Florida Senate - 2005

By Senator Dawson

29-1028-05 See HB 603 1 A bill to be entitled 2 An act relating to bicycle lanes and pedestrian 3 ways; amending s. 335.065, F.S.; requiring 4 incorporation of bicycle and pedestrian ways 5 into state, regional, and local transportation б plans and programs; requiring establishment of 7 bicycle lanes under certain circumstances; 8 providing for bicycle lane width requirements 9 in the department's construction standards; 10 amending s. 335.066, F.S.; revising the purpose of the department's Safe Paths to Schools 11 12 Program; requiring the department to establish 13 a grant program to fund projects that support the program; authorizing the department to 14 adopt rules; amending s. 335.093, F.S.; 15 providing for inclusion of bicycle and 16 17 pedestrian ways into planning and design standards for scenic highway designation to 18 incorporate specified requirements; providing 19 an effective date. 20 21 22 Be It Enacted by the Legislature of the State of Florida: 23 Section 1. Section 335.065, Florida Statutes, is 2.4 amended to read: 25 335.065 Bicycle and pedestrian ways along state roads 26 27 and transportation facilities.--28 (1)(a) Bicycle and pedestrian ways shall be incorporated into given full consideration in the planning and 29 development of transportation facilities, including the 30 incorporation of such ways into state, regional, and local 31 1

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1 transportation plans and programs. Bicycle and pedestrian ways 2 shall be established in conjunction with the construction, reconstruction, or other change of any state transportation 3 facility, and special emphasis shall be given to projects in 4 or within 1 mile of an urban area. Except as provided in 5 6 paragraph (b), bicycle lanes shall be established if there is 7 sufficient right-of-way whenever there is construction, 8 reconstruction, or other change of any state transportation 9 facility. (b) Notwithstanding the provisions of paragraph (a), 10 11 bicycle and pedestrian ways are not required to be 12 established: 13 1. Where their establishment would be contrary to public safety; 14 2. When the cost would be excessively disproportionate 15 16 to the need or probable use; 17 3. Where other available means or factors indicate an absence of need. 18 (2) The department shall establish construction 19 standards and a uniform system of signing for bicycle and 20 21 pedestrian ways. Standard shoulders of a minimum of 5 feet in 2.2 width are required where right-of-way exists. This criteria is 23 set forth in the Plans Preparation Manual. (3) The department, in cooperation with the Department 2.4 of Environmental Protection, shall establish a statewide 25 integrated system of bicycle and pedestrian ways in such a 26 27 manner as to take full advantage of any such ways which are 2.8 maintained by any governmental entity. For the purposes of 29 this section, bicycle facilities may be established as part of 30 or separate from the actual roadway and may utilize existing 31

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1 road rights-of-way or other rights-of-way or easements 2 acquired for public use. 3 Section 2. Section 335.066, Florida Statutes, is 4 amended to read: 5 335.066 Safe Paths to Schools Program. -б (1) There is established in the Department of 7 Transportation the Safe Paths to Schools Program to facilitate 8 consider the planning and construction of bicycle and pedestrian ways to provide safe transportation for children 9 from neighborhoods to schools, parks, and the state's 10 greenways and trails system. 11 12 (2) As a part of the Safe Paths to Schools Program, 13 the department shall may establish a grant program to fund local, regional, and state bicycle and pedestrian projects 14 15 that support the program. (3) The department may adopt appropriate rules 16 17 pursuant to ss. 120.536(1) and 120.54 for the administration 18 of the Safe Paths to Schools Program. Section 3. Subsection (2) of section 335.093, Florida 19 Statutes, is amended to read: 20 21 335.093 Scenic highway designation .--22 (2)(a) The department may by rule adopt appropriate 23 criteria for the designation of scenic highways and may specify appropriate planning and design standards, including 2.4 corridor management plans on such scenic highways. 25 (b) The Legislature recognizes that scenic roads and 26 27 corridors are primary bicycle and pedestrian routes. Planning 2.8 and design standards under paragraph (a) must provide for inclusion of bicycle and pedestrian ways in compliance with s. 29 335.065. 30 Section 4. This act shall take effect July 1, 2005. 31

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