

1. Presentation:

a. Intent is not to address or redress my citation

i. My offense and citation

b. Intent is to address an incorrect penalty

i. City ordinance and state law

1. Florida statute Title XXIII Chapter 316.1955 (1) - Enforcement of parking requirements for persons who have disabilities.

2. Florida statute Title XXIII Chapter 318.18 (6) - Amount of penalties "up to \$7.50 dismissal fee..."

a. Exhibits:

i. City of Jacksonville -\$7.50

ii. Palm Beach County -\$7.50

iii. MIAMI-DADE COUNTY -\$7.50

iv. City of Sarasota Parking Division -\$7.50

v. CIRCUIT COURT OF FLORIDA, SEVENTH JUDICIAL CIRCUIT
IN AND FOR VOLUSIA COUNTY -\$7.50

3. CR code Sec. 15-4 (6) – "Other violations", \$50 vs \$25

c. Intent is the address an inappropriate penalty

i. Florida Statute 316.2004 sec.2 para.b – windshield obstruction

ii. Mistake vs intent – warning vs penalty

iii. Affected demographic¹

1. >25% of Crystal River population is below the poverty line¹

2. Per capita income - \$28,806¹

3. Fixed/limited income population facing:

a. Economic crisis

b. Out of control costs – medical, gas, groceries...

c. Benefit reductions

2. Conclusion: Review and revise Crystal River Code Sec. 15-4 (6) to comply with Florida state law.

3. Questions:

¹ Citation: U.S. Census Bureau (2021). American Community Survey 5-year estimates. Retrieved from Census Reporter Profile page for Crystal River, FL <<http://censusreporter.org/profiles/16000US1215775-crystal-river-fl/>>

The 2022 Florida Statutes (including 2022 Special Session A and 2023 Special Session B)

Title XXIII

MOTOR VEHICLES

Chapter 316

STATE UNIFORM TRAFFIC CONTROL

[View Entire Chapter](#)

316.1955 Enforcement of parking requirements for persons who have disabilities.—

(1) It is unlawful for any person to stop, stand, or park a vehicle within, or to obstruct, any such specially designated and marked parking space provided in accordance with s. [553.5041](#), unless the vehicle displays a disabled parking permit issued under s. [316.1958](#) or s. [320.0848](#) or a license plate issued under s. [320.084](#), s. [320.0842](#), s. [320.0843](#), or s. [320.0845](#), and the vehicle is transporting the person to whom the displayed permit is issued. The violation may not be dismissed for failure of the marking on the parking space to comply with s. [553.5041](#) if the space is in general compliance and is clearly distinguishable as a designated accessible parking space for people who have disabilities. Only a warning may be issued for unlawfully parking in a space designated for persons with disabilities if there is no above-grade sign as provided in s. [553.5041](#).

(a) Whenever a law enforcement officer, a parking enforcement specialist, or the owner or lessee of the space finds a vehicle in violation of this subsection, that officer, owner, or lessor shall have the vehicle in violation removed to any lawful parking space or facility or require the operator or other person in charge of the vehicle immediately to remove the unauthorized vehicle from the parking space. Whenever any vehicle is removed under this section to a storage lot, garage, or other safe parking space, the cost of the removal and parking constitutes a lien against the vehicle.

(b) The officer or specialist shall charge the operator or other person in charge of the vehicle in violation with a noncriminal traffic infraction, punishable as provided in s. [316.008\(4\)](#) or s. [318.18\(6\)](#). The owner of a leased vehicle is not responsible for a violation of this section if the vehicle is registered in the name of the lessee.

(c) All convictions for violations of this section must be reported to the Department of Highway Safety and Motor Vehicles by the clerk of the court.

(d) A law enforcement officer or a parking enforcement specialist has the right to demand to be shown the person's disabled parking permit and driver license or state identification card when investigating the possibility of a violation of this section. If such a request is refused, the person in charge of the vehicle may be charged with resisting an officer without violence, as provided in s. [843.02](#).

(2) It is unlawful for any person to obstruct the path of travel to an accessible parking space, curb cut, or access aisle by standing or parking a vehicle within any such designated area. The violator is subject to the same penalties as are imposed for illegally parking in a space that is designated as an accessible parking space for persons who have disabilities.

(3) Any person who is chauffeuring a person who has a disability is allowed, without need for a disabled parking permit or a special license plate, to stand temporarily in any such parking space, for the purpose of loading or unloading the person who has a disability. A penalty may not be imposed upon the driver for such temporary standing.

(4)(a) A vehicle that is transporting a person who has a disability and that has been granted a permit under s. 320.0848(1)(a) may be parked for a maximum of 30 minutes in any parking space reserved for persons who have disabilities.

(b) Notwithstanding paragraph (a), a theme park or an entertainment complex as defined in s. 509.013(9) which provides parking in designated areas for persons who have disabilities may allow any vehicle that is transporting a person who has a disability to remain parked in a space reserved for persons who have disabilities throughout the period the theme park is open to the public for that day.

History.—s. 1, ch. 75-105; s. 1, ch. 76-31; s. 2, ch. 77-83; s. 1, ch. 77-444; ss. 1, 8, ch. 79-82; s. 123, ch. 79-400; s. 1, ch. 80-196; s. 2, ch. 84-234; s. 2, ch. 85-227; s. 1, ch. 87-225; s. 22, ch. 90-330; s. 80, ch. 91-221; s. 3, ch. 93-183; s. 2, ch. 96-200; s. 25, ch. 96-350; s. 8, ch. 97-76; s. 1, ch. 98-202; s. 89, ch. 99-13; s. 146, ch. 99-248; s. 16, ch. 2000-141; s. 10, ch. 2006-290.

Note.—Former s. 316.165.

The 2022 Florida Statutes (including 2022 Special Session A and 2023 Special Session B)

Title XXIII	Chapter 318	View Entire Chapter
MOTOR VEHICLES	DISPOSITION OF TRAFFIC INFRACTIONS	

318.18 Amount of penalties.—The penalties required for a noncriminal disposition pursuant to s. [318.14](#) or a criminal offense listed in s. [318.17](#) are as follows:

(1) Fifteen dollars for:

(a) All infractions of pedestrian regulations.

(b) All infractions of s. [316.2065](#), unless otherwise specified.

(c) Other violations of chapter 316 by persons 14 years of age or under who are operating bicycles, regardless of the noncriminal traffic infraction's classification.

(2) Thirty dollars for all nonmoving traffic violations and:

(a) For all violations of s. [322.19](#).

(b) For all violations of ss. [320.0605](#), [320.07\(1\)](#), [322.065](#), and [322.15\(1\)](#). Any person who is cited for a violation of s. [320.07\(1\)](#) shall be charged a delinquent fee pursuant to s. [320.07\(4\)](#).

1. If a person who is cited for a violation of s. [320.0605](#) or s. [320.07](#) can show proof of having a valid registration at the time of arrest, the clerk of the court may dismiss the case and may assess a dismissal fee of up to \$10, from which the clerk shall remit \$2.50 to the Department of Revenue for deposit into the General Revenue Fund. A person who finds it impossible or impractical to obtain a valid registration certificate must submit an affidavit detailing the reasons for the impossibility or impracticality. The reasons may include, but are not limited to, the fact that the vehicle was sold, stolen, or destroyed; that the state in which the vehicle is registered does not issue a certificate of registration; or that the vehicle is owned by another person.

2. If a person who is cited for a violation of s. [322.03](#), s. [322.065](#), or s. [322.15](#) can show a driver license issued to him or her and valid at the time of arrest, the clerk of the court may dismiss the case and may assess a dismissal fee of up to \$10, from which the clerk shall remit \$2.50 to the Department of Revenue for deposit into the General Revenue Fund.

3. If a person who is cited for a violation of s. [316.646](#) can show proof of security as required by s. [627.733](#), issued to the person and valid at the time of arrest, the clerk of the court may dismiss the case and may assess a dismissal fee of up to \$10, from which the clerk shall remit \$2.50 to the Department of Revenue for deposit into the General Revenue Fund. A person who finds it impossible or impractical to obtain proof of security must submit an affidavit detailing the reasons for the impracticality. The reasons may include, but are not limited to, the fact that the vehicle has since been sold, stolen, or destroyed; that the owner or registrant of the vehicle is not

required by s. 627.733 to maintain personal injury protection insurance; or that the vehicle is owned by another person.

(c) For all violations of ss. 316.2935 and 316.610. However, for a violation of s. 316.2935 or s. 316.610, if the person committing the violation corrects the defect and obtains proof of such timely repair by an affidavit of compliance executed by the law enforcement agency within 30 days from the date upon which the traffic citation was issued, and pays \$4 to the law enforcement agency, thereby completing the affidavit of compliance, then upon presentation of said affidavit by the defendant to the clerk within the 30-day time period set forth under s. 318.14(4), the fine must be reduced to \$10, which the clerk of the court shall retain and from which the clerk shall remit \$2.50 to the Department of Revenue for deposit into the General Revenue Fund.

(d) For all violations of s. 316.126(1)(b), unless otherwise specified.

(3)(a) Except as otherwise provided in this section, \$60 for all moving violations not requiring a mandatory appearance.

(b) For moving violations involving unlawful speed, the fines are as follows:

For speed exceeding the limit by:	Fine:
1-5 mph.	Warning
6-9 mph.	\$25
10-14 mph.	\$100
15-19 mph.	\$150
20-29 mph.	\$175
30 mph and above.	\$250

(c) Notwithstanding paragraph (b), a person cited for exceeding the speed limit by up to 5 mph in a legally posted school zone will be fined \$50. A person exceeding the speed limit in a school zone or designated school crossing shall pay a fine double the amount listed in paragraph (b).

(d) A person cited for exceeding the speed limit in a posted construction zone, which posting must include notification of the speed limit and the doubling of fines, shall pay a fine double the amount listed in paragraph (b). The fine shall be doubled for construction zone violations only if construction personnel are present or operating equipment on the road or immediately adjacent to the road under construction.

(e) A person cited for exceeding the speed limit in an enhanced penalty zone shall pay a fine amount of \$50 plus the amount listed in paragraph (b). Notwithstanding paragraph (b), a person cited for exceeding the speed limit by up to 5 mph in a legally posted enhanced penalty zone shall pay a fine amount of \$50.

(f) If a violation of s. 316.1301 or s. 316.1303(1) results in an injury to the pedestrian or damage to the property of the pedestrian, an additional fine of up to \$250 shall be paid. This amount must be distributed pursuant to s. 318.21.

(g) A person cited for exceeding the speed limit within a zone posted for any electronic or manual toll collection facility shall pay a fine double the amount listed in paragraph (b). However, no person cited for exceeding the speed limit in any toll collection zone shall be subject to a doubled fine unless the governmental entity or authority controlling the toll collection zone first installs a traffic control device providing warning that speeding fines are doubled. Any such traffic control device must meet the requirements of the uniform system of traffic control devices.

¹(h) A person cited for a second or subsequent conviction of speed exceeding the limit by 30 miles per hour and above within a 12-month period shall pay a fine that is double the amount listed in paragraph (b). For purposes of this paragraph, the term "conviction" means a finding of guilt as a result of a jury verdict, nonjury trial, or entry of a plea of guilty. Moneys received from the increased fine imposed by this paragraph shall be remitted to the Department of Revenue and deposited into the Department of Health Emergency Medical Services Trust Fund to provide financial support to certified trauma centers to assure the availability and accessibility of trauma services throughout the state. Funds deposited into the Emergency Medical Services Trust Fund under this section shall be allocated as follows:

1. Fifty percent shall be allocated equally among all Level I, Level II, and pediatric trauma centers in recognition of readiness costs for maintaining trauma services.

2. Fifty percent shall be allocated among Level I, Level II, and pediatric trauma centers based on each center's relative volume of trauma cases as calculated using the hospital discharge data collected pursuant to s. 408.061.

(4) The penalty imposed under s. 316.545 shall be determined by the officer in accordance with the provisions of ss. 316.535 and 316.545.

(5)(a) Two hundred dollars for a violation of s. 316.172(1)(a), failure to stop for a school bus. If, at a hearing, the alleged offender is found to have committed this offense, the court shall impose a minimum civil penalty of \$200. In addition to this penalty, for a second or subsequent offense within a period of 5 years, the department shall suspend the driver license of the person for not less than 180 days and not more than 1 year.

(b) Four hundred dollars for a violation of s. 316.172(1)(b), passing a school bus on the side that children enter and exit when the school bus displays a stop signal. If, at a hearing, the alleged offender is found to have committed this offense, the court shall impose a minimum civil penalty of \$400. In addition to this penalty, for a second or subsequent offense within a period of 5 years, the department shall suspend the driver license of the person for not less than 360 days and not more than 2 years.

(c) In addition to the penalty under paragraph (a) or paragraph (b), \$65 for a violation of s. 316.172(1)(a) or (b). If the alleged offender is found to have committed the offense, the court shall impose the civil penalty under paragraph (a) or paragraph (b) plus an additional \$65. The

additional \$65 collected under this paragraph shall be remitted to the Department of Revenue for deposit into the Emergency Medical Services Trust Fund of the Department of Health to be used as provided in s. 395.4036.

(d) Notwithstanding any other provision of law to the contrary, \$1,500 for a violation of s. 316.172(1)(a) or (b) that causes or results in serious bodily injury to or death of another. The person may enter into a payment plan with the clerk of court pursuant to s. 28.246. In addition to this penalty, the department shall suspend the driver license of the person for not less than 1 year.

(6) One hundred dollars or the fine amount designated by county ordinance, plus court costs for illegally parking, under s. 316.1955, in a parking space provided for people who have disabilities. However, this fine shall be waived if a person provides to the law enforcement agency or parking enforcement specialist or agency that issued the citation for such a violation proof that the person committing the violation has a valid parking permit or license plate issued pursuant to s. 316.1958, s. 320.0842, s. 320.0843, s. 320.0845, or s. 320.0848 or a signed affidavit that the owner of the disabled parking permit or license plate was present at the time the violation occurred, and that such a parking permit or license plate was valid at the time the violation occurred. The law enforcement officer or agency or the parking enforcement specialist or agency, upon determining that all required documentation has been submitted verifying that the required parking permit or license plate was valid at the time of the violation, must sign an affidavit of compliance. Upon provision of the affidavit of compliance and payment of a dismissal fee of up to \$7.50 to the clerk of the circuit court, the clerk shall dismiss the citation. However, the clerk may designate a local governmental entity to receive the affidavit and dismissal fee, and the local governmental entity may keep the fee.

To pay your citation or set a court hearing please visit:

Office of Public Parking

231 East Forsyth St. Suite 424

Jacksonville, FL 32202

Phone: 904-255-5858

In order to file a request for dismissal, your citation must have been issued as a 8B: Disabled Placard Not/Improperly Displayed

If you have received a citation for improperly hanging your permit you may visit any Tax Collector's Office to request a dismissal. To complete the request, the owner of the permit must have had been present at the time the citation was written, present a valid permit to the Tax Collector in person, have a copy of their citation, and pay a \$7.50 processing fee to the Tax Collector if approved.

You may also request a dismissal by completing the form below. Upon processing of your online request, you will receive notification via US Mail. If approved, you may take the approval letter to any Tax Collector's office and pay the \$7.50 dismissal fee without providing a copy of your citation.

SEARCH NOW

[Court Records](#)

[Official Records](#)

Handicap Parking Tickets

This information only applies to handicap parking tickets issued by Palm Beach County Sheriff's officers.

If You Have a Valid Disabled Parking Permit

If you have a valid disabled parking permit, you can request a dismissal by filing the [Affidavit of Compliance](#) provided with the citation.

Please mail the completed Affidavit of Compliance, signed by a Palm Beach County Sheriff Parking Enforcement Officer, and a check in the amount of \$7.50 to the address below.

Clerk of the Circuit Court & Comptroller, Palm Beach County
Parking Violations
P. O. Box 3544
West Palm Beach, FL 33402

For assistance or to locate an officer to sign your affidavit, please call the Palm Beach County Sheriff's Office at (561) 688-3000.

If You Do Not Have a Valid Disabled Parking Permit

If you did not have a disabled parking permit when you received your ticket, you have two options for closing your case.

1. **You may enter a plea of not guilty.** Your plea of not guilty must be in writing. Please include your correct mailing address. You will be notified of your court date at the address you provide.
2. **You may enter a plea of guilty or no contest and pay the fine.**

Please enter your plea of not guilty or your payment to:

**AFFIDAVIT
DISABLED PARKING SPACE**

REQUIREMENTS TO DISMISS DISABLED PARKING SPACE VIOLATION

A person who has a disabled permit is entitled to park in a disabled parking space or a stroller space. A person who has a valid disabled permit, and who was given a citation for violation 5 (disabled space) or violation 9 (stroller), can submit a copy of the permit registration, an affidavit that the permit owner was present at the time of the violation, and a \$7.50 fee for a statutory dismissal.

According to Florida Statute 316.1955(7)a, it is unlawful for any person to stop, stand, or park a vehicle within any such specially designated and marked parking space provided in accordance with this section, unless the vehicle displays a disabled parked permit . . . and the vehicle is transporting the person to whom the displayed permit is issued.”

A person may avoid the civil penalty for certain violations of disabled parking whereby, according to F.S. 318.18(6), the person provides:

- A copy of the **permit registration showing the owner’s name and address that was valid at the time the violation occurred** and
- A photocopy of the owner’s driver’s license
- A signed **affidavit** that the owner of the disabled parking permit was present at the time the violation occurred and
- **\$7.50 dismissal fee.**

Upon provision of proof of a valid parking permit, the affidavit, and the \$7.50 dismissal fee to the Clerk of the Court, the clerk shall dismiss the citation.

I, _____, hereby state that **I am the owner of a disabled parking permit or disabled license plate number # _____**, and that **I was present when the violation occurred** as noted by parking citation # _____ issued on _____ (date) at _____ a.m./p.m. (time) to license tag # _____ State _____.
My Driver’s License or State ID # is _____.

Pursuant to Florida Statute 92.525, under penalties of perjury, I declare that I have read the forgoing affidavit and the facts stated in it are true.

(Signature of the owner of disabled permit)

(Print Name)

Date

(Address)

(City) (State) (Zip)

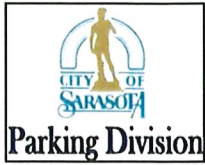
(Area Code) (Phone Number)

Given by: _____, Deputy Clerk

Verified by: _____, Deputy Clerk

Registration Attached

USE ONLY FOR PARKING VIOLATION CODES 5, 9 15, or 19



Request for Citation Dismissal

Date of Appeal _____

A request for citation dismissal must be submitted within 14 calendar days of the date and time of issuance of the citation (Sarasota City Code: Sec, 33-168). Failure to do so will result in a plea of Guilty and all applicable late fees will be added to your Citation balance. No late fee will be added to your fine during the appeal process. **The City reserves the right under City Code 33-166, to require a deposit equal to the amount of the citation, plus \$7.50 administrative fee.**

There are several options available for submitting a Request for Citation Dismissal:

1. Present the form and citation at the Parking Operations Division (POD), 8 a.m. to 4:30 p.m., Monday through Friday, 1565 1st Street, Sarasota, FL, 34236, in the center of the lobby of CityHall.
2. Email this form and a scanned copy of your citation to parkinginfo@sarasotafl.gov
3. Mail this form and your citation (keep a copy) to the Parking Division Office, 1565 1st Street, Sarasota, FL 34236.
4. Fax this form and a copy of your citation to the Parking Division Office, Fax # 941-926-6588.

Full Name (Please Print – Above the line) _____ Phone Number including Area Code _____

Street Name and Number, Apt.# and/or P.O. Box _____ Email Address _____

City _____ State _____ Zip Code _____ License Plate and State _____

Citation #: _____ Date of Citation: _____

Print Reason for Request for Citation Dismissal: (use back side of form if required)

Signature of petitioner above

ADMINISTRATIVE RESPONSE _____ **Date of Response:** _____ **By:** _____

- Your citation has been **DISMISSED**. This letter serves as your verification that your citation has been excused.
- Your Citation has been **REDUCED TO A WARNING**. This letter serves as your Verification that your citation has been reduced.

Your citation has been **UPHELD and a fee of \$7.50** will be assessed to the citation. The citation is upheld for the following reason:

- Citations cannot be dismissed based upon the failure to display current registration on plate, or parking permit.
- Citations cannot be dismissed when a Warning Ticket has been previously issued for the same violation.
- Citations cannot be dismissed based on lack of knowledge of the City's parking regulations.
- Citations cannot be dismissed due to appeal being submitted outside the 14-calendar day appeal window.
- Photographic evidence of your violation does not support your request for dismissal (Photo attached).
- Other reason: _____

You will be given 14 days from receipt of this notice to pay your citation without incurring a late fee. Payment can be made on the internet (www.sarasotafl.gov), in person (8am-4:30pm, M-F at City Hall center lobby P.O.D. office), or by mail to City of Sarasota Parking Division at 1565 1st Street, Sarasota, FL 34236. Checks must reference Citation number. Appeals may be challenged through the Court of Sarasota. To schedule court appearance, notify the Parking Office at **941-263-6475**. Court hearings must be scheduled within 30 days of receipt of this notice. Applicable court charges will apply to court hearings.

**IN THE CIRCUIT COURT OF FLORIDA, SEVENTH JUDICIAL
CIRCUIT IN AND FOR VOLUSIA COUNTY**

RE: HANDICAP PARKING CITATIONS

REF: T-2022-001-V

WHEREAS, pursuant to Sec. 318.18(6), Florida Statutes, fines associated with illegally parking in a space provided for people with disabilities may be waived under certain circumstances, and

WHEREAS, one such circumstance requires the individual receiving the citation to provide proof that he/she possessed a valid disabled parking permit or license plate to the issuing law enforcement agency, and

WHEREAS, the Volusia County Police Chief's Association has approved a policy which would allow the Volusia County Clerk of Court's office to review submissions of proof on behalf of the issuing law enforcement agencies;

NOW THEREFORE, I, JAMES R. CLAYTON, Chief Judge of the Seventh Judicial Circuit of Florida, hereby order that the Volusia County Clerk of Court's office is authorized to act on behalf of Volusia County law enforcement agencies for purposes of reviewing documentation submitted by recipients of handicap parking citations. Said documentation must prove that the recipient possessed a valid disabled parking permit or license plate at the time the citation was issued.

IT IS FURTHER ORDERED that upon a showing of proof that the recipient possessed a valid disabled parking permit or license plate at the time the citation was issued, and payment of a \$7.50 dismissal fee, the Clerk of Court's office shall dismiss the citation.

Nothing in this Order shall prohibit the recipient of a handicap parking citation from obtaining an affidavit of compliance from the issuing law enforcement agency pursuant to Sec. 318.18(6), Florida Statutes.

TO BE RECORDED in Volusia County, FL.

DONE AND ORDERED in DeLand, Volusia County, Florida this 30th day of September 2022.

/s/ James R. Clayton

**JAMES R. CLAYTON
CHIEF JUDGE**



Sec. 15-44. - Violation and fine schedule.

The following fines apply for the violations listed:

- (1) Time parking (metered or unmetered)—The fine for parking overtime shall be twenty-five dollars (\$25.00).
- (2) Failing to pay for parking in a metered lot—The fine for failing to pay while parking in a metered lot or failure to display receipt from parking meter on vehicle shall be fifty dollars (\$50.00)
- (3) Parking in a fire zone—The fine for parking in an area designated as a fire zone shall be fifty dollars (\$50.00).
- (4) Parking in a no-parking zone—The fine for parking in a no-parking zone shall be fifty dollars (\$50.00).
- (5) Improper parking—The fine for improper parking shall be fifty dollars (\$50.00).
- (6) Other violations—Any other violation of this article or the Florida Statutes pertaining to parking or use of a city boat ramp or launch facility shall be fifty dollars (\$50.00).
- (7) Leaving vehicle with keys in ignition—The fine for leaving a parked vehicle while the keys remain in the ignition shall be twenty-five dollars (\$25.00).
- (8) Handicapped or disabled persons—The fine for parking in a handicapped or physically disabled persons zone without a permit shall be two hundred fifty dollars (\$250.00).
- (9) Too close to fire hydrants—The fine for parking closer than allowed by law or this article shall be one hundred dollars (\$100.00).
- (10) If found to be in violation, the violator will be responsible to pay for all hearing and administrative costs associated therewith.
- (11) All violations as set forth in this section are noncriminal infractions.

(Ord. No. 10-0-03, § 3, 1-25-2010; Ord. No. 15-0-02, § 3(Exh. A), 10-26-2015; Ord. No. 22-O-21, § 3, 8-8-2022)

2011 Florida Statutes

Title XXIII MOTOR VEHICLES

Chapter 316 STATE UNIFORM TRAFFIC CONTROL Entire Chapter

SECTION 2004

Obstruction to driver's view or driving mechanism.

316.2004 Obstruction to driver's view or driving mechanism.—

(1) No person shall drive a vehicle when it is so loaded, or when there are in the front seat such a number of persons, as to obstruct the view of the driver to the front or sides of the vehicle or as to interfere with the driver's control over the driving mechanism of the vehicle.

(2)(a) No passenger in a vehicle shall ride in such position as to interfere with the driver's view ahead or to the sides or with the driver's control over the driving mechanism of the vehicle.

(b) No person shall drive any motor vehicle with any sign, poster, or other nontransparent material upon the front windshield, side wings, or side or rear windows of such vehicle which materially obstructs, obscures, or impairs the driver's clear view of the highway or any intersecting highway.

(3) A violation of this section is a noncriminal traffic infraction, punishable as a nonmoving violation as provided in chapter 318.

History.—s. 1, ch. 71-135; s. 1, ch. 76-31; s. 318, ch. 95-148; s. 151, ch. 99-248.

Note.—Former s. 316.093.

