

1 A bill to be entitled
2 An act relating to student transportation;
3 amending s. 234.021, F.S.; revising provisions
4 relating to identification of hazardous walking
5 conditions; requiring that allocations to
6 correct hazardous walking conditions be made
7 within a certain time period; amending s.
8 236.083, F.S.; revising requirements regarding
9 distance from school for purposes of
10 transportation funding eligibility; providing
11 an effective date.

12
13 Be It Enacted by the Legislature of the State of Florida:

14
15 Section 1. Subsection (2) and paragraph (a) of
16 subsection (3) of section 234.021, Florida Statutes, are
17 amended to read:

18 234.021 Hazardous walking conditions.--

19 (2) IDENTIFICATION.--

20 (a) When a request for review is made to the district
21 superintendent of schools or the district superintendent's
22 designee concerning a condition perceived to be hazardous to
23 students in that district who live within the distance
24 prescribed by s. 236.083(1)~~2-mile limit~~ and who walk to
25 school, such condition shall be inspected by a representative
26 of the school district and a representative of the local
27 governmental entity where the perceived hazardous condition
28 exists. Such representatives shall determine whether or not
29 the condition is hazardous to such students and shall report
30 to the Department of Education and the governmental entity,
31 either the state, county, or local municipality, having

1 jurisdiction with respect thereto. Upon a determination that
2 a condition is hazardous to such students, the district school
3 board shall request a determination from the state or local
4 governmental entity having jurisdiction regarding whether the
5 hazard will be corrected and, if so, regarding a projected
6 completion date. State funds shall be allocated for the
7 transportation of students subjected to such hazards, provided
8 that such funding shall cease upon correction of the hazard or
9 upon the projected completion date, whichever occurs first.

10 (b) It is intended that district school boards and
11 local governmental entities work cooperatively to identify
12 conditions which are hazardous to students who must walk to
13 school. Whichever governmental entity, either the ~~it is~~
14 ~~further intended that state, county, or local municipality,~~
15 has governmental entities having jurisdiction must make
16 appropriate budgetary allocations to correct such hazardous
17 conditions within 24 months of notification of the
18 determination of a hazardous walking condition ~~a reasonable~~
19 ~~period of time.~~

20 (3) CRITERIA FOR DETERMINING HAZARDOUS WALKING
21 CONDITIONS.--

22 (a) Walkways parallel to the road.--

23 1. It shall be considered a hazardous walking
24 condition with respect to any road along which students must
25 walk in order to walk to and from school if there is not an
26 area at least 4 feet wide adjacent to the road, having a
27 reasonably flat, obstacle-free surface upon which students may
28 walk without being required to walk on the road surface. In
29 addition, whenever the road along which students must walk is
30 uncurbed and has a posted speed limit of 55 miles per hour,
31 the area as described above for students to walk upon shall be

1 set off the road by no less than 3 feet from the edge of the
2 road.

3 2. The provisions of subparagraph 1. do not apply when
4 the road along which students must walk:

5 a. Is in a residential area which has little or no
6 transient traffic;

7 b. Is a road on which the volume of traffic is less
8 than 180 vehicles per hour, per direction, during the time
9 students walk to and from school; or

10 c. Is located in a residential area and has a posted
11 speed limit of 30 miles per hour or less.

12 Section 2. Paragraph (a) of subsection (1) of section
13 236.083, Florida Statutes, is amended to read:

14 236.083 Funds for student transportation.--The annual
15 allocation to each district for transportation to public
16 school programs of students in membership in kindergarten
17 through grade 12, in migrant and exceptional student programs
18 below kindergarten, and in any other state-funded
19 prekindergarten program shall be determined as follows:

20 (1) Subject to the rules of the commissioner, each
21 district shall determine the membership of students who are
22 transported:

23 (a) By reason of being in kindergarten through grade 3
24 and living 1 mile or more from school or being in grades 4
25 through 12 and living 2 miles or more from school;

26 Section 3. This act shall take effect July 1, 1999.
27
28
29
30
31

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31

HOUSE SUMMARY

Revises provisions relating to identification of hazardous walking conditions. Requires that allocations to correct hazardous walking conditions be made within a certain time period. Revises requirements regarding distance from school for purposes of transportation funding eligibility.