

1 transportation plans and programs. Bicycle and pedestrian ways
2 shall be established in conjunction with the construction,
3 reconstruction, or other change of any state transportation
4 facility, and special emphasis shall be given to projects in
5 or within 1 mile of an urban area. Except as provided in
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.

10 (b) Notwithstanding the provisions of paragraph (a),
11 bicycle and pedestrian ways are not required to be
12 established:

13 1. Where their establishment would be contrary to
14 public safety;

15 2. When the cost would be excessively disproportionate
16 to the need or probable use;

17 3. Where other available means or factors indicate an
18 absence of need.

19 (2) The department shall establish construction
20 standards and a uniform system of signing for bicycle and
21 pedestrian ways. Standard shoulders of a minimum of 5 feet in
22 width are required where right-of-way exists. This criteria is
23 set forth in the Plans Preparation Manual.

24 (3) The department, in cooperation with the Department
25 of Environmental Protection, shall establish a statewide
26 integrated system of bicycle and pedestrian ways in such a
27 manner as to take full advantage of any such ways which are
28 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

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.--

6 (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
9 pedestrian ways to provide safe transportation for children
10 from neighborhoods to schools, parks, and the state's
11 greenways and trails system.

12 (2) As a part of the Safe Paths to Schools Program,
13 the department shall ~~may~~ establish a grant program to fund
14 local, regional, and state bicycle and pedestrian projects
15 that support the program.

16 (3) The department may adopt appropriate rules
17 pursuant to ss. 120.536(1) and 120.54 for the administration
18 of the Safe Paths to Schools Program.

19 Section 3. Subsection (2) of section 335.093, Florida
20 Statutes, is amended to read:

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
24 specify appropriate planning and design standards, including
25 corridor management plans on such scenic highways.

26 (b) The Legislature recognizes that scenic roads and
27 corridors are primary bicycle and pedestrian routes. Planning
28 and design standards under paragraph (a) must provide for
29 inclusion of bicycle and pedestrian ways in compliance with s.
30 335.065.

31 Section 4. This act shall take effect July 1, 2005.