



Business Impact Estimate

This form should be included in the "set for public hearing" agenda item for ordinances, and must be posted on the County's website by the time notice of the proposed ordinance is published.

Ordinance title/reference:

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA, PERTAINING TO SPEED DETECTION SYSTEMS IN SCHOOL ZONES; REPEALING SECTION 23-6 OF THE BROWARD COUNTY CODE OF ORDINANCES ("CODE") RELATING TO SCHOOL ZONE SPEED LIMITS; CREATING A NEW ARTICLE II OF CHAPTER 23, INCLUDING SECTIONS 23-9 THROUGH 23-11, RELATING TO SCHOOL ZONE SPEED LIMITS AND SPEED DETECTION SYSTEMS; RENUMBERING AND AMENDING ARTICLES II AND III OF CHAPTER 23; AND PROVIDING FOR SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE.

(Sponsored by Senator Steve Geller)

If any of the following exceptions to the Business Impact Estimate requirement apply, check the applicable box and leave the remainder of the form blank.

- ☐ The ordinance is required for compliance with federal or state law or regulation;
- ☐ The ordinance relates to the issuance or refinancing of debt;
- ☐ The ordinance relates to the adoption of budgets or budget amendments, including revenue sources necessary to fund the budget;
- ☐ The ordinance is required to implement a contract or an agreement, including, but not limited to, any federal, state, local, or private grant, or other financial assistance accepted by the County;
- ☐ The ordinance is an emergency ordinance;
- ☐ The ordinance relates to procurement; or
- ☐ The ordinance is enacted to implement the following:
 - a. Development orders and development permits, as defined in Section 163.3164, and development agreements authorized under the Florida Local Government Development Agreement Act;
 - b. Comprehensive plan amendments and land development regulation amendments initiated by application by a non-municipal private party;
 - c. Sections 190.005 and 190.046, regarding community development districts;
 - d. Section 553.73, relating to the Florida Building Code; or
 - e. Section 633.202, relating to the Florida Fire Prevention Code.

1. Summary of the proposed ordinance (must include statement of the public purpose, such as serving the public health, safety, morals, and welfare):

In order to install speed detection systems within school zones in the BMSD, the County must:

- (i) consider traffic data or other evidence supporting the installation and operation of each proposed school zone speed detection system;
- (ii) make a determination that each school zone where the speed detection system is to be placed constitutes a heightened safety risk that warrants additional enforcement measures; and
- (iii) enact an Ordinance authorizing the placement or installation of the speed detection system(s).

On June 18, 2024, the Office of the County Attorney was directed to draft this proposed Ordinance.

TED collected speed and traffic volume data for the County maintained roadways that are within the Broward County Municipal Services District ("BMSD") as school zones for both Meadowbrook Elementary and Dillard High School and compiled the foregoing data on September 20, 2024 ("Traffic Study").

The Traffic Study confirmed that about twenty percent (20%) to fifty-three percent (53%) of the vehicles exceed the reduced school zone speed limit and posted speed limit on the roadways adjacent to Meadowbrook Elementary, SW 46th Avenue, and SW 43rd Way. The Traffic Study further confirmed that approximately (i) eleven percent (11%) to forty-one percent (41%) of the vehicles exceed the reduced school zone speed limit and posted speed limit on NW 23 Court, roadway on the north side of Dillard High School; and (ii) twenty-four percent (24%) to twenty-six percent (26%) of the vehicles exceed the reduced school speed limit and the posted speed limit on NW 27th Avenue, which is the primary access for Dillard High School (Exhibit 5).

The proposed Ordinance implements Chapter 2023-174, Laws of Florida, by (i) making legislative findings based on the Traffic Study that the speeding at Meadowbrook Elementary and Dillard High School constitutes a heightened safety risk that warrants additional enforcement measures; and (ii) authorizing the placement or installation of the speed detection systems.

The proposed Ordinance migrates the existing provisions found in Section 23-6 of the Code regarding school zone speed limits to Section 23-9. A new Article II of Chapter 23 is further created by the proposed Ordinance that will contain the provisions regarding school zone speed limits and speed detection systems. The existing Articles II and III of Chapter 23 have consequently been renumbered by Articles III and IV of Chapter 23.

2. Estimate of direct economic impact of the proposed ordinance on private, for-profit businesses in Broward County, including, if applicable:

a. Estimate of direct compliance costs that businesses may reasonably incur;

It is assumed that businesses will pass along the cost of speeding violations to the employee driving the vehicle at the time of the offense. Therefore, it is estimated that there will be no direct economic impact on private, for-profit businesses.

b. Any new charge or fee imposed by the proposed ordinance; and

Violations of the speed limit in school zones detected by the speed detection system will be assessed a penalty of \$100, as set by state law.

c. Estimate of the County's regulatory costs, including estimated revenues from any new charges or fees to cover such costs.

The impact of the ordinance is estimated from the results of the traffic study.

The traffic study conducted by the Broward County Traffic Engineering Division showed 537 speeding violations that were in excess of 10 miles per hour over the speed limit per day.

It is assumed that there are 180 school days per year where the penalty will be assessed. The penalty is \$100, and there is an additional \$12.50 administrative fee.

The gross annual revenue from the penalties is thus

$$537 \times 180 \times (\$100 + \$12.50) = \$10,874,250.$$

State law dictates that \$77 of the \$100 penalty (and the \$12.50 administrative fee) remain with Broward County, for a total of \$8,651,070 per year. These revenues will be used to administer any speed detection system contract, with the remainder dedicated to uses specified in state law. The cost to administer the speed detection system cannot be determined at this time and is dependent upon the specifics of any contracts with vendors for the installation and operation of the system.

3. Estimate of the number of businesses likely to be impacted by the proposed ordinance:

It is assumed that businesses will pass along the cost of speeding violations to the employee driving the vehicle at the time of the offense. Therefore, it is estimated that there will be no businesses likely to be impacted by the proposed ordinance.

4. Additional information (if any):