

PASSED February 23, 2004

A resolution of the City Commission of the City of Gainesville, Florida, supporting an amendment to section 316.008 F. S. to permit local governments to enhance the penalty for the second and subsequent violations of section 316.3045 F. S. related to soundmaking devices in motor vehicles; and providing an immediate effective date.

WHEREAS, §316.3045 of Chapter 316 of the Florida Statutes entitled "State Uniform Traffic Control" regulates the "operation of radios or other mechanical soundmaking devices or instruments in motor vehicles" and provides that a violation of this section is a non-criminal traffic infraction punishable as provided in Chapter 318 of the Florida Statutes; and

WHEREAS, the City Commission of the City of Gainesville finds that the penalty as provided in Chapter 318 does not operate as an adequate deterrent to the noise pollution created by soundmaking devices in motor vehicles in the City of Gainesville; and

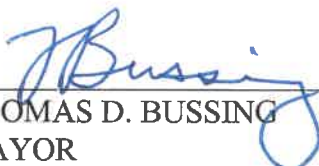
WHEREAS, section 316.008, F.S. specified the powers of local authorities to adopt ordinances which vary provisions of the State Uniform Traffic Control provision and such section does not include the authority to vary penalties for violations of §316.3045.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF GAINESVILLE, FLORIDA:

Section 1. The City Commission supports the amendment of §316.008, "Powers of local authorities" to include the authority for local governments to enhance the penalties for the second and subsequent violations of §316.3045, F.S. related to the "Operation of radios or other mechanical soundmaking devices or instruments in motor vehicles."

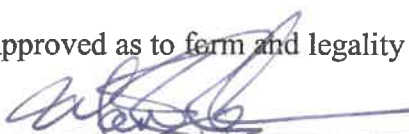
Section 2. This resolution shall become effective immediately upon adoption.

PASSED AND ADOPTED this 23 of February, 2004.


THOMAS D. BUSSING
MAYOR

ATTEST:

KURT M. LANNON
CLERK OF THE COMMISSION

Approved as to form and legality

MARION J. RADSON
CITY ATTORNEY

FEB 24 2004