

HOUSE OF REPRESENTATIVES STAFF ANALYSIS

BILL #: CS/HB 493 Enhanced Safety for School Crossings
SPONSOR(S): Transportation & Infrastructure Subcommittee; Toledo and others
TIED BILLS: IDEN./SIM. **BILLS:** SB 1416

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR or BUDGET/POLICY CHIEF
1) Transportation & Infrastructure Subcommittee	14 Y, 0 N, As CS	Johnson	Vickers
2) Transportation & Tourism Appropriations Subcommittee	10 Y, 0 N	Proctor	Davis
3) Government Accountability Committee	21 Y, 0 N	Johnson	Williamson

SUMMARY ANALYSIS

Current law requires the Department of Transportation (DOT) to adopt a uniform system of traffic control devices and pedestrian control devices for use on the streets and highways surrounding all public and private schools. A school zone located on a state-maintained primary or secondary road is maintained by DOT. Counties are responsible for maintaining school zones located outside of any municipality and on a county road. Municipalities are responsible for maintaining school zones located in a municipality. A school zone maintained by a county or municipality is periodically inspected to determine whether or not the school zone is being properly maintained.

The bill requires DOT to evaluate the viability and cost of establishing a uniform system for the designation of safe school crossing locations on arterial or collector roads within a one-mile radius of all schools. The bill requires DOT to report its findings to the Governor and Legislature before January 1, 2018.

The bill may have a negative, but likely insignificant fiscal impact to DOT for conducting the study.

FULL ANALYSIS

I. SUBSTANTIVE ANALYSIS

A. EFFECT OF PROPOSED CHANGES:

Current Situation

Section 316.1895, F.S., provides for the establishment of school speed zones. The Department of Transportation (DOT) must adopt a uniform system of traffic control devices and pedestrian control devices for use on the streets and highways surrounding all schools, public and private.¹ DOT compiles, publishes, and transmits a manual containing all specifications and requirements with respect to the system of devices established for such streets and highways to the governing body of each county and municipality, and DOT and each county and municipality install and maintain such traffic and pedestrian control devices in conformity with the uniform system.²

Upon request from the appropriate local government, DOT installs and maintains traffic and pedestrian control devices on state-maintained roads for all prekindergarten early-intervention schools that receive federal funding through the Headstart program.³

A school zone located on a state-maintained primary or secondary road is maintained⁴ by DOT. However, nothing in law prohibits DOT from entering into agreements with counties or municipalities whereby the local governmental entity would maintain specified school zones on state-maintained primary or secondary roads.⁵

Counties are responsible for maintaining school zones located outside of any municipality and on a county road.⁶ Municipalities are responsible for maintaining school zones located in a municipality.⁷ A school zone maintained by a county or municipality is periodically inspected to determine whether or not the school zone is being properly maintained.⁸

A school zone speed limit may not be less than 15 miles per hour except by local regulation. No school zone speed limit may be more than 20 miles per hour in an urbanized area.⁹ Such speed limit may be in force only during those times 30 minutes before, during, and 30 minutes after the periods of time when pupils are arriving at a regularly scheduled breakfast program or a regularly scheduled school session and leaving a regularly scheduled school session.¹⁰

A person may not drive a vehicle on a roadway designated as a school zone at a speed greater than that posted in the school zone. A violation of the speed limits in school zones is cited as a moving violation, punishable as provided in Ch. 318, F.S.¹¹

¹ Section 316.1895(1)(a), F.S.

² Section 316.1895(1)(b), F.S.

³ Section 316.1895(2), F.S.

⁴ Section 316.1895(3)(d), F.S., provides that the term "maintained" with respect to any school zone means the care and maintenance of all school zone signs, markers, traffic control devices, and pedestrian control devices.

⁵ Section 316.1895(3)(a), F.S.

⁶ Section 316.1895(3)(b), F.S.

⁷ Section 316.1895(3)(c), F.S.

⁸ Section 316.1895(4)(a) and (b), F.S.

⁹ Section 334.03(35), F.S., provides that the term "urbanized area" means a geographic region comprising as a minimum the area inside an urban place of 50,000 or more persons, as designated by the United States Bureau of the Census, expanded to include adjacent developed areas as provided for by Federal Highway Administration regulations. Urban areas with a population of fewer than 50,000 persons which are located within the expanded boundary of an urbanized area are not separately recognized.

¹⁰ Section 316.1895(5), F.S.

¹¹ Section 316.1895(10), F.S.

Proposed Changes

The bill requires DOT to evaluate the viability and cost of a uniform system of specific, high-visibility pavement markings and signage for use on arterial roads¹² or collector roads¹³ within a one-mile radius of all schools, public and private, to designate safe school crossing locations. In its evaluation, DOT may consider implementation of new technology or innovations that enhance pedestrian and crosswalk visibility. Before January 1, 2018, DOT must submit a report to the Governor, the President of the Senate, and the Speaker of the House of Representatives providing the findings of its study and any recommendations for legislation relating to safe school crossing locations.

B. SECTION DIRECTORY:

Section 1 requires DOT to evaluate the viability and cost of a uniform system of specific, high-visibility pavement markers to designate as safe school crossing locations.

Section 2 provides an effective date of July 1, 2017.

II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

None.

2. Expenditures:

DOT may incur expenditures associated with conducting the school crossing evaluation and preparing the report. These costs are indeterminate, but likely insignificant, and can be absorbed within existing department resources.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

None.

2. Expenditures:

None.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

None.

D. FISCAL COMMENTS:

None.

¹² Section 334.03(1), F.S., defines "arterial road" as a route providing service which is relatively continuous and of relatively high traffic volume, long average trip length, high operating speed, and high mobility importance. In addition, every United States numbered highway is an arterial road.

¹³ Section 334.03(4), F.S., defines "collector road" as a route providing service which is of relatively moderate average traffic volume, moderately average trip length, and moderately average operating speed. Such a route also collects and distributes traffic between local roads or arterial roads and serves as a linkage between land access and mobility needs.

III. COMMENTS

A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision:

Not Applicable. This bill does not appear to affect county or municipal governments.

2. Other:

None.

B. RULE-MAKING AUTHORITY:

None.

C. DRAFTING ISSUES OR OTHER COMMENTS:

None.

IV. AMENDMENTS/ COMMITTEE SUBSTITUTE CHANGES

On March 14, 2017, the Transportation & Infrastructure Subcommittee adopted a Proposed Committee Substitute (PCS) to HB 493. The committee substitute differs from the bill as originally filed since it requires DOT to study the issue of safe school crossing locations. The bill as originally filed required DOT to establish safe school crossing locations, and provided requirements for such locations. The PCS also added the Governor to the list of entities that will receive DOT's report on the viability of designating safe school crossing locations.

This analysis is drafted to the committee substitute as reported favorably by the Transportation & Infrastructure Subcommittee.