

ORDINANCE NO. 2026-03

AN ORDINANCE OF THE COUNTY COMMISSION OF LIBERTY COUNTY, FLORIDA, ARTICLE I TO BE ENTITLED "SPEED DETECTION SYSTEMS IN SCHOOL ZONES," TO PROVIDE FOR THE USE AND IMPLEMENTATION OF SCHOOL ZONES SPEED LIMIT DETECTION SYSTEMS; PROVIDING FOR APPEALS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, during the 2023 Legislative Session, the Florida Legislature passed CS/HB 657, "Enforcement of School Zone Speed Limits," amending certain provisions of state law governing the use of automated Speed Detection Systems ("SDS") in School Zones, which law became effective July 1, 2023, and is codified as Sections 316.003, 316.008, and 316.0776, Florida Statutes; and

WHEREAS, a speed detection system is defined in Section 316.003, Florida Statutes, as a "portable or fixed automated system used to detect a motor vehicle's speed using radar or LiDAR and to capture a photograph or video of the rear of a motor vehicle that exceeds the speed limit in force at the time of the violation;" and

WHEREAS, CS/HB 657 authorizes counties to enforce applicable speed limits in school zones during school sessions "through the use of a speed detection system for the detection of speed and capturing of photographs or videos for violations in excess of 10 miles per hour over the speed limit in force at the time of the violation;" and

WHEREAS, CS/HB 657 further authorizes counties to place or install, or contract with a vendor to place or install, "a speed detection system within a roadway maintained as a school zone as provided in Section 316.1895, Florida Statutes, to enforce unlawful speed violations;" and

WHEREAS, CS/HB 657 provides that such a speed detection system must be installed in accordance with placement and installation specifications established by the Florida Department of Transportation; and

WHEREAS, CS/HB 657 directs counties to post signage "indicating photographic or video enforcement of the school zone speed limits," which "shall clearly designate the time period during which the school zone speed limits are enforced using a speed detection system and must meet the placement and installation specifications established by the Florida Department of Transportation;" and

WHEREAS, CS/HB 657 further directs counties that begin a school zone speed detection system program to "make a public announcement and conduct a public awareness campaign of the proposed use of speed detection systems at least 30 days before commencing enforcement under

the speed detection system program;" and

WHEREAS, a county that operates school zone speed detection systems must report annually the results of all systems within the county's jurisdiction by placing the required report on an agenda of a regular or special meeting of the county's governing body; and

WHEREAS, CS/HB 657 provides that a county may authorize a traffic infraction enforcement officer under Section 316.640, Florida Statutes, to issue uniform traffic citations for violations of Sections 316.1895 and 316.183, Florida Statutes, as authorized by Section 316.008(9), Florida Statutes, and further regulates how such notices of violation shall be sent and what information such notices must include; and

WHEREAS, CS/HB 657 further provides for penalties to be assessed and remitted to various entities, as well as for a process whereby individuals who receive notices of violation may request a hearing; and

WHEREAS, CS/HB 657 prescribes that a county electing to authorize traffic infraction enforcement officers to issue uniform traffic citations "must designate by resolution existing staff to serve as the clerk to the local hearing officer;" and

WHEREAS, CS/HB 657 provides that a county implementing speed detection systems "must enact an ordinance in order to authorize the placement or installation of a speed detection system on a roadway maintained as a school zone" and that, as part of the public hearing on such proposed ordinance, the county must consider traffic data or other evidence supporting the installation and operation of each proposed school zone speed detection system, and "must determine that the school zone where a speed detection system is to be placed or installed constitutes a heightened safety risk that warrants additional enforcement measures;" and

WHEREAS, speeding in designated school zones presents a threat to the health and safety of the public, and, in particular, all school-aged children in the county; and

WHEREAS, Liberty County desires to implement a speed detection system program in school zones in order to reduce speeding and benefit the public safety; and

WHEREAS, consistent with the requirements of Section 316.008(c), Florida Statutes, in consideration of creating a speed detection system program, the County held a public hearing at which traffic data demonstrating a significant safety need for traffic infraction detectors was presented; and

WHEREAS, in accordance with and pursuant to the provisions of Section 316.088(c), Florida Statutes, the County considered traffic data or other evidence supporting the installation and operation of each proposed school zone speed detection system, and had determined that each school zone where a speed detection system is to be placed or installed constitutes a heightened safety risk that warrants additional measures.

NOW, THEREFORE, BE IT ORDAINED by the Board of County Commissioners of Liberty County, Florida as follows:

SECTION 1. ADOPTION AND INCORPORATION OF RECITALS. The Board of County Commissioners of Liberty County, Florida hereby adopts the above recitals and incorporates them herein as a part of this ordinance.

SECTION 2. SPEED DETECTION SYSTEMS IN SCHOOL ZONES

A. Purpose and intent.

(1) The County elects to commence the use of Automated Speed Detection Systems (' SOS) in school zones within its jurisdiction in accordance with the provisions of state law, including Chapter 316, Florida Statutes, and authorizes the placement of SDS within School Zones in the County in accordance with Chapter 316, Florida Statutes.

(2) The County shall utilize SDS consistent with and pursuant to all applicable provisions of state law in order to detect, process and penalize speeding in its school zones, as set forth in the Florida Uniform Traffic Control Law. The use of SDS shall be deemed a supplemental means of enforcing state *law*, and nothing herein shall be construed or operate to preclude the enforcement of the Florida Uniform Traffic Control Law by any other means provided by law.

B. Definitions. For purposes of this ordinance, the following terms shall have the meanings given to them below:

(1) Motor vehicle shall mean. as defined by Section 316.003, Florida Statutes. a self-propelled vehicle not operated upon rails or guideway. but not including any bicycle, electric bicycle. motorized scooter, electric personal assistive mobility device, mobile carrier, personal delivery device, swamp buggy, or moped.

(2) School zone shall mean that portion of a street or highway established as a school zone pursuant to Section 316.1895. Florida Statutes, as it may be amended.

(3) Speed detection system shall mean a portable or fixed automated system used to detect a motor vehicle's speed using radar or LiDAR and to capture a photograph or video of the rear of a motor vehicle that exceeds the speed limit in force at the time of the violation. This term is synonymous with the term "Speed Detection System" defined in Section 316.003(84), Florida Statutes, as it may be amended.

(4) Violation shall mean a person that drives a motor vehicle on a roadway designated as a School Zone at a speed as follows:

(a) In excess of 10 miles per hour over the School Zone speed limit which occurs within 30 minutes before through 30 minutes after the start of a regularly scheduled breakfast program in violation of Section 316.1895, Florida Statutes.

(b) In excess of 10 miles per hour over the School Zone speed limit which occurs within 30 minutes before through 30 minutes after the start of a regularly scheduled school session in violation of Section 316.1895, Florida Statutes.

(c) In excess of 10 miles per hour over the posted speed limit during the entirety of a regularly scheduled school session in violation of Section 316.183, Florida Statutes.

(d) In excess of 10 miles per hour over the School Zone speed limit which occurs within 30 minutes before through 30 minutes after the end of a regularly scheduled school session in violation of Section 316.1895, Florida Statutes.

(e) A fine of one hundred (\$100.00) shall be assessed for a violation as described above, payable within thirty (30) days of receipt of the notice of violation. However, no points will be assessed against the violator's driving record.

C. Authorizing Use of School Zone Speed Limit Detection Systems. Pursuant to Section 316.008(9), Florida Statutes, Liberty County hereby elects to use speed detection systems to enforce school zone speed limits within the County's jurisdiction. The County may utilize a speed limit detection system as a supplemental means of monitoring the speed of vehicles and assisting law enforcement personnel in the enforcement of compliance with laws related to speed limits within school zones as permitted and provided for by general law, which are designed to protect and improve the public health, safety, and welfare of the community and thereby reduce accidents, injuries, and disruption of traffic associated with such violations.

D. Determination of Safety Need. SDS are authorized for use at all school zones in Liberty County, based upon the County Commission's findings after consideration of traffic data provided in the "School Zone Speed Report for Liberty County, Florida" prepared by Altumint (which is on file with the Clerk of Court) and any other relevant evidence provided at the public hearing held on _____, 2026. The

Commission hereby finds that all school zones where speed detection systems are to be placed or installed constitute a heightened safety risk that warrant additional enforcement measures pursuant to Section 316.008(9), Florida Statutes.

E. Implementation of Speed Limit Detection Systems in School Zones.

(1) In accordance with the provisions of Chapter 2023-174, Laws of Florida, as of the effective date of this ordinance, the County authorizes the implementation of the provisions and requirements of Sections 316.008 and 316.1896, Florida Statutes. The County will implement speed detection systems within the County of Liberty consistent with the placement and installation specifications established by the Florida Department of Transportation, as such may be amended from time to time, to enforce unlawful speed violations, as specified in Sections 316.1895 and 316.183, Florida Statutes, on roadways maintained as school zones.

(2) Designation of Local Hearing Officer. The County Judge, as a Local Hearing Officer, is designated to conduct hearings requested by alleged violators desiring to contest notices of violation detected by SDS in accordance with Chapter 316, Florida Statutes.

(3) Pursuant to Section 316.1896, Florida Statutes. A traffic infraction enforcement officer under Section 316.640, Florida Statutes, is authorized to issue uniform traffic citations for violations of Sections 316.1895 and 316.183, Florida Statutes, as authorized by Section 316.008(9), Florida Statutes, if payment is not made within thirty (30) days of receiving the notice of violation.

(4) Notices. Penalties and Appeals. The Liberty County Sheriff's Office, or designee, shall provide notices of violation, assess penalties, remit applicable portions of assessed penalties, and provide for hearing procedures and appeals consistent with the requirements of Chapter 2023-174, Laws of Florida, as such may be amended from time to time.

(5) Signage and Public Awareness Campaign. The Liberty County Sheriff's Office, or designee, shall post signage and conduct a public awareness campaign regarding the placement or installation of speed detection systems consistent with the requirements of Chapter 2023-174, Laws of Florida, as such may be amended from time to time.

(6) Reporting. The Liberty County Sheriff's Office, or designee, shall comply with the reporting requirements of Chapter 2023-174, Laws of Florida, as such may be amended from time to time.

F. Conflicts. All ordinances and parts of ordinances in conflict herewith are to the extent of said conflict, hereby repealed.

G. Severability. Should any section, subsection, sentence, clause, phrase or portion of this ordinance be held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and shall not affect the validity of the remaining portion.

H. Effective Date. This ordinance shall take effect immediately upon adoption.

DULY APPROVED on First Reading this ____ day of _____ 2026, by the Board of County Commission of Liberty County, Florida in regular session,

DULY ADOPTED AND APPROVED on Second Reading this ____ day of _____ 2026, by the Board of County Commission of Liberty County, Florida, in regular session.

**BOARD OF COUNTY COMMISSIONERS
LIBERTY COUNTY, FLORIDA**

Dewayne Branch, Chairman

ATTEST:

Jace Ford, Clerk of Court