.18(9) are not income of a revenue nature.

68 Section 3. Paragraphs (c) and (d) are added to subsection  
69 (9) of section 322.18, Florida Statutes, to read:

70 322.18 Original applications, licenses, and renewals;  
71 expiration of licenses; delinquent licenses.-

72 (9)

73 (c) The application form for a renewal issuance or renewal  
74 extension shall include language permitting a voluntary  
75 contribution of \$1 per applicant to Senior Vision Services. Such

COUNCIL/COMMITTEE AMENDMENT

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76 contributions shall be distributed monthly to the Florida  
77 Association of Agencies Serving the Blind, Inc., a not-for-  
78 profit organization.

79 (d) The application form for a renewal issuance or renewal  
80 extension shall include language permitting a voluntary  
81 contribution of \$1 per applicant for services for persons with  
82 developmental disabilities, to be distributed by the department  
83 to The Arc of Florida to provide services to persons with  
84 developmental disabilities in this state.

85  
86  
87 -----  
88 **T I T L E A M E N D M E N T**

89 Remove lines 6-17 and insert:

90 contribution to Blind Babies and Blind Youth Services and for  
91 services for persons with developmental disabilities; amending  
92 s. 322.08, F.S.; requiring the application form for a driver's  
93 license or duplicate thereof to include language permitting the  
94 applicant to make a voluntary contribution to Senior Vision  
95 Services and for services for persons with developmental  
96 disabilities; amending s. 322.18, F.S.; requiring the  
97 application form for renewal issuance or renewal extension of a  
98 driver's license to include language permitting the applicant to  
99 make a voluntary contribution to Senior Vision Services and for  
100 services for persons with developmental disabilities; providing  
101 for distribution of funds collected from voluntary  
102 contributions;