

**HOUSE OF REPRESENTATIVES STAFF ANALYSIS**

**BILL #:** HB 717 w/CS                      School Speed Zones  
**SPONSOR(S):** Brandenburg  
**TIED BILLS:**                                      **IDEN./SIM. BILLS:** SB 1896

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REFERENCE	ACTION	ANALYST	STAFF DIRECTOR
1) Highway Safety (Sub)	8 Y, 0 N	Garner	Miller
2) Transportation	18 Y, 0 N w/CS	Garner	Miller
3) Transportation & Econ. Dev. Apps. (Sub)			
4) Appropriations			
5)			

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**SUMMARY ANALYSIS**

HB 717 authorizes the use in restricted speed school zones of flashing beacons activated by a time clock, or other automatic device, or manually, as an alternative to posting the times during which the restrictive school speed limit is enforced, as required by current law. The bill requires FDOT to establish adequate standards for the beacons.

The bill does not appear to have a direct fiscal impact on state or local governments.

The bill takes effect upon becoming law.

## FULL ANALYSIS

### I. SUBSTANTIVE ANALYSIS

#### A. DOES THE BILL:

- |                                      |                              |                             |   |
|--------------------------------------|------------------------------|-----------------------------|---|
| 1. Reduce government?                | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |
| 2. Lower taxes?                      | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |
| 3. Expand individual freedom?        | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |
| 4. Increase personal responsibility? | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |
| 5. Empower families?                 | 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. EFFECT OF PROPOSED CHANGES:

##### Current Situation

Section 316.1895, F.S., requires the Florida Department of Transportation (FDOT) to adopt a uniform system of traffic control devices and pedestrian control devices for use on the streets and highways in the state surrounding all public and private schools. The FDOT must compile and publish a manual containing specifications and requirements for such traffic control devices, and must transmit the manual to the governing body of each county and municipality in the state to guide installation and maintenance of the traffic and pedestrian control devices.

The FDOT is responsible for maintaining school zones located on state-maintained primary or secondary roads. However, FDOT may enter into agreements with counties or municipalities authorizing the local governmental entities to maintain specified school zones on state maintained primary or secondary roads. A county is responsible for maintaining a school zone located outside of any municipality and on a county road, and a municipality is responsible for maintaining a school zone located in a municipality.

A school zone maintained by a county must be periodically inspected by the county sheriff's office, or any other qualified agent, to determine whether the school zone is properly maintained. A school zone maintained by a municipality must be periodically inspected by the municipal police department, or any other qualified agent, to determine whether or not the school zone is being properly maintained.

A school zone speed limit may not be less than 15 miles per hour except by local regulation, and no school zone speed limit may be more than 20 miles per hour in an urbanized area. Such speed limits 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 when pupils are leaving a regularly scheduled school session.

Permanent signs designating school zones and school zone speed limits must be uniform in size and color, and must have the times during which the restrictive speed limit is enforced clearly designated on the sign. The FDOT is responsible for establishing adequate standards for the signs.

Current law also authorizes the use of automatic traffic control devices for the control of vehicular and pedestrian traffic at school crossings in lieu of permanent or portable school zone signs, and provides that FDOT is responsible for establishing adequate standards for the signs.

##### Effect of Proposed Changes

HB 717 provides that flashing beacons activated by a time clock, or other automatic device, or manually, may be used as an alternative to posting the times during which the restrictive school speed limit is enforced, as required by current law. The bill requires FDOT to establishing adequate standards for the beacons.

C. SECTION DIRECTORY:

**Section 1.** Amends s. 316.1895, F.S., to authorize the use of flashing beacons in school restrictive speed zones, and require FDOT to establish adequate standards.

**Section 2.** Provides that this act shall take effect upon becoming law.

## II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

None.

2. Expenditures:

There will be a minimal fiscal impact on FDOT related to establishing standards for flashing school zone beacons.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

None.

2. Expenditures:

None.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

None.

D. FISCAL COMMENTS:

None.

## III. COMMENTS

A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision:

Not applicable because this bill does not appear to: require cities or counties to spend funds or take actions requiring the expenditure of funds; reduce the authority that cities or counties have to raise revenues in the aggregate; or reduce the percentage of a state tax shared with cities or counties.

2. Other:

None.

**B. RULE-MAKING AUTHORITY:**

The bill requires FDOT to establish adequate standards for the flashing beacons authorized by the bill. FDOT currently has sufficient rule-making authority to accomplish this directive.

**C. DRAFTING ISSUES OR OTHER COMMENTS:**

None.

**IV. AMENDMENTS/COMMITTEE SUBSTITUTE CHANGES**

**Committee on Transportation**

On April 9, 2003, the Committee on Transportation adopted one handwritten amendment by Rep. Cusack, and reported the bill favorably as amended with a committee substitute. The handwritten amendment provides for manual activation of flashing beacons in the school zones.