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477 agents, their insurers or insurers to which they have applied
478 for coverage, persons under contract with such insurers to
479 provide claims or underwriting information, prosecutorial
480 authorities, law enforcement agencies, the Department of
481 Transportation, county traffic operations, victim services
482 programs, radio and television stations licensed by the Federal
483 Communications Commission, newspapers qualified to publish legal
484 notices under ss. 50.011 and 50.031, and free newspapers of
485 general circulation, published once a week or more often,
486 available and of interest to the public generally for the
487 dissemination of news. For the purposes of this section, the
488 following products or publications are not newspapers as
489 referred to in this section: those intended primarily for
490 members of a particular profession or occupational group; those
491 with the primary purpose of distributing advertising; and those
492 with the primary purpose of publishing names and other personal
493 identifying information concerning parties to motor vehicle
494 crashes.

495 Section 4. Subsection (91) is added to section 316.003,
496 Florida Statutes, to read:

497 316.003 Definitions.—The following words and phrases, when
498 used in this chapter, shall have the meanings respectively
499 ascribed to them in this section, except where the context
500 otherwise requires:

501 (91) LOCAL HEARING OFFICER.—The person, designated by a
502 department, county, or municipality that elects to authorize
503 traffic infraction enforcement officers to issue traffic
504 citations under s. 316.0083(1)(a), who is authorized to conduct



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505 hearings related to a notice of violation issued pursuant to
 506 316.0083. The charter county, noncharter county, or municipality
 507 may use its currently appointed code enforcement board or
 508 special magistrate to serve as the local hearing officer. The
 509 department may enter into an interlocal agreement to use the
 510 local hearing officer of a county or municipality.

511 Section 5. Subsection (1) of section 316.0083, Florida
 512 Statutes, is amended, and subsection (5) is added to that
 513 section, to read:

514 316.0083 Mark Wandall Traffic Safety Program;
 515 administration; report.-

516 (1)(a) For purposes of administering this section, the
 517 department, a county, or a municipality may authorize a traffic
 518 infraction enforcement officer under s. 316.640 to issue a
 519 traffic citation for a violation of s. 316.07411) or s.
 520 316.075(1)(c)1. A notice of violation and a traffic citation may
 521 not be issued for failure to stop at a red light if the driver
 522 is making a right-hand turn in a careful and prudent manner at
 523 an intersection where right-hand turns are permissible. A notice
 524 of violation and a traffic citation may not be issued under this
 525 section if the driver of the vehicle came to a complete stop
 526 after crossing the stop line and before turning right if
 527 permissible at a red light, but failed to stop before crossing
 528 over the stop line or other point at which a stop is required.

529 This paragraph does not prohibit a review of information from a
 530 traffic infraction detector by an authorized employee or agent
 531 of the department, a county, or a municipality before issuance
 5321 of the traffic citation by the traffic infraction enforcement



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5331 officer. This paragraph does not prohibit the department, a
 534 county, or a municipality from issuing notification as provided
 535 in paragraph (b) to the registered owner of the motor vehicle
 536 involved in the violation of s. 316.074(1) or s. 316.075(1)(c)1.

537 (b)1.a. Within 30 days after a violation, notification
 5381 must be sent to the registered owner of the motor vehicle
 539 involved in the violation specifying the remedies available
 540 under s. 318.14 and that the violator must pay the penalty of
 541 \$158 to the department, county, or municipality, or furnish an
 542 affidavit in accordance with paragraph (d), or request a hearing
 543 within 60 30 days following the date of the notification in
 5441 order to avoid ~~court fees, costs, and~~ the issuance of a traffic
 5451 citation. The notification ~~must~~ shall be sent by first-class
 546 mail. The mailing of the notice of violation constitutes
 547 notification.

548 b. Included with the notification to the registered owner
 5491 of the motor vehicle involved in the infraction must be a notice
 550 that the owner has the right to review the photographic or
 551 electronic images or the streaming video evidence that
 552 constitutes a rebuttable presumption against the owner of the
 553 vehicle. The notice must state the time and place or Internet
 5541 location where the evidence may be examined and observed.

555 c. Notwithstanding any other provision of law, a person
 556 who receives a notice of violation under this section may
 557 request a hearing within 60 days following the notification of
 5581 violation or pay the penalty pursuant to the notice of
 559 violation, but a payment or fee may not be required before the
 560 hearing requested by the person. The notice of violation must be



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561 accompanied by, or direct the person to a website that provides,
 562 information on the person's right to request a hearing and on
 563 all court costs related thereto and a form to request a hearing.
 564 As used in this sub-subparagraph, the term "person" includes a
 565 natural person, registered owner or coowner of a motor vehicle,
 566 or person identified on an affidavit as having care, custody, or
 567 control of the motor vehicle at the time of the violation.

568 d. If the registered owner or coowner of the motor
 569 vehicle, or the person designated as having care, custody, or
 570 control of the motor vehicle at the time of the violation, or an
 571 authorized representative of the owner, coowner, or designated
 572 person, initiates a proceeding to challenge the violation
 573 pursuant to this paragraph, such person waives any challenge or
 574 dispute as to the delivery of the notice of violation.

575 2. Penalties assessed and collected by the department,
 576 county, or municipality authorized to collect the funds provided
 577 for in this paragraph, less the amount retained by the county or
 578 municipality pursuant to subparagraph 3., shall be paid to the
 579 Department of Revenue weekly. Payment by the department, county,
 580 or municipality to the state shall be made by means of
 581 electronic funds transfers. In addition to the payment, summary
 582 detail of the penalties remitted shall be reported to the
 583 Department of Revenue.

584 3. Penalties to be assessed and collected by the
 585 department, county, or municipality are as follows:

586 a. One hundred fifty-eight dollars for a violation of s.
 587 316.074(1) or s. 316.075(1)(c)1. when a driver ~~has~~ failed to
 588 stop at a traffic signal if enforcement is by the department's



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589 traffic infraction enforcement officer. One hundred dollars
 590 shall be remitted to the Department of Revenue for deposit into
 591 the General Revenue Fund, \$10 shall be remitted to the
 592 Department of Revenue for deposit into the Department of Health
 593 Emergency Medical Services Trust Fund, \$3 shall be remitted to
 594 the Department of Revenue for deposit into the Brain and Spinal
 595 Cord Injury Trust Fund, and \$45 shall be distributed to the
 596 municipality in which the violation occurred, or, if the
 597 violation occurred in an unincorporated area, to the county in
 598 which the violation occurred. Funds deposited into the
 599 Department of Health Emergency Medical Services Trust Fund under
 600 this sub-subparagraph shall be distributed as provided in s.
 601 395.4036(1). Proceeds of the infractions in the Brain and Spinal
 602 Cord Injury Trust Fund shall be distributed quarterly to the
 603 Miami Project to Cure Paralysis and ~~shall be~~ used for brain and
 604 spinal cord research.

605 b. One hundred fifty-eight dollars for a violation of s.
 606 316.074(1) or s. 316.075(1)(c)1. when a driver ~~has~~ failed to
 607 stop at a traffic signal if enforcement is by a county or
 608 municipal traffic infraction enforcement officer. Seventy
 609 dollars shall be remitted by the county or municipality to the
 610 Department of Revenue for deposit into the General Revenue Fund,
 611 \$10 shall be remitted to the Department of Revenue for deposit
 612 into the Department of Health Emergency Medical Services Trust
 613 Fund, \$3 shall be remitted to the Department of Revenue for
 614 deposit into the Brain and Spinal Cord Injury Trust Fund, and
 615 \$75 shall be retained by the county or municipality enforcing
 616 the ordinance enacted pursuant to this section. Funds deposited



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617 into the Department of Health Emergency Medical Services Trust
 618 Fund under this sub-subparagraph shall be distributed as
 619 provided in s. 395.4036(1). Proceeds of the infractions in the
 620 Brain and Spinal Cord Injury Trust Fund shall be distributed
 621 quarterly to the Miami Project to Cure Paralysis and ~~shall be~~
 622 used for brain and spinal cord research.

623 4. An individual may not receive a commission from any
 624 revenue collected from violations detected through the use of a
 625 traffic infraction detector. A manufacturer or vendor may not
 6261 receive a fee or remuneration based upon the number of
 6271 violations detected through the use of a traffic infraction
 628 detector.

629 (c)1.a. A traffic citation issued under this section shall
 630 be issued by mailing the traffic citation by certified mail to
 6311 the address of the registered owner of the motor vehicle
 632 involved in the violation if ~~when~~ payment has not been made
 6331 within ~~60~~ 30 days after notification under paragraph (b), if the
 634 registered owner has not requested a hearing as authorized under
 635 paragraph (b), or if the registered owner has not submitted an
 636 affidavit under this section ~~subparagraph (b)1.~~

637 b. Delivery of the traffic citation constitutes
 638 notification under this paragraph. If the registered owner or
 639 coowner of the motor vehicle, or the person designated as having
 640 care, custody, or control of the motor vehicle at the time of
 641 the violation, or a duly authorized representative of the owner,
 642 coowner, or designated person, initiates a proceeding to
 643 challenge the citation pursuant to this section, such person
 644 waives any challenge or dispute as to the delivery of the



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645 | traffic citation.

646 | c. In the case of joint ownership of a motor vehicle, the
647 | traffic citation shall be mailed to the first name appearing on
648 | the registration, unless the first name appearing on the
649 | registration is a business organization, in which case the
650 | second name appearing on the registration may be used.

651 | ~~d. The traffic citation shall be mailed to the registered~~
652 | ~~owner of the motor vehicle involved in the violation no later~~
653 | ~~than 60 days after the date of the violation.~~

654 | 2. Included with the notification to the registered owner
655 | of the motor vehicle involved in the infraction shall be a
656 | notice that the owner has the right to review, ~~either~~ in person
657 | or remotely, the photographic or electronic images or the
658 | streaming video evidence that constitutes a rebuttable
659 | presumption against the owner of the vehicle. The notice must
660 | state the time and place or Internet location where the evidence
661 | may be examined and observed.

662 | (d)1. The owner of the motor vehicle involved in the
663 | violation is responsible and liable for paying the uniform
664 | traffic citation issued for a violation of s. 316.074(1) or s.
665 | 316.075(1)(c)1. when the driver failed to stop at a traffic
666 | signal, unless the owner can establish that:

667 | a. The motor vehicle passed through the intersection in
668 | order to yield right-of-way to an emergency vehicle or as part
669 | of a funeral procession;

670 | b. The motor vehicle passed through the intersection at
671 | the direction of a law enforcement officer;

672 | c. The motor vehicle was, at the time of the violation, in



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673 | the care, custody, or control of another person;

674 | d. A uniform traffic citation was issued by a law
675 | enforcement officer to the driver of the motor vehicle for the
676 | alleged violation of s. 316.074(1) or s. 316.075(1)(c)1; or

677 | e. The motor vehicle's owner was deceased on or before the
678 | date that the uniform traffic citation was issued, as
679 | established by an affidavit submitted by the representative of
680 | the motor vehicle owner's estate or other designated person or
681 | family member.

682 | 2. In order to establish such facts, the owner of the
683 | motor vehicle shall, within 30 days after the date of issuance
684 | of the traffic citation, furnish to the appropriate governmental
685 | entity an affidavit setting forth detailed information
686 | supporting an exemption as provided in this paragraph.

687 | a. An affidavit supporting an exemption under sub-
688 | subparagraph 1.c. must include the name, address, date of birth,
689 | and, if known, the driver license number of the person who
690 | leased, rented, or otherwise had care, custody, or control of
691 | the motor vehicle at the time of the alleged violation. If the
692 | vehicle was stolen at the time of the alleged offense, the
693 | affidavit must include the police report indicating that the
694 | vehicle was stolen.

695 | b. If a traffic citation for a violation of s. 316.074(1)
696 | or s. 316.075(1)(c)1. was issued at the location of the
697 | violation by a law enforcement officer, the affidavit must
698 | include the serial number of the uniform traffic citation.

699 | c. If the motor vehicle's owner to whom a traffic citation
700 | has been issued is deceased, the affidavit must include a



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701 certified copy of the owner's death certificate showing that the
 702 date of death occurred on or before the issuance of the uniform
 703 traffic citation and one of the following:

704 (I) A bill of sale or other document showing that the
 705 deceased owner's motor vehicle was sold or transferred after his
 706 or her death, but on or before the date of the alleged
 707 violation.

708 (II) Documentary proof that the registered license plate
 709 belonging to the deceased owner's vehicle was returned to the
 710 department or any branch office or authorized agent of the
 711 department, but on or before the date of the alleged violation.

712 (III) A copy of a police report showing that the deceased
 713 owner's registered license plate or motor vehicle was stolen
 714 after the owner's death, but on or before the date of the
 715 alleged violation.

716
 717 Upon receipt of the affidavit and documentation required under
 718 this sub-subparagraph, the governmental entity must dismiss the
 719 citation and provide proof of such dismissal to the person that
 720 submitted the affidavit.

721 3. Upon receipt of an affidavit, the person designated as
 722 having care, custody, ~~or and~~ control of the motor vehicle at the
 723 time of the violation may be issued a notice of violation
 724 pursuant to paragraph (b) ~~traffic citation~~ for a violation of s.
 725 316.074(1) or s. 316.075(1)(c)1. when the driver failed to stop
 726 at a traffic signal. The affidavit is admissible in a proceeding
 727 pursuant to this section for the purpose of providing proof that
 728 the person identified in the affidavit was in actual care,



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729 custody, or control of the motor vehicle. The owner of a leased
 730 vehicle for which a traffic citation is issued for a violation
 731 of s. 316.074(1) or s. 316.075(1)(c)1. when the driver failed to
 732 stop at a traffic signal is not responsible for paying the
 733 traffic citation and is not required to submit an affidavit as
 734 specified in this subsection if the motor vehicle involved in
 735 the violation is registered in the name of the lessee of such
 736 motor vehicle.

737 4. Paragraphs (b) and (c) apply to the person identified
 738 on the affidavit, except that the notification under sub-
 739 subparagraph (b)1.a. must be sent to the person identified on
 740 the affidavit within 30 days after receipt of an affidavit.

741 ~~5.4.~~ The submission of a false affidavit is a misdemeanor
 742 of the second degree, punishable as provided in s. 775.082 or s.
 743 775.083.

744 (e) The photographic or electronic images or streaming
 745 video attached to or referenced in the traffic citation is
 746 evidence that a violation of s. 316.074(1) or s. 316.075(1)(c)1.
 747 when the driver failed to stop at a traffic signal has occurred
 748 and is admissible in any proceeding to enforce this section and
 749 raises a rebuttable presumption that the motor vehicle named in
 750 the report or shown in the photographic or electronic images or
 751 streaming video evidence was used in violation of s. 316.074(1)
 752 or s. 316.075(1)(c)1. when the driver failed to stop at a
 753 traffic signal.

754 (5) Procedures for a hearing under this section are as
 755 follows:

756 (a) The department shall publish and make available



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757 | electronically to each county and municipality a model Request
 758 | for Hearing form to assist each local government administering
 759 | this section.

760 | (b) The charter county, noncharter county, or municipality
 761 | electing to authorize traffic infraction enforcement officers to
 762 | issue traffic citations under s. 316.0083(1)(a) shall designate
 763 | by resolution existing staff to serve as the clerk to the local
 764 | hearing officer.

765 | (c) Any person, herein referred to as the "petitioner,"
 766 | who elects to request a hearing under paragraph (1)(b) shall be
 767 | scheduled for a hearing by the clerk to the local hearing
 768 | officer to appear before a local hearing officer with notice to
 769 | be sent by first-class mail. Upon receipt of the notice, the
 770 | petitioner may reschedule the hearing once by submitting a
 771 | written request to reschedule to the clerk to the local hearing
 772 | officer, at least 5 calendar days before the day of the
 773 | originally scheduled hearing. The petitioner may cancel his or
 774 | her appearance before the local hearing officer by paying the
 775 | penalty assessed under paragraph (1)(b), plus \$50 in
 776 | administrative costs, before the start of the hearing.

777 | (d) All testimony at the hearing shall be under oath and
 778 | shall be recorded. The local hearing officer shall take
 779 | testimony from a traffic infraction enforcement officer and the
 780 | petitioner, and may take testimony from others. The local
 781 | hearing officer shall review the photographic or electronic
 782 | images or the streaming video made available under sub-
 783 | subparagraph(1)(b)1.b. Formal rules of evidence do not apply,
 784 | but due process shall be observed and govern the proceedings.



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785 (e) At the conclusion of the hearing, the local hearing
 786 officer shall determine whether a violation under this section
 787 has occurred, in which case the hearing officer shall uphold or
 788 dismiss the violation. The local hearing officer shall issue a
 789 final administrative order including the determination and, if
 790 the notice of violation is upheld, require the petitioner to pay
 791 the penalty previously assessed under paragraph (1)(b), and may
 792 also require the petitioner to pay county or municipal costs,
 793 not to exceed \$250. The final administrative order shall be
 794 mailed to the petitioner by first-class mail.

795 (f) An aggrieved party may appeal a final administrative
 796 order consistent with the process provided under s. 162.11.

797 Section 6. Paragraph (c) of subsection (3) of section
 798 316.650, Florida Statutes, is amended to read:

799 316.650 Traffic citations.—

800 (3)

801 (c) If a traffic citation is issued under s. 316.0083, the
 802 traffic infraction enforcement officer shall provide by
 803 electronic transmission a replica of the traffic citation data
 804 to the court having jurisdiction over the alleged offense or its
 805 traffic violations bureau within 5 days after the date of
 806 issuance of the traffic citation to the violator. If a hearing
 807 is requested, the traffic infraction enforcement officer shall
 808 provide a replica of the traffic notice of violation data to the
 809 clerk for the local hearing officer having jurisdiction over the
 810 alleged offense within 14 days.

811 Section 7. Section 318.121, Florida Statutes, is amended
 812 to read:



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813 | 318.121 Preemption of additional fees, fines, surcharges,
814 | and costs.—Notwithstanding any general or special law, or
815 | municipal or county ordinance, additional fees, fines,
816 | surcharges, or costs other than the court costs and surcharges
817 | assessed under s. 318.18(11), (13), (18), ~~and~~ (19), and (22) may
818 | not be added to the civil traffic penalties assessed under ~~in~~
819 | this chapter.

820 | Section 8. Subsection (3) is added to section 318.15,
821 | Florida Statutes, to read:

822 | 318.15 Failure to comply with civil penalty or to appear;
823 | penalty.—

824 | (3) The clerk shall notify the department of persons who
825 | were mailed a notice of violation of s. 316.074(1) or s.
826 | 316.075(1)(c)1. pursuant to s. 316.0083 and who failed to enter
827 | into, or comply with the terms of, a penalty payment plan, or
828 | order with the clerk to the local hearing officer or failed to
829 | appear at a scheduled hearing within 10 days after such failure,
830 | and shall reference the person's driver license number, or in
831 | the case of a business entity, vehicle registration number.

832 | (a) Upon receipt of such notice, the department, or
833 | authorized agent thereof, may not issue a license plate or
834 | revalidation sticker for any motor vehicle owned or coowned by
835 | that person pursuant to s. 320.03(8) until the amounts assessed
836 | have been fully paid.

837 | (b) After the issuance of the person's license plate or
838 | revalidation sticker is withheld pursuant to paragraph (a), the
839 | person may challenge the withholding of the license plate or
840 | revalidation sticker only on the basis that the outstanding



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841 finest and civil penalties have been paid pursuant to s.
 842 320.03(8).

843 Section 9. Paragraph (c) of subsection (15) of section
 844 318.18, Florida Statutes, is amended, and subsection (22) is
 845 added to that section, to read:

8461 318.18 Amount of penalties.—The penalties required for a
 847 noncriminal disposition pursuant to s. 318.14 or a criminal
 848 offense listed in s. 318.17 are as follows:

849 (15)

850 (c) If a person who is mailed a notice of violation or
 851 cited for a violation of s. 316.074(1) or s. 316.075(1)(c)1., as
 852 enforced by a traffic infraction enforcement officer under s.
 853 316.0083, presents documentation from the appropriate
 854 governmental entity that the notice of violation or traffic
 855 citation was in error, the clerk of court or clerk to the local
 856 hearing officer may dismiss the case. The clerk of court or
 857 clerk to the local hearing officer may ~~shall~~ not charge for this
 858 service.

859 (22) In addition to the penalty prescribed under s.
 860 316.0083 for violations enforced under s. 316.0083 which are
 861 upheld, the local hearing officer may also order the payment of
 862 county or municipal costs, not to exceed \$250.

863 Section 10. Subsection (8) of section 320.03, Florida
 864 Statutes, is amended to read:

865 320.03 Registration; duties of tax collectors;
 866 International Registration Plan.—

867 (8) If the applicant's name appears on the list referred
 868 to in s. 316.1001(4), s. 316.1967(6), s. 318.15(3), or s.



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869 713.78(13), a license plate or revalidation sticker may not be
 870 issued until that person's name no longer appears on the list or
 871 until the person presents a receipt from the governmental entity
 872 or the clerk of court that provided the data showing that the
 873 fines outstanding have been paid. This subsection does not apply
 874 to the owner of a leased vehicle if the vehicle is registered in
 875 the name of the lessee of the vehicle. The tax collector and the
 876 clerk of the court are each entitled to receive monthly, as
 877 costs for implementing and administering this subsection, 10
 878 percent of the civil penalties and fines recovered from such
 879 persons. As used in this subsection, the term "civil penalties
 880 and fines" does not include a wrecker operator's lien as
 881 described in s. 713.78(13). If the tax collector has private tag
 882 agents, such tag agents are entitled to receive a pro rata share
 883 of the amount paid to the tax collector, based upon the
 884 percentage of license plates and revalidation stickers issued by
 885 the tag agent compared to the total issued within the county.
 886 The authority of any private agent to issue license plates shall
 887 be revoked, after notice and a hearing as provided in chapter
 888 120, if he or she issues any license plate or revalidation
 889 sticker contrary to the provisions of this subsection. This
 890 section applies only to the annual renewal in the owner's birth
 891 month of a motor vehicle registration and does not apply to the
 892 transfer of a registration of a motor vehicle sold by a motor
 893 vehicle dealer licensed under this chapter, except for the
 894 transfer of registrations which includes the annual renewals.
 895 This section does not affect the issuance of the title to a
 896 motor vehicle, notwithstanding s. 319.23(8)(b).



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897 Section 11. Subsections (3) and (4) of section 316.081,
 898 Florida Statutes, are renumbered as subsections (4) and (5),
 899 respectively, and a new subsection (3) is added to that section
 900 to read:

901 316.081 Driving on right side of roadway; exceptions.-

902 (3) On a road, street, or highway having two or more lanes
 903 allowing movement in the same direction, a driver may not
 904 continue to operate a motor vehicle at any speed which is more
 905 than 10 miles per hour slower than the posted speed limit in the
 906 furthermost left-hand lane if the driver knows or reasonably
 907 should know that he or she is being overtaken in that lane from
 908 the rear by a motor vehicle traveling at a higher rate of speed.
 909 This subsection does not apply to drivers operating a vehicle
 910 that is overtaking another vehicle proceeding in the same
 911 direction, or is preparing for a left turn at an intersection.

912 (4)~~(3)~~ Upon any roadway having four or more lanes for
 913 moving traffic and providing for two-way movement of traffic, no
 914 vehicle shall be driven to the left of the centerline of the
 915 roadway, except when authorized by official traffic control
 916 devices designating certain lanes to the left side of the center
 917 of the roadway for use by traffic not otherwise permitted to use
 918 such lanes, or except as permitted under paragraph (1)(b).
 919 However, this subsection shall not be construed as prohibiting
 920 the crossing of the centerline in making a left turn into or
 921 from an alley, private road, or driveway.

922 (5)~~(4)~~ A violation of this section is a noncriminal
 923 traffic infraction, punishable as a moving violation as provided
 924 in chapter 318.



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925 Section 12. Subsection (1) of section 316.1937, Florida
926 Statutes, is amended to read:

927 316.1937 Ignition interlock devices, requiring; unlawful
928 acts.-

929 (1) In addition to any other authorized penalties, the
930 court may require that any person who is convicted of driving
931 under the influence in violation of s. 316.193 shall not operate
932 a motor vehicle unless that vehicle is equipped with a
933 functioning ignition interlock device certified by the
934 department as provided in s. 316.1938, and installed in such a
935 manner that the vehicle will not start if the operator's blood
936 alcohol level is in excess of 0.025 ~~0.05~~ percent or as otherwise
937 specified by the court. The court may require the use of an
938 approved ignition interlock device for a period of at least ~~not~~
939 ~~less than~~ 6 continuous months, if the person is permitted to
940 operate a motor vehicle, whether or not the privilege to operate
941 a motor vehicle is restricted, as determined by the court. The
942 court, however, shall order placement of an ignition interlock
943 device in those circumstances required by s. 316.193.

944 Section 13. Paragraph (b) of subsection (1), paragraph (a)
945 of subsection (4), and subsection (9) of section 316.302,
946 Florida Statutes, are amended, and a new paragraph (c) is added
947 to subsection (1), to read:

948 316.302 Commercial motor vehicles; safety regulations;
949 transporters and shippers of hazardous materials; enforcement.-

950 (1)

951 (b) Except as otherwise provided in this section, all
952 owners or drivers of commercial motor vehicles that are engaged



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953 | in intrastate commerce are subject to the rules and regulations
 954 | contained in 49 C.F.R. parts 382, 383, 385, and 390-397, with
 955 | the exception of 49 C.F.R. s. 390.5 as it relates to the
 956 | definition of bus, as such rules and regulations existed on
 957 | December 31, 2012 ~~October 1, 2011~~.

958 | (c) The emergency exceptions provided by 49 C.F.R. s.
 959 | 392.82 also apply to communications by utility drivers and
 960 | utility contractor drivers during a Level 1 activation of the
 961 | State Emergency Operations Center, as provided in the Florida
 962 | Comprehensive Emergency Management plan, or during a state of
 963 | emergency declared by executive order or proclamation of the
 964 | Governor.

965 | (4)(a) Except as provided in this subsection, all
 966 | commercial motor vehicles transporting any hazardous material on
 967 | any road, street, or highway open to the public, whether engaged
 968 | in interstate or intrastate commerce, and any person who offers
 969 | hazardous materials for such transportation, are subject to the
 970 | regulations contained in 49 C.F.R. part 107, subparts F and
 971 | ~~subpart G~~, and 49 C.F.R. parts 171, 172, 173, 177, 178, and 180.
 972 | Effective July 1, 1997, the exceptions for intrastate motor
 973 | carriers provided in 49 C.F.R. 173.5 and 173.8 are hereby
 974 | adopted.

975 | (9)(a) ~~This section is not applicable to the transporting~~
 976 | ~~of liquefied petroleum gas. The rules and regulations applicable~~
 977 | ~~to the transporting of liquefied petroleum gas on the highways,~~
 978 | ~~roads, or streets of this state shall be only those adopted by~~
 979 | ~~the Department of Agriculture and Consumer Services under~~
 980 | ~~chapter 527. However, transporters of liquefied petroleum gas~~