

MEMORANDUM

Agenda Item No. 11(A)(13)

TO: Honorable Chairman Joe A. Martinez
and Members, Board of County Commissioners

DATE: January 20, 2011

FROM: R. A. Cuevas, Jr.
County Attorney

SUBJECT: Resolution urging the Florida Legislature to amend the red light camera law to require cities and counties to display the logo and name of the city or county on signage so that motorists know which city or county is responsible for each red light camera

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Chairman Joe A. Martinez.



R. A. Cuevas, Jr.
County Attorney

RAC/jls



MEMORANDUM

(Revised)

TO: Honorable Chairman Joe A. Martinez
and Members, Board of County Commissioners

DATE: January 20, 2011

FROM: R. A. Cuevas, Jr.
County Attorney

SUBJECT: Agenda Item No.11 (A) (13)

Please note any items checked.

- "3-Day Rule" for committees applicable if raised
- 6 weeks required between first reading and public hearing
- 4 weeks notification to municipal officials required prior to public hearing
- Decreases revenues or increases expenditures without balancing budget
- Budget required
- Statement of fiscal impact required
- Ordinance creating a new board requires detailed County Manager's report for public hearing
- No committee review
- Applicable legislation requires more than a majority vote (i.e., 2/3's ____, 3/5's ____, unanimous ____) to approve
- Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required

Approved _____ Mayor

Agenda Item No. 11(A)(13)

Veto _____

1-20-2011

Override _____

RESOLUTION NO. _____

RESOLUTION URGING THE FLORIDA LEGISLATURE TO AMEND THE RED LIGHT CAMERA LAW TO REQUIRE CITIES AND COUNTIES TO DISPLAY THE LOGO AND NAME OF THE CITY OR COUNTY ON SIGNAGE SO THAT MOTORISTS KNOW WHICH CITY OR COUNTY IS RESPONSIBLE FOR EACH RED LIGHT CAMERA

WHEREAS, during the 2010 state legislative session, the Florida Legislature passed HB 325, the Mark Wandall Traffic Safety Act, authorizing the use of cameras for red light enforcement, and on May 13, 2010, the Governor signed HB 325 into law, Chapter 2010-80, Laws of Florida; and

WHEREAS, HB 325 authorizes cities, counties and the Florida Department of Highway Safety & Motor Vehicles to install traffic infraction detectors, also known as red light cameras; and

WHEREAS, HB 325 imposes a fine of \$158 for red light violations identified by camera, of which \$75 would be retained by the county or city; \$70 would go to the state general revenue fund; \$10 would go to trauma centers, including Jackson Memorial Hospital, and \$3 would go to the Miami Project to Cure Paralysis; and

WHEREAS, HB 325 requires that any city or county that installs a red light camera must display signage at the intersection to notify the public that a red light camera is in use; and

WHEREAS, in the event that a red light camera is being used for right turn enforcement, HB 325 further requires the signage to specifically indicate that red light camera enforcement includes right turns; and

WHEREAS, there are 35 municipalities located in Miami-Dade County, many of which have implemented red light camera programs, and an item is currently pending before this Board to initiate a red light camera program in the unincorporated area; and

WHEREAS, there is no indication on signage associated with red light cameras which city or county installed the camera; and

WHEREAS, cities are installing red light cameras on state and county roads within such cities, which may lead to confusion as to which jurisdiction is responsible for a red light camera; and

WHEREAS, as motorists travel through the County, it is not always clear in which jurisdiction a person is located at any particular intersection; and

WHEREAS, the logo and name of the city or county that installed each red light camera should be included on red light camera signage,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that this Board:

Section 1. Urges the Florida Legislature to amend state laws governing red light cameras to require cities and counties to display the logo and name of the city or county on signage so that motorists know which city or county is responsible for each red light camera.

Section 2. Directs the Clerk of the Board to transmit a certified copy of this resolution to the Governor, Senate President, House Speaker, and the Chair and Members of the Miami-Dade County State Legislative Delegation.

Section 3. Directs the County's state lobbyists to advocate for the legislation set forth in Section 1 above, and authorizes and directs that the 2011 State Legislative Package be amended to include this item.

The Prime Sponsor of the foregoing resolution is Chairman Joe A. Martinez. It was offered by Commissioner _____, who moved its adoption. The motion was seconded by Commissioner _____ and upon being put to a vote, the vote was as follows:

Joe A. Martinez, Chairman	
Audrey M. Edmonson, Vice Chairwoman	
Bruno A. Barreiro	Lynda Bell
Jose "Pepe" Diaz	Carlos A. Gimenez
Sally A. Heyman	Barbara J. Jordan
Jean Monestime	Dennis C. Moss
Natacha Seijas	Rebeca Sosa
Sen. Javier D. Souto	

The Chairperson thereupon declared the resolution duly passed and adopted this 20th day of January, 2011. This resolution shall become effective ten (10) days after the date of its adoption unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

By: _____
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

JMM

Jess M. McCarty

5