

July 27, 2010

TO: Law Enforcement Agencies

FROM: Dana Reiding, Chief *Dana Reiding*
Bureau of Records

SUBJECT: Uniform Traffic Citation (UTC) Changes, Effective 9/1/2010

The Department is changing the Uniform Traffic Citation to include new data fields in accordance with law changes. One of the changes includes a place for officers to certify that a UTC was delivered to the person cited when a violator signature is not required. This change is not effective until 9/1/2010 and we will provide further directions on implementation procedures in the near future. The intent of this new law is to allow law enforcement to provide electronic data to the clerk of court in a paperless manner. This process will reduce the amount of paper generated and allow the clerk of court to quickly receive and record electronic UTC data in an efficient manner.

The Legislature passed House Bill 971, which modifies F.S. 318.14(2) to state:

“Except as provided in s. 316.1001(2), any person cited for a violation requiring a mandatory hearing listed in s.318.19 or any other criminal traffic violation listed in chapter 316 must sign and accept a citation indicating a promise to appear. The officer may indicate on the traffic citation the time and location of the scheduled hearing and must indicate the applicable civil penalty established in s. 318.18. For all other infractions under this section, except for infractions under s. 316.1001, the officer must certify by electronic, electronic facsimile or written signature that the citation was delivered to the person cited. This certification is prima facie evidence that the person cited was served with the citation.”

A violator must sign a traffic citation **only** when the citation is issued for a criminal traffic violation or a traffic violation that requires a mandatory hearing. Some citations that require mandatory hearings are:

- 1) A violation which results in a crash that causes the death of another;
- 2) A violation which results in a crash that causes “serious bodily injury” of another;
- 3) A violation of s. 316.172(1)(b), Florida Statutes for failing to stop for a school bus;
- 4) A violation of s. 316.520(1) or (2), Florida Statutes for failing to secure a load;
- 5) A speeding violation for exceeding the speed limit by 30 M.P.H. or more.

Other new fields will be added to the citation to specifically note if the vehicle is a 16 passenger vehicle or a motorcycle.

As a reminder, all traffic related offenses under s. 316, Florida Statutes must be written on a UTC. Please visit our web site at www.flhsmv.gov/courts for more helpful information. Please direct any questions to Bonnie Scott-Walls at (850) 617-2586 or BonnieScott-Walls@flhsmv.gov.