

RESOLUTION NO. 2023-32653

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, DIRECTING THE CITY ADMINISTRATION TO EVALUATE WHETHER ANY SCHOOL ZONE(S) IN THE CITY WARRANT THE INSTALLATION OF AUTOMATED SPEED DETECTION SYSTEMS IN ORDER ADDRESS ANY HEIGHTENED SAFETY RISKS TO SCHOOL CHILDREN; AND FURTHER, DIRECTING THE ADMINISTRATION TO PRESENT ITS FINDINGS AND RECOMMENDATIONS AT THE OCTOBER 18, 2023 CITY COMMISSION MEETING.

WHEREAS, in the 2023 legislative session, the Florida Legislature passed and adopted House Bill 657 ("HB 657"), which creates Florida Statute 316.008(9), pertaining to the use of speed detection systems ("SDS") in order to enforce speed limits in school zones; and

WHEREAS, HB 657 authorizes counties and municipalities to place or install, or contract with a vendor to place or install, SDS (which are similar to red light cameras) to enforce school zone speed limits for violations in excess of 10 miles per hour over the applicable speed limit when children are going to school (30 minutes before) or leaving school (30 minutes after) and during the entirety of the school day; and

WHEREAS, HB 657 further authorizes counties and municipalities to enact an ordinance regarding the placement or installation of SDS upon determining that each location of such system constitutes a heightened safety risk that warrants additional enforcement action based upon traffic data and/or other evidence supporting the need for SDS in such location; and

WHEREAS, the further requirements of HB 657 include signage warning motorists that speed detection systems are in use; a public announcement and public awareness campaign prior to commencing enforcement of school zone speed limits with SDS; annual reporting to the Florida Department of Highway Safety and Motor Vehicles ("DHSMV") as to the results of all SDS within the City; and the City Commission to hold public meetings regarding contracts and data reported; and

WHEREAS, HB 657 specifically authorizes SDS to be placed or installed in a school zone on a state road when permitted by the Florida Department of Transportation ("FDOT") and in accordance with FDOT-developed placement and installation specifications; and

WHEREAS, SDS may also be placed or installed in a school zone on a street or highway under the City's jurisdiction, in accordance with FDOT-established placement and installation specifications, which specifications FDOT must establish by December 31, 2023.

NOW, THEREFORE, BE IT DULY RESOLVED THAT THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, hereby direct the City Administration to evaluate whether any school zone(s) in the City warrant the installation of automated speed detection systems in order address any heightened safety risks to school

children; and further, directing the Administration to present its findings and recommendations at the October 18, 2023 City Commission meeting.


PASSED AND ADOPTED this 28 day of June, 2023.

ATTEST:



Rafael E. Granado, City Clerk

JUL - 5 2023



Dan Gelber, Mayor

(Sponsored by Commissioner Alex J. Fernandez)



**APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION**



City Attorney *MATF*

6-15-23
Date

MIAMI BEACH

COMMISSION MEMORANDUM

TO: Honorable Mayor and Members of the City Commission
FROM: Rafael A. Paz, City Attorney
DATE: June 28, 2023

SUBJECT: A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, DIRECTING THE CITY ADMINISTRATION TO EVALUATE WHETHER ANY SCHOOL ZONE(S) IN THE CITY WARRANT THE INSTALLATION OF AUTOMATED SPEED DETECTION SYSTEMS IN ORDER ADDRESS ANY HEIGHTENED SAFETY RISKS TO SCHOOL CHILDREN; AND FURTHER, DIRECTING THE ADMINISTRATION TO PRESENT ITS FINDINGS AND RECOMMENDATIONS AT THE OCTOBER 18, 2023 CITY COMMISSION MEETING.

ANALYSIS

Pursuant to the request of Commissioner Alex Fernandez, the attached Resolution is submitted for consideration by the Mayor and City Commission.

SUPPORTING SURVEY DATA

N/A.

FINANCIAL INFORMATION

None at this time.

Applicable Area

Citywide

Is this a "Residents Right to Know" item, pursuant to City Code Section 2-14?

Yes

Does this item utilize G.O. Bond Funds?

No

Legislative Tracking

Office of the City Attorney

Sponsor

Commissioner Alex Fernandez

ATTACHMENTS:

Description

- Resolution