



Transportation & Infrastructure Subcommittee

January 25, 2017
1:00 PM - 3:00 PM
Reed Hall

Action Packet

Committee Meeting Notice

HOUSE OF REPRESENTATIVES

Transportation & Infrastructure Subcommittee

Start Date and Time: Wednesday, January 25, 2017 01:00 pm

End Date and Time: Wednesday, January 25, 2017 03:00 pm

Location: Reed Hall (102 HOB)

Duration: 2.00 hrs

Consideration of the following bill(s):

HB 6007 Traffic Infraction Detectors by Avila, Ingoglia

NOTICE FINALIZED on 01/18/2017 4:00PM by Smith.Victoria

COMMITTEE MEETING REPORT
Transportation & Infrastructure Subcommittee

1/25/2017 1:00:00PM

Location: Reed Hall (102 HOB)

Summary:

Transportation & Infrastructure Subcommittee

Wednesday January 25, 2017 01:00 pm

HB 6007 Favorable

Yeas: 13

Nays: 1

Committee meeting was reported out: Wednesday, January 25, 2017 2:39:23PM

COMMITTEE MEETING REPORT
Transportation & Infrastructure Subcommittee

1/25/2017 1:00:00PM

Location: Reed Hall (102 HOB)

Attendance:

	<i>Present</i>	<i>Absent</i>	<i>Excused</i>
Brad Drake (Chair)	X		
Kimberly Daniels	X		
Michael Grant	X		
Clay Ingram	X		
Kristin Jacobs	X		
Amber Mariano	X		
Ralph Massullo, MD	X		
Mike Miller	X		
Wengay Newton, Sr.	X		
Bobby Payne	X		
Jackie Toledo	X		
Barbara Watson	X		
Matt Willhite	X		
Jayer Williamson	X		
Clay Yarborough	X		
Totals:	15	0	0

Committee meeting was reported out: Wednesday, January 25, 2017 2:39:23PM

COMMITTEE MEETING REPORT
Transportation & Infrastructure Subcommittee

1/25/2017 1:00:00PM

Location: Reed Hall (102 HOB)

HB 6007 : Traffic Infraction Detectors

Favorable

	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
Kimberly Daniels				X	
Michael Grant	X				
Clay Ingram	X				
Kristin Jacobs	X				
Amber Mariano	X				
Ralph Massullo, MD	X				
Mike Miller	X				
Wengay Newton, Sr.	X				
Bobby Payne	X				
Jackie Toledo	X				
Barbara Watson		X			
Matt Willhite	X				
Jayer Williamson	X				
Clay Yarborough	X				
Brad Drake (Chair)	X				
Total Yeas: 13		Total Nays: 1			

Appearances:

Megan Sirjane-Samples (Lobbyist) - Opponent

Florida League of Cities
 Legislative Advocate
 P.O. Box 1757
 Tallahassee Florida 32302
 Phone: 850-701-3655

Mike Fewless (General Public) - Opponent

Florida Police Chief's Association
 Chief
 500 W Berckman St
 Fruitland Park Florida 34731
 Phone: 352-316-6655

Strange, Dennis (Lobbyist) (State Employee) - Opponent

Orange County Sheriff
 2500 W Colonial Dr
 Orlando FL 32804
 Phone: (321) 436-6064

Arteaga, Diana (Lobbyist) - Proponent

City of Miami
 Director of Govt Affairs
 444 SW 2nd Ave, 10th Floor
 Miami FL 33130
 Phone: (786) 469-1644

Committee meeting was reported out: Wednesday, January 25, 2017 2:39:23PM

COMMITTEE MEETING REPORT
Transportation & Infrastructure Subcommittee

1/25/2017 1:00:00PM

Location: Reed Hall (102 HOB)

HB 6007 : Traffic Infraction Detectors (continued)

Appearances: (continued)

Henry, Paul (Lobbyist) - Proponent
Liberty First Network, Inc
Po Box 698
Monticello FL 32345-06
Phone: (850) 629-9550

Norm Audet (General Public) - Proponent
Bus Operator
1108 Pearl St
Deland Florida 32720
Phone: 407-787-3364

Pitts, Brian (General Public) - Proponent
Justice-2-Jesus
1119 Newton Ave. S.
St. Petersburg FL 33705
Phone: 727-897-9291

Melissa Wandall (General Public) - Opponent
The Mark Wandall Traffic Saftey Act
6711 63rd Ter E
Bradenton Florida 34203
Phone: 941-545-3359

Committee meeting was reported out: Wednesday, January 25, 2017 2:39:23PM

HOUSE OF REPRESENTATIVES STAFF ANALYSIS

BILL #: HB 6007 Traffic Infraction Detectors
SPONSOR(S): Avila, Ingoglia and others
TIED BILLS: IDEN./SIM. BILLS: SB 178

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR or BUDGET/POLICY CHIEF
1) Transportation & Infrastructure Subcommittee	13 Y, 1 N	Johnson <i>JAB</i>	Vickers <i>RV</i>
2) Appropriations Committee			
3) Government Accountability Committee			

SUMMARY ANALYSIS

The regulation and use of red light cameras for the purpose of enforcing the Florida Uniform Traffic Control law, is preempted to the state. The Department of Highway Safety and Motor Vehicles (DHSMV), counties, and municipalities are authorized to employ red light camera programs.

Effective July 1, 2020, the bill removes the authorization for the DHSMV and local governments to install and maintain red light cameras. The bill maintains s. 316.0076, F.S., which expressly preempts to the state regulation of the use of cameras for enforcing the Florida Uniform Traffic Control law. This means local governments will no longer have the authority to implement red light camera programs by local ordinance.

The bill also makes conforming changes.

The bill has not been reviewed by the Revenue Estimating Conference; however, it is anticipated that the bill will have a negative recurring fiscal impact on state and local government revenues.

FULL ANALYSIS

I. SUBSTANTIVE ANALYSIS

A. EFFECT OF PROPOSED CHANGES:

Current Situation

Red Light Cameras, Generally

Traffic infraction detectors,¹ more commonly known as “red light cameras,” are used to document traffic law violations by automatically photographing vehicles whose drivers have failed to yield at red lights. The cameras are connected to the traffic signal and to sensors that monitor traffic flow at the crosswalk or stop line. The system photographs vehicles that enter the intersection above a pre-set minimum speed after the signal has turned red; a second photograph typically shows the vehicle in the intersection. In some cases, video cameras are used. Red light cameras also record the license plate number, date and time of day, time elapsed since the beginning of the red signal, and the vehicle’s speed.

Red Light Cameras in Florida

The regulation and use of red light cameras for the purpose of enforcing Ch. 316, F.S., which is the Florida Uniform Traffic Control Law, is preempted to the state.² The Department of Highway Safety and Motor Vehicles (DHSMV), counties, and municipalities are authorized to employ red light camera programs.³

Red light cameras are allowed on state roads if permitted by the Department of Transportation (DOT), and are allowed on streets and highways under the jurisdiction of counties or municipalities. However, the placement and installation of red light cameras on state roads, streets, and highways must meet placement and installation specifications developed by DOT.⁴

If DHSMV, a county, or a municipality installs a red light camera at an intersection, the respective governmental entity must notify the public that a camera is in use at that intersection, including specific notification of enforcement of right-on-red violations.⁵ The signage must meet specifications adopted by DOT pursuant to s. 316.0745, F.S.⁶

Notices and Citations

Current law allows DHSMV, a county, or a municipality to authorize a traffic infraction enforcement officer to issue a traffic citation for certain traffic infractions. If a red light camera captures an image of a vehicle running a red light, the visual information is reviewed by a traffic infraction enforcement officer. A notice of violation must be sent by first-class mail to the registered owner of the vehicle within 30 days of the alleged violation.⁷ The notice must specify the remedies available and must include a statement informing the owner of his or her right to review the photographic or video evidence upon which the violation is based, as well as the time and place or Internet location where the evidence may be reviewed.⁸

¹ Section 316.003(87), F.S., defines “traffic infraction detector” as “[a] vehicle sensor installed to work in conjunction with a traffic control signal and a camera or cameras synchronized to automatically record two or more sequenced photographic or electronic images or streaming video of only the rear of a motor vehicle at the time the vehicle fails to stop behind the stop bar or clearly marked stop line when facing a traffic control signal steady red light. Any notification under s. 316.0083(1)(b) or traffic citation issued by the use of a traffic infraction detector must include a photograph or other recorded image showing both the license tag of the offending vehicle and the traffic control device being violated.”

² Section 316.0076, F.S.

³ See s. 316.0083, F.S.

⁴ Section 316.0776(1), F.S.

⁵ Section 316.0776(2)(a), F.S.

⁶ *Id.*

⁷ Section 316.0083(1)(b)1.a., F.S.

⁸ Section 316.0083(1)(b)1.b., F.S.

Violations may not be issued if the vehicle is making a right-hand turn in a “careful and prudent manner”⁹ or if the vehicle comes to a complete stop¹⁰ before making a permissible right turn.

A person who receives a red light camera notice of violation may request a hearing within 60 days following the date of the notice or pay the penalty. No payment or fee may be required in order to receive the hearing.¹¹ If a person elects to receive a hearing, the person waives his or her right to challenge delivery of the notice of violation.¹² If the notice of violation is upheld, the local hearing officer must require the petitioner to pay the \$158 penalty and may also require the petitioner to pay county or municipal costs, not to exceed \$250.¹³

If the registered owner of the vehicle does not pay the violation within 60 days following the date of notification, the traffic infraction enforcement officer must issue a uniform traffic citation (UTC) to the owner.¹⁴ The UTC must be sent by certified mail and, like the notice of violation, it must include the same statements described above regarding review of the photographic or video evidence.¹⁵ The images provided by a red light camera are admissible in court and provide a rebuttable presumption the vehicle was used to commit the violation.¹⁶

A traffic infraction enforcement officer must provide by electronic transmission a replica of the citation data to the court having jurisdiction over the alleged offense or its traffic violations bureau within five days after the issuance date of a UTC to the violator.¹⁷

Defenses

The registered owner of the motor vehicle involved in a red light camera violation is responsible for paying the UTC unless the owner can establish that the:

- Motor vehicle passed through the intersection in order to yield right-of-way to an emergency vehicle or as part of a funeral procession;
- Motor vehicle passed through the intersection at the direction of a law enforcement officer;
- Motor vehicle was, at the time of the violation, in the care, custody, or control of another person;
- Driver received a UTC issued by a law enforcement officer for the alleged violation; or
- Motor vehicle's owner was deceased on or before the date that the UTC was issued.¹⁸

Current law provides certain requirements that must be met when establishing one of the defenses, including furnishing an affidavit to the appropriate governmental entity that provides detailed information supporting the defense.¹⁹

Penalties

Red light camera citations carry a \$158 penalty. When the \$158 penalty is the result of local government enforcement, \$75 is retained by the local government and \$83 is deposited with the Department of Revenue (DOR).²⁰ DOR subsequently distributes the penalty by depositing \$70 in the

⁹ Section 316.0083(2), F.S.

¹⁰ Section 316.0083(1)(a), F.S.

¹¹ Section 316.0083(1)(b)1.c., F.S.

¹² Section 316.0083(1)(b)1.d., F.S.

¹³ Sections 316.0083(5)(e) and 318.18(22), F.S.

¹⁴ Section 316.0083(1)(c), F.S.

¹⁵ *Id.*

¹⁶ Section 316.0083(1)(e), F.S.

¹⁷ Section 316.650(3)(c), F.S.

¹⁸ Section 316.0083(1)(d), F.S.

¹⁹ *Id.*

²⁰ Sections 316.0083(1)(b)3. and 318.18(15), F.S.

General Revenue Fund, \$10 in the Department of Health (DOH) Administrative Trust Fund, and \$3 in the Brain and Spinal Cord Injury Trust Fund.²¹

When the \$158 penalty is the result of enforcement by DHSMV, \$45 is retained by the local government and \$113 is deposited with DOR.²² DOR subsequently distributes the penalty by depositing \$100 in the General Revenue Fund, \$10 in the DOH Administrative Trust Fund, and \$3 in the Brain and Spinal Cord Injury Trust Fund.²³ DHSMV does not currently operate any red light cameras.

If a law enforcement officer cites a motorist for the same offense, the penalty is still \$158, but the revenue is distributed from the clerk of court to DOR, where \$30 is distributed to the General Revenue Fund, \$65 is distributed to the DOH Administrative Trust Fund, and \$3 is distributed to the Brain and Spinal Cord Injury Trust Fund. The remaining \$60 is distributed in small percentages to a number of funds pursuant to s. 318.21, F.S.²⁴

Red light camera citations may not result in points assessed against the driver's driver license and may not be used for the purpose of setting motor vehicle insurance rates.²⁵

Proceeds Retained by Local Government

Local governments must procure for the services of a red light camera vendor. The contract term generally ranges from three to five years.²⁶ Local governments typically pay between \$4,250 and \$4,750 per camera, per month.²⁷

In a survey of local governments that operate a red light camera program, the Office of Program Policy Analysis & Governmental Accountability (OPPAGA) reported that, over a three-year period: 49 percent of the total money collected was used to pay red light camera vendors; 78 percent reported excess revenue after payments to vendors and other program expenses; and 16 percent reported difficulty generating sufficient revenue to make vendor payments and as such had accrued outstanding balances. Of those respondents reporting excess revenue, 76 percent was allocated to general fund, 14 percent to public safety/police, and 5 percent to road repair/maintenance.²⁸

2016 Red Light Camera Program Analysis

Current law requires each county or municipality operating a red light camera program to annually self-report data to DHSMV, which includes red light camera program results over the preceding fiscal year, the procedures for enforcement, and other statistical data and information required by DHSMV.²⁹ DHSMV must compile the information and submit a summary report to the Governor, the President of the Senate, and the Speaker of the House of Representatives.³⁰

In December 2016, DHSMV issued its report for the period between July 1, 2015, and June 30, 2016. According to the 2016 report, 59 jurisdictions responded that they had red light cameras in operation; 688 red light cameras were active, which was a reduction of 108 cameras from the previous year; and 430 intersections were equipped with red light cameras, which was a reduction of 48 from the previous year. Agencies issued 1,227,927 notices of violation and of the notices issued, 62 percent paid the fine and approximately 3.5 percent were contested and dismissed. Of those responding, 71 percent indicated they issue notices of violation for a right-on-red violation and 32 percent indicated they do not

²¹ *Id.*

²² *Id.*

²³ *Id.*

²⁴ Section 318.18(15), F.S.

²⁵ Section 322.27(3)(d)6., F.S.

²⁶ "Florida Red Light Camera Programs," *OPPAGA Research Memorandum* (January 31, 2014) Copy on file with the Transportation & Infrastructure Subcommittee.

²⁷ *Id.*

²⁸ *Id.*

²⁹ Section 316.0083(4), F.S. DHSMV uses an on-line questionnaire to facilitate data collection.

³⁰ *Id.*

issue such notices. Six jurisdictions indicated they do not track the number of violations issued for right turns on red.³¹

Crash Statistics

In its 2016 report, DHSMV provided the following breakdown of the number of crashes at red light camera (RLC) intersections before and after the cameras were installed.³²

	Before RLC Installed	After RLC Installed	Percentage Change
Total Crashes	5,107	5,625	10.14%
Angle Crashes	1,383	1,476	6.72%
Rear-End Crashes	3,724	4,149	11.41%
Non-Incapacitating Injuries	399	392	-1.75%
Incapacitating Injuries	153	194	26.80%
Fatal Crashes	5	10	
Crashes Involving Non-Motorists	56	45	-19.64%
Crashes Involving Running a Red Light	191	185	-3.14%
Possible Injury Crashes	964	1,054	9.34%

Litigation

In October 2014, the Fourth District Court of Appeal dismissed a red light camera citation after finding that the local government had delegated an impermissible measure of discretion and control over its red light camera program to a private third-party vendor.³³ Under the terms of the contract, the vendor decided which infractions would be reviewed by the city, obtained the information needed to fill out a citation, completed the citation, issued the citation, and transmitted the citation information to the court.³⁴ In Florida, only traffic infraction enforcement officers and sworn law enforcement officers are authorized to issue a traffic citation.³⁵ The case was appealed; however, the Florida Supreme Court declined to accept jurisdiction on the case.³⁶

In July 2016, the Third District Court of Appeal determined that Florida law allows a municipality's vendor as its agent to review and sort red light camera images to forward to a law enforcement officer when:

- The vendor's decisions are strictly circumstanced by contract language, municipal guidelines, and actual practice;
- Ministerial decisions are further limited by automatically passing close calls to the police for review;
- The law enforcement officer makes the actual decision as to whether probable cause exists and whether a notice and citation should be issued; and
- The officer's decision that probable cause exists and the citation issued consists of a full, professional review by an identified officer who is responsible for that decision and does not merely acquiesce to any decision by the vendor.³⁷

³¹ DHSMV Red Light Camera Report, December 31, 2016. Copy on file with the Transportation & Infrastructure Subcommittee.

³² It should be noted that other factors may have contributed to the number of crashes.

³³ *City of Hollywood v. Arem*, 39 Fla. L. Weekly D2175 (Fla. 4th DCA October 15, 2014)

³⁴ *Id.*

³⁵ Sections 316.0083(1)(b)3., and 316.650(3)(c), F.S.

³⁶ Supreme Court of Florida, *City of Hollywood vs. Arem*, Case No. SC15-236. Order Issued April 13, 2015.

³⁷ *State of Florida, by and through the City of Aventura, et. al. vs. Jimenez*. Case Nos. 3D15-2303 & 3D15-2271. Opinion filed July 27, 2016.

In its decision, the Third District Court of Appeal distinguished its decision from that of the Fourth District Court of Appeal and certified the following three questions to the Florida Supreme Court regarding the legality of red light camera programs in Florida:

1. Does the review of red light camera images authorized by s. 316.0083(1)(a), F.S. (2014), allow a municipality's vendor, as its agent, to sort images to forward to the law enforcement officer, where the controlling contract and city guidelines limit the vendor to deciding whether the images contain certain easy-to-identify characteristics and where only the law enforcement officer makes the determination whether probable cause exists and whether to issue a Notice of Violation and citation?
2. Is it an illegal delegation of police power for the vendor to print and mail the notices and citations, through a totally automated process without human involvement, after the law enforcement officer makes the determination that probable cause exists and to issue a Notice of Violation and citation?
3. Does the fact that citation data is electronically transmitted to the Clerk of the Court from the vendor's server via a totally automated process without human involvement violate s. 316.650(3)(c), F.S., (2014), when it is the law enforcement officer who affirmatively authorizes the transmission process?

The Florida Supreme Court has not issued an opinion regarding the above questions.

In October 2016, the Second District Court of Appeal issued a decision that generally agreed with that of the Third District Court of Appeal.³⁸

Proposed Changes

Effective July 1, 2020, the bill removes DHSMV and local government authorization to install and maintain red light cameras. The bill maintains s. 316.0076, F.S., which expressly preempts to the state regulation of the use of cameras for enforcing Ch. 316, F.S. This means local governments will not have the authority to implement red light camera programs by local ordinance.

Because the bill removes the authority of DHSMV and local governments to install and maintain red light cameras, it makes the following changes:

- Repeals the statutory definitions of "traffic infraction detector" and "local hearing officer."
- Repeals s. 316.0083, F.S., which is the Mark Wandall Traffic Safety Program.
- Repeals s. 316.00831, F.S., which provides for the distribution of penalties collected under s. 316.0083(1)(b), F.S.
- Repeals s. 316.07456, F.S., which provides the transitional implementation for red light cameras.
- Repeals s. 316.0776, F.S., which relates to the placement and installation of red light cameras.
- Repeals s. 318.15(3), F.S., which establishes penalties associated with the failure to pay red light camera fines.
- Removes DHSMV's authority to designate employees as traffic infraction enforcement officers for purposes of enforcing red light camera violations.
- Removes provisions regarding traffic citations issued pursuant to a red light camera violation.
- Removes provisions related to penalties associated with red light camera violations.
- Repeals s. 318.18(22), F.S., relating to the payment of county and municipal costs.
- Removes provisions regarding points and insurance rates related to red light camera violations.
- Conforms cross-references.

B. SECTION DIRECTORY:

Section 1 repeals ss. 316.0083(35) and (87), F.S., defining "local hearing officer" and "traffic infraction detector."

³⁸ *City of Oldsmar and Pamela Jo Bondi, Attorney General vs. Trinh*. Case No. 2D15-4898. Opinion filed October 28, 2016.

Section 2 repeals s. 316.008(8), F.S., authorizing municipalities and counties to use traffic infraction detectors.

Section 3 repeals s. 316.0083, F.S., relating to the Mark Wandall Traffic Safety Program.

Section 4 repeals s. 316.00831, F.S., relating to the distribution of penalties collected under the Mark Wandall Traffic Safety Program.

Section 5 repeals s. 316.07456, F.S., relating to transitional implementation.

Section 6 repeals s. 316.0776, F.S., relating to the placement and installation of traffic infraction detectors.

Section 7 repeals s. 318.15(3), F.S., relating to failure to comply with a civil penalty or to appear.

Section 8 repeals s. 321.50, F.S., relating to the authorization for DHSMV to use traffic infraction detectors.

Sections 9 through 12 amend ss. 28.37, 316.003, 316.545 and 316.613, F.S., to conform cross-references.

Section 13 amends s. 316.640, F.S., relating to the enforcement of traffic laws.

Section 14 amends s. 316.640, F.S., relating to traffic citations.

Sections 15 and 16 amend ss. 318.121 and 318.14, F.S., to conform cross-references.

Section 17 amends s. 318.18, F.S., relating to the amount of penalties for traffic infractions.

Section 18 amends s. 320.03, F.S., to conform a cross-reference.

Section 19 amends s. 322.27, F.S., relating to DHSMV's authority to suspend or revoke a driver license or identification card.

Section 20 amends s. 655.960, F.S., to conform a cross-reference.

Section 21 provides an effective date of July 1, 2020.

II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

This bill has not been reviewed by the Revenue Estimating Conference (REC); however, the REC reviewed a similar bill on October 16, 2015. The consensus estimate for that bill was that it would result in the following **negative** recurring fiscal impact to state government revenues:

Fiscal Year	General Revenue	Trust Funds	Total
2017-2018	\$55.5 million	\$10.6 million	\$66.1 million
2018-2019	\$56.1 million	\$10.7 million	\$66.8 million
2019-2020	\$56.8 million	\$10.8 million	\$67.6 million
2020-2021	\$57.5 million	\$11.0 million	\$68.5 million

2. Expenditures:

DOR will no longer incur expenses associated with processing the payments from municipalities and counties and distributing the monies to the appropriate funds.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

According to REC's review of the 2015 legislation, the consensus estimate was that the bill would result in the following **negative** recurring fiscal impact to local government revenues:

Fiscal Year	Revenue
2017-2018	\$64.1 million
2018-2019	\$64.9 million
2019-2020	\$65.7 million
2020-2021	\$66.5 million

2. Expenditures:

Municipalities and counties will no longer incur expenses associated with red light cameras; however, they may incur some expenses associated with removing existing cameras.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

The bill removes the possibility of motor vehicle operators being issued a \$158 fine for a red light camera violation.

Each jurisdiction operating red light cameras has a unique contract with a vendor to provide some, if not all, of the following services: installation, maintenance, monitoring, and citation issuance. The value of these contracts and the specific stakeholders are not clear at this time.³⁹

D. FISCAL COMMENTS:

The bill has not been referred to the Revenue Estimating Conference; however, there is expected to be a negative recurring fiscal impact even though the bill does not take effect until 2020. This is because revenues are considered nonrecurring until the effective date, given the prospective repeal of the law. Therefore, although there is no immediate loss of revenue, the accounting of those revenues as being temporary or time limited occurs immediately. The Revenue Estimating Conference met on October 16, 2015, and estimated that a substantially similar bill filed during the 2016 Session had a recurring annual impact of \$55.5 million to general revenue, \$10.6 million to state trust funds, and \$64.1 million to local government revenues.

According to DHSMV, the bill would eliminate the annual survey, annual red light camera report, and vendor approval process for the issuance of red light camera notices of violation. Also, it would alleviate the workload related to handling red light camera disputes and for granting access and registration stops.⁴⁰

DOT may see a reduction in costs associated with issuing permits for red light cameras on state roads.

³⁹ DHSMV bill analysis of HB 4027 (2016), which removed the authorization for DHSMV and local governments to install red light cameras.

⁴⁰ *Id.*

The bill eliminates the need for hearings to dispute the issuance of red light camera notices of violation, which should result in a reduction in court costs.⁴¹

III. COMMENTS

A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision:

Not Applicable. This bill does not appear to require counties or municipalities to spend funds or take action requiring the expenditure of funds; reduce the authority that counties or municipalities have to raise revenues in the aggregate; or reduce the percentage of state tax shared with counties or municipalities.

2. Other:

Municipalities or counties may have contracts that provide for the use of red light cameras beyond July 1, 2020. To the extent that these contracts do not contain provisions regarding the termination of the contract if authorization for such cameras is repealed, the bill could raise concerns regarding impairment of contracts. According to a 2014 research memorandum by OPPAGA, the duration of red light camera contracts is typically three to five years with the option to extend for an additional term. Often a provision in the contract authorizes termination in the event the law regarding red light cameras changes.⁴²

B. RULE-MAKING AUTHORITY:

DHSMV indicates that the bill will require it to change some of its procedures.⁴³

C. DRAFTING ISSUES OR OTHER COMMENTS:

None.

IV. AMENDMENTS/ COMMITTEE SUBSTITUTE CHANGES

⁴¹ *Id.*

⁴² OPPAGA Research Memorandum, *Florida Red Light Camera Program*, February 7, 2014. Copy on File with Transportation & Infrastructure Subcommittee.

⁴³ DHSMV Bill Analysis HB 4027(2016).



COMMITTEE/SUBCOMMITTEE APPEARANCE RECORD

Please fill out the entire form and submit two copies to the Committee Administrative Assistant at the meeting.

<input checked="" type="checkbox"/> Bill	<input type="checkbox"/> Amendment
Bill Number (If Applicable): <u>HB 0007</u>	
PCB/PCS/Amendment #: _____	

Name: MEGAN SIBANE SAMPLES

Representing: FLORIDA LEAGUE OF CITIES

Title: LEGISLATIVE ADVOCATE

Address: P.O. BOX 1757

Address (cont): _____

City: TALLAHASSEE

State: FL

Zip Code: 32302

Phone Number: 850-701-3655

Meeting Time: 1:00

Committee/Subcommittee: TRANSPORTATION & INFRASTRUCTURE

Presentation/Workshop Topic: _____

Registered Lobbyist: Yes No

State Employee: Yes No

(If you are testifying regarding an amendment, please indicate if your position as a proponent or an opponent is the same as on the bill as a whole.)

I Wish To Speak

Appearing in response to an inquiry for information made by member, committee or staff

Appearing in response to subpoena

Appearing at the written request of the chair

Judge or elected officer appearing in official capacity

Lobbyist Appearance Form Submitted Online

Bill: Proponent Opponent Info Only N/A

Amendment: Proponent Opponent Info Only N/A



COMMITTEE/SUBCOMMITTEE APPEARANCE RECORD

Please fill out the entire form and submit two copies to the Committee Administrative Assistant at the meeting.

<input type="checkbox"/> Bill	<input type="checkbox"/> Amendment
Bill Number (If Applicable): _____	
PCB/PCS/Amendment #: _____	

Name: MIKE FEWLES

Representing: FLORIDA POLICE CHIEF'S ASSOCIATION

Title: CHIEF

Address: 506 W. BERCKMAN ST

Address (cont): _____

City: FRUITLAND PARK

State: FL

Zip Code: 34731

Phone Number: 352-366-6657

Meeting Time: 1:00-3:00

Committee/Subcommittee: TRANSPORTATION

Presentation/Workshop Topic: _____

Registered Lobbyist: Yes No

State Employee: Yes No

(If you are testifying regarding an amendment, please indicate if your position as a proponent or an opponent is the same as on the bill as a whole.)

I Wish To Speak

Appearing in response to an inquiry for information made by member, committee or staff

Appearing in response to subpoena

Appearing at the written request of the chair

Judge or elected officer appearing in official capacity

Lobbyist Appearance Form Submitted Online

Bill: Proponent Opponent Info Only N/A

Amendment: Proponent Opponent Info Only N/A



COMMITTEE/SUBCOMMITTEE APPEARANCE RECORD

Please fill out the entire form and submit two copies to the Committee Administrative Assistant at the meeting.

<input type="checkbox"/> Bill	<input type="checkbox"/> Amendment
Bill Number (If Applicable): _____	
PCB/PCS/Amendment #: _____	

Name: DENNIS STRANGE

Representing: Orange County Sheriff's Office

Title: Captain

Address: 2500 West Colonial Dr

Address (cont): _____

City: Orl

State: FL

Zip Code: 32807

Phone Number: 321-436-6064

Meeting Time: _____

Committee/Subcommittee: _____

Presentation/Workshop Topic: H 1 B 6005

Registered Lobbyist: Yes No

State Employee: Yes No

(If you are testifying regarding an amendment, please indicate if your position as a proponent or an opponent is the same as on the bill as a whole.)

- I Wish To Speak
- Appearing in response to an inquiry for information made by member, committee or staff
- Appearing in response to subpoena
- Appearing at the written request of the chair
- Judge or elected officer appearing in official capacity
- Lobbyist Appearance Form Submitted Online

Bill: Proponent Opponent Info Only N/A

Amendment: Proponent Opponent Info Only N/A



COMMITTEE/SUBCOMMITTEE APPEARANCE RECORD

Please fill out the entire form and submit two copies to the Committee Administrative Assistant at the meeting.

<input checked="" type="checkbox"/> Bill	<input type="checkbox"/> Amendment
Bill Number (If Applicable):	<u>6007</u>
PCB/PCS/Amendment #:	_____

Name: Diana Arteaga (Ar-tay-guh)

Representing: City of Miami

Title: Director of Govt Affairs

Address: 444 SW 2nd Ave, 10th floor

Address (cont): _____

City: Miami

State: FL

Zip Code: 33130

Phone Number: 786-469-1644

Meeting Time: 1:00pm

Committee/Subcommittee: Transportation + Infrastructure

Presentation/Workshop Topic: _____

Registered Lobbyist: Yes No

State Employee: Yes No

(If you are testifying regarding an amendment, please indicate if your position as a proponent or an opponent is the same as on the bill as a whole.)

- I Wish To Speak
- Appearing in response to an inquiry for information made by member, committee or staff
- Appearing in response to subpoena
- Appearing at the written request of the chair
- Judge or elected officer appearing in official capacity
- Lobbyist Appearance Form Submitted Online

Bill: Proponent Opponent Info Only N/A

Amendment: Proponent Opponent Info Only N/A



COMMITTEE/SUBCOMMITTEE APPEARANCE RECORD

Please fill out the entire form and submit two copies to the Committee Administrative Assistant at the meeting.

<input checked="" type="checkbox"/> Bill	<input type="checkbox"/> Amendment
Bill Number (If Applicable): <u>6007</u>	
PCB/PCS/Amendment #: _____	

Name: PAUL HENRY

Representing: LIBERTY FIRST NETWORK

Title: _____

Address: PO BOX 698

Address (cont): _____

City: MONTICELLO

State: FL

Zip Code: 32345

Phone Number: 850-629-9880

Meeting Time: 1100 AM

Committee/Subcommittee: TRANSPORTATION & INF. DEV.

Presentation/Workshop Topic: REPEAL OF RFD LIGHT CAMERAS

Registered Lobbyist: Yes No

State Employee: Yes No

(If you are testifying regarding an amendment, please indicate if your position as a proponent or an opponent is the same as on the bill as a whole.)

I Wish To Speak

Appearing in response to an inquiry for information made by member, committee or staff

Appearing in response to subpoena

Appearing at the written request of the chair

Judge or elected officer appearing in official capacity

Lobbyist Appearance Form Submitted Online

Bill: Proponent Opponent Info Only N/A

Amendment: Proponent Opponent Info Only N/A



COMMITTEE/SUBCOMMITTEE APPEARANCE RECORD

Please fill out the entire form and submit two copies to the Committee Administrative Assistant at the meeting.

<input type="checkbox"/> Bill	<input type="checkbox"/> Amendment
Bill Number (If Applicable): _____	
PCB/PCS/Amendment #: _____	

Name: Norm Aulet

Representing: Bus Operators

Title: Bus Operators

Address: 1109 Pearl St.

Address (cont): _____

City: DeFond,

State: Fl.

Zip Code: 32720

Phone Number: 407-749-3364

Meeting Time: 1:00

Committee/Subcommittee: _____

Presentation/Workshop Topic: Red light cameras

Registered Lobbyist: Yes No

State Employee: Yes No

(If you are testifying regarding an amendment, please indicate if your position as a proponent or an opponent is the same as on the bill as a whole.)

- I Wish To Speak
- Appearing in response to an inquiry for information made by member, committee or staff
- Appearing in response to subpoena
- Appearing at the written request of the chair
- Judge or elected officer appearing in official capacity
- Lobbyist Appearance Form Submitted Online

Bill: Proponent Opponent Info Only N/A

Amendment: Proponent Opponent Info Only N/A



PLEASE FILL OUT THE ENTIRE FORM AND SUBMIT TWO COPIES TO THE COMMITTEE/SUBCOMMITTEE ADMINISTRATIVE ASSISTANT AT THE MEETING

TYPE OR PRINT CLEARLY

COMMITTEE/SUBCOMMITTEE APPEARANCE RECORD

Bill Number 6007 Date 1/25/2017

Name BRIAN PITTS

Title TRUSTEE

Address 1119 NEWTON AVENUE SOUTH

City SAINT PETERSBURG State/Zip FLORIDA/33705

Phone Number 727/897-9291

Representing JUSTICE-2-JESUS

Lobbyist (registered) YES NO

State Employee YES NO

If you are testifying regarding an amendment, please indicate if your position as a proponent or an opponent is the same as on the bill as a whole.

		<u>Amendment</u>	<u>Bill</u>
I wish to speak	<input checked="" type="checkbox"/>	Proponent	<input type="checkbox"/> <input type="checkbox"/>
I have been requested to speak	<input type="checkbox"/>	Opponent	<input type="checkbox"/> <input type="checkbox"/>
		Information	<input type="checkbox"/> <input checked="" type="checkbox"/>

Subject matter:

Committee/Subcommittee: TIS



COMMITTEE/SUBCOMMITTEE APPEARANCE RECORD

Please fill out the entire form and submit two copies to the Committee Administrative Assistant at the meeting.

<input type="checkbox"/> Bill	<input type="checkbox"/> Amendment
Bill Number (If Applicable): _____	
PCB/PCS/Amendment #: _____	

Name: Melissa Wandaall

Representing: The Wanda Wandaall Traffic Safety Act

Title: _____

Address: 60711 Lord James E.

Address (cont): _____

City: Bradenton FL 34203

State: FL

Zip Code: 34203

Phone Number: 941-545-3359

Meeting Time: 1pm

Committee/Subcommittee: Infrastructure / Transportation

Presentation/Workshop Topic: _____

Registered Lobbyist: Yes No

State Employee: Yes No

(If you are testifying regarding an amendment, please indicate if your position as a proponent or an opponent is the same as on the bill as a whole.)

I Wish To Speak

Appearing in response to an inquiry for information made by member, committee or staff

Appearing in response to subpoena

Appearing at the written request of the chair

Judge or elected officer appearing in official capacity

Lobbyist Appearance Form Submitted Online

Bill: Proponent Opponent Info Only N/A

Amendment: Proponent Opponent Info Only N/A