

hbd-38 Bill No. CS for CS for CS for SB 852 & others, 2nd Eng.
Amendment No. ____ (for drafter's use only)

	<u>Senate</u>	CHAMBER ACTION	<u>House</u>
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Representative(s) Sublette and Starks offered the following:

Amendment to Amendment (863613) (with title amendment)

On page 32 between lines 16 and 17, of the amendment

insert:

Section 26. Paragraph (b) of subsection (1) of section 234.01, Florida Statutes, is amended to read:

234.01 Purpose; transportation; when provided.--

(1) School boards, after considering recommendations of the superintendent:

(b) Shall provide transportation for public elementary school students in membership whose grade level does not exceed grade 6, and may provide transportation for public school students in membership in grades 7 through 12, if such students are subjected to hazardous walking conditions as provided in s. 234.021 while en route to or from school.

Section 27. Paragraph (a) of subsection (2) and paragraph (b) of subsection (3) of section 234.021, Florida Statutes, are amended to read:

234.021 Hazardous walking conditions.--

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1 (2) IDENTIFICATION.--
2 (a) When a request for review is made to the district
3 superintendent of schools or the district superintendent's
4 designee concerning a condition perceived to be hazardous to
5 students in that district who live within the 2-mile limit and
6 who walk to school, such condition shall be inspected by a
7 representative of the school district, a representative of the
8 county sheriff, a representative of the local safety council,
9 if a safety council exists in the county, and a representative
10 of the local governmental entity where the perceived hazardous
11 condition exists. If any of such representatives determines
12 that a shall determine whether or not the condition is
13 hazardous to such students according to the guidelines
14 established by subsection (3) or based upon his or her
15 findings upon inspection, he or she and shall report to the
16 Department of Education with respect thereto. Upon a
17 determination that a condition is hazardous to such students,
18 the district school board shall request a determination from
19 the state or local governmental entity having jurisdiction
20 regarding whether the hazard will be corrected and, if so,
21 regarding a projected completion date. State funds shall be
22 allocated for the transportation of students subjected to such
23 hazards, provided that such funding shall cease upon
24 correction of the hazard or upon the projected completion
25 date, whichever occurs first.

26 (3) GUIDELINES ~~CRITERIA~~ FOR DETERMINING HAZARDOUS
27 WALKING CONDITIONS.--

28 (b) Walkways perpendicular to the road.--It shall be
29 considered a hazardous walking condition with respect to any
30 road across which students must walk in order to walk to and
31 from school:

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1 1. If the traffic volume on such road exceeds the rate
2 of 360 vehicles per hour, per direction (including all lanes),
3 during the time students walk to and from school and if the
4 crossing site is uncontrolled. For purposes of this
5 subsection, an "uncontrolled crossing site" is defined as an
6 intersection or other designated crossing site where no
7 crossing guard, traffic enforcement officer, or stop sign or
8 other traffic control signal is present during the times
9 students walk to and from school.

10 2. If the total traffic volume on such road exceeds
11 4,000 vehicles per hour through an intersection or other
12 crossing site controlled by a stop sign or other traffic
13 control signal, unless crossing guards or other traffic
14 enforcement officers are also present during the times
15 students walk to and from school.

16
17 Traffic volume shall be determined by the most current traffic
18 engineering study conducted by a state or local governmental
19 agency.

20 Section 28. Paragraph (e) of subsection (1) of section
21 236.083, Florida Statutes, is amended to read:

22 236.083 Funds for student transportation.--The annual
23 allocation to each district for transportation to public
24 school programs of students in membership in kindergarten
25 through grade 12, in migrant and exceptional student programs
26 below kindergarten, and in any other state-funded
27 prekindergarten program shall be determined as follows:

28 (1) Subject to the rules of the commissioner, each
29 district shall determine the membership of students who are
30 transported:

31 (e) With respect to elementary school students whose

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1 grade level does not exceed grade 6, by reason of being
2 subjected to hazardous walking conditions en route to or from
3 school as provided in s. 234.021. Such rules shall, when
4 appropriate, provide for the determination of membership under
5 this paragraph for less than 1 year to accommodate the needs
6 of students who require transportation only until such
7 hazardous conditions are corrected. Any funds appropriated in
8 the 2001-2002 General Appropriations Act for student
9 transportation that are in addition to the funds provided in
10 the 2000-2001 General Appropriations Act for student
11 transportation and that are not designated in the 2001-2002
12 budget workpapers as funds provided for student enrollment
13 growth shall be used to fund students transported according to
14 s. 234.01(1)(b), including those transported by school
15 district option; and

18 ===== T I T L E A M E N D M E N T =====

19 And the title is amended as follows:

20 On page 36, line 8 of the amendment

21
22 after the semicolon, insert:

23 amending s. 234.01, F.S., authorizing
24 transportation of additional students subjected
25 to hazardous walking conditions; amending s.
26 234.021, F.S., relating to hazardous walking
27 conditions; requiring a hazardous walking
28 condition to be inspected by a representative
29 of the county sheriff and a representative of
30 the local safety council, if a safety council
31 exists in the county; providing for a walking

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condition to be determined hazardous based on
the guidelines of this section or based on
findings upon inspection; revising guidelines
for determining hazardous walking conditions;
amending s. 236.083, F.S.; providing funds for
the transportation of additional students
transported by reason of being subjected to
hazardous walking conditions;