

**STORAGE NAME:** h0459.ca

**DATE:** March 31, 2000

**HOUSE OF REPRESENTATIVES  
AS REVISED BY THE COMMITTEE ON  
COMMUNITY AFFAIRS  
ANALYSIS**

**BILL #:** HB 459

**RELATING TO:** Pedestrian Crosswalks/Schools

**SPONSOR(S):** Representative Lynn and others

**TIED BILL(S):** None

**ORIGINATING COMMITTEE(S)/COMMITTEE(S) OF REFERENCE:**

- (1) TRANSPORTATION (EDC) YEAS 10 NAYS 0
  - (2) COMMUNITY AFFAIRS (PRC)
  - (3) TRANSPORTATION & ECONOMIC DEVELOPMENT APPROPRIATIONS (FRC)
  - (4)
  - (5)
- 

**I. SUMMARY:**

This bill directs the Department of Transportation (DOT), as part of the uniform system of traffic and pedestrian control devices, to include installing school speed zones along highways contiguous to school property. The bill also requires DOT to install and maintain traffic and pedestrian control devices for all public and private elementary, middle, high schools and alternative teaching centers on state maintained roads.

The fiscal impact to the state is indeterminate, but according to DOT the impact may be as much as \$7 million for signing school speed zones (see Fiscal Comments for details).

**The Committee on Transportation adopted one amendment that is traveling with the bill. As indicated in the "AMENDMENTS OR COMMITTEE SUBSTITUTE CHANGES" the amendment permits DOT discretion in including school speed limit zones for schools on all public roads, provides that DOT will install traffic and pedestrian control devices on state-maintained roads as required for all schools, if requested by local government or the school board, and directs DOT to cooperate with local governments and district school boards to alleviate hazardous walking conditions for school students. This amendment significantly reduces the bill's fiscal impact.**

II. SUBSTANTIVE ANALYSIS:

A. DOES THE BILL SUPPORT THE FOLLOWING PRINCIPLES:

- |                                   |                              |                             |   |
|-----------------------------------|------------------------------|-----------------------------|---|
| 1. <u>Less Government</u>         | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |
| 2. <u>Lower Taxes</u>             | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |
| 3. <u>Individual Freedom</u>      | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |
| 4. <u>Personal Responsibility</u> | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |
| 5. <u>Family Empowerment</u>      | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |

For any principle that received a "no" above, please explain:

B. PRESENT SITUATION:

Section 338.155(1), F.S., presently requires the Department of Transportation (DOT) to adopt a system of traffic and pedestrian control devices for use on streets and roads surrounding schools. DOT and local governments are to install and maintain traffic and pedestrian control devices in accordance with the uniform system. In addition, s. 316.1895(2), F.S., requires DOT to install and maintain traffic pedestrian control devices on state maintained roads for prekindergarten early intervention schools that receive federal funding through the Headstart program.

DOT currently has a procedure in place which directs DOT District Traffic Operations Engineers to assist school districts in determining the adequacy of traffic controls for school sites, areas or zones involving state highways. Generally, school crossing locations are designated by the school district, and if the crossing meets DOT criteria the signs and markings are installed by DOT. However, this procedure does not require the use of such signs and markings at certain types of facilities, such as high schools and day care centers.

C. EFFECT OF PROPOSED CHANGES:

This bill amends s. 316.1895, F.S., to require DOT to include a requirement for installing school speed zones on all highways contiguous to school property as part of the uniform system of traffic and pedestrian control devices. The bill also requires DOT to install and maintain traffic control devices for all public and private elementary, middle, high and alternative schools on state maintained highways upon the request of a local government. Because the bill requires the DOT to install these types of traffic control devices at those facilities upon request from the local governments, any discretion by local officials or DOT as to whether school speed limits are needed is removed.

D. SECTION-BY-SECTION ANALYSIS:

N/A

III. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT:

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

N/A

2. Expenditures:

See D. Fiscal Comments, below.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

N/A

2. Expenditures:

N/A

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

N/A

D. FISCAL COMMENTS:

There will be an indeterminate cost to DOT to implement provisions of the bill. Some of the impacts include the need to survey all school zones to determine the extent of school property contiguous to the highway, to inventory all signs, to prepare signing plans, and to erect the signs. Most school zones would have to be modified, and those with existing overhead signing would be expensive to relocate.

According to DOT the minimum fiscal impact may be \$7 million for signing school speed zones as required by the bill. This amount is based on projections of DOT's District Four Office (for the counties of Broward, Palm Beach, St. Lucie, Indian River and Martin). The District Four Office has an on-going program with Broward County to install overhead flashing school zones for public schools adjacent to state highways and with designated walk routes. The estimated cost per school zone is \$60,000 each. The standard installation in District Four is an overhead flashing sign at the beginning of the school zone with appropriate overhead "End School Zone" at the end of the school zone.

DOT estimates an impact of \$1.3 million for the 22 public school locations in District Four (DOT does not have complete data on private schools) which would require signage under the bill. Assuming similar effects in the other six DOT districts (approximately \$1 million per district), the total impact for public schools alone would be approximately \$7 million, plus annual maintenance costs.

IV. CONSEQUENCES OF ARTICLE VII, SECTION 18 OF THE FLORIDA CONSTITUTION:

A. APPLICABILITY OF THE MANDATES PROVISION:

This bill does not require counties or municipalities to spend funds or to take an action requiring the expenditure of funds.

B. REDUCTION OF REVENUE RAISING AUTHORITY:

This bill does not reduce the authority that municipalities or counties have to raise revenue in the aggregate.

C. REDUCTION OF STATE TAX SHARED WITH COUNTIES AND MUNICIPALITIES:

This bill does not reduce the amount of a state tax shared with counties or municipalities.

V. COMMENTS:

A. CONSTITUTIONAL ISSUES:

N/A

B. RULE-MAKING AUTHORITY:

N/A

C. OTHER COMMENTS:

DOT's evaluation of this bill includes the following comments:

Amends subsections (1) and (2) of section 316.1895, F.S., to require DOT to provide safety zones by installing School Speed Limit Zones along highways contiguous to school property. In many cases, speed zones are not appropriate, especially where the school location is a far distance from the highway, but whose property fronts the highway. This could cause non-compliance from motorists and a general disrespect for reduced speed zones where they are needed.

The language in subsection (1)(c) of s. 316.1895, F.S., addresses the establishment of "safety zones. . . along highways contiguous to school property." By definition (s. 316.003(44), F.S.), this would create an "area or space . . . for the exclusive use of pedestrians along the entire boundary of school property." Since driving through a safety zone is prohibited under s. 316.1355, F.S., no vehicles (including school buses) would be allowed to pass through the "safety zone" while it is in effect. Note: A "safety zone" is distinctly different from a crosswalk. If the intent of the bill is to "provide for pedestrian crosswalks" then the term "safety zones" should not be used.

The intent of school zone establishment is to provide a safe way for children to cross a road. Establishment of school zones where children do not cross a road tends to diminish the importance of these zones which in turn can adversely impact the observance of school zones where children actually cross the road. Further, school zones are not established to facilitate the ingress and egress of vehicles (including school buses) from school property.

In addition, DOT, upon the request of the appropriate local government, would be required to install and maintain devices for all public and private elementary schools, middle schools, alternative learning centers, and high schools --on state maintained highways. When these installations include overhead flashing signs for periods of the day, they are included with the traffic signals that are maintained by the cities or counties. This also applies to post mounted flashing signs as well. Other features are maintained by the Department as standard roadside inventory such as pavement markings, signs, etc.

**VI. AMENDMENTS OR COMMITTEE SUBSTITUTE CHANGES:**

The Committee on Transportation considered this bill on March 21, 2000, and adopted one amendment which:

- Allows (rather than requires) DOT to include school speed limit zones for schools on all public roads in its uniform system of traffic and pedestrian control devices.
- Provides that DOT will install traffic and pedestrian control devices on state-maintained roads as required by the criteria for all public and private elementary and middle schools, if requested by the local government or the district school board.
- Directs DOT to cooperate with local governments and district school boards to alleviate hazardous walking conditions for school students.

The bill was reported favorably with one amendment.

**VII. SIGNATURES:**

**COMMITTEE ON TRANSPORTATION:**

Prepared by:

Phillip B. Miller

Staff Director:

John R. Johnston

**AS REVISED BY THE COMMITTEE ON COMMUNITY AFFAIRS:**

Prepared by:

Cindy M. Brown, J.D.

Staff Director:

Joan Highsmith-Smith