

By Senator Mitchell

4-1437-00

See HB

1                                   A bill to be entitled  
2           An act relating to state uniform traffic  
3           control; amending s. 316.189, F.S.; providing  
4           that a county or municipality may lower speed  
5           limits set by the Department of Transportation  
6           on state highways or connecting links or  
7           extensions thereof located within the county or  
8           municipality when such change is determined to  
9           be necessary to ensure safety; providing an  
10          effective date.

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

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14           Section 1. Section 316.189, Florida Statutes, is  
15 amended to read:

16           316.189 Establishment of municipal and county speed  
17 zones.--

18           (1) MUNICIPAL SPEED.--The maximum speed within any  
19 municipality is 30 miles per hour. With respect to residence  
20 districts, a municipality may set a maximum speed limit of 20  
21 or 25 miles per hour on local streets and highways after an  
22 investigation determines that such a limit is reasonable. It  
23 shall not be necessary to conduct a separate investigation for  
24 each residence district. A municipality may set speed zones  
25 altering the speed limit, both as to maximum, not to exceed 60  
26 miles per hour, and minimum, after investigation determines  
27 such a change is reasonable and in conformity to criteria  
28 promulgated by the Department of Transportation. A  
29 municipality may lower speed limits set by the Department of  
30 Transportation, except that no changes shall be made on state  
31 highways or connecting links or extensions thereof located

1 within the municipality by not more than 20 miles per hour, in  
2 increments of 5 miles per hour, when such change is determined  
3 by the municipality to be reasonable and necessary to ensure  
4 safety, which shall be changed only by the Department of  
5 Transportation.

6 (2) SPEED ON COUNTY ROADS.--The maximum speed on any  
7 county-maintained road is:

8 (a) In any business or residence district, 30 miles  
9 per hour in the daytime or nighttime; provided that with  
10 respect to residence districts a county may set a maximum  
11 speed limit of 25 miles per hour after an investigation  
12 determines that such a limit is reasonable; and it shall not  
13 be necessary to conduct a separate investigation in each  
14 residence district.

15 (b) On any other part of a county road not a business  
16 or residence district, as set forth in s. 316.183.

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18 However, the board of county commissioners may set speed zones  
19 altering such speeds, both as to maximum and minimum, after  
20 investigation determines such a change is reasonable and in  
21 conformity to criteria promulgated by the Department of  
22 Transportation, except that no such speed zone shall permit a  
23 speed of more than 60 miles per hour. A county may lower speed  
24 limits set by the Department of Transportation on state  
25 highways or connecting links or extensions thereof located  
26 within the county by not more than 20 miles per hour, in  
27 increments of 5 miles per hour, when such change is determined  
28 to be reasonable and necessary to ensure safety.

29 (3) POSTING OF SPEED LIMITS.--All speed zones shall be  
30 posted with clearly legible signs. No change in speeds from  
31 30 miles per hour or from those established in s. 316.183

1 shall take effect until the zone is posted by the authority  
2 changing the speed pursuant to this section and s. 316.187.  
3 All signs which limit or establish speed limits, maximum and  
4 minimum, shall be so placed and so painted as to be plainly  
5 visible and legible in daylight or in darkness when  
6 illuminated by headlights.

7 (4) PENALTY.--Violation of the speed limits  
8 established under this section must be cited as a moving  
9 violation, punishable as provided in chapter 318.

10 Section 2. This act shall take effect July 1, 2000.

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13 HOUSE SUMMARY

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15 Provides that a county or municipality may lower speed  
16 limits set by the Department of Transportation on state  
17 highways or connecting links or extensions thereof  
18 located within the county or municipality by not more  
19 than 20 miles per hour, in increments of 5 miles per  
20 hour, when such change is determined to be reasonable and  
21 necessary to ensure safety.

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