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A bill to be entitled
 An act relating to bicycle lanes and pedestrian ways;
 amending s. 335.065, F.S.; requiring incorporation of
 bicycle and pedestrian ways into state, regional, and
 local transportation plans and programs; requiring
 establishment of bicycle lanes under certain
 circumstances; providing for bicycle lane width
 requirements in the department's construction standards;
 amending s. 335.066, F.S.; revising the purpose of the
 department's Safe Paths to Schools Program; requiring the
 department to establish a grant program to fund projects
 that support the program; authorizing the department to
 adopt rules; amending s. 335.093, F.S.; providing for
 inclusion of bicycle and pedestrian ways into planning and
 design standards for scenic highway designation to
 incorporate specified requirements; providing an effective
 date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Section 335.065, Florida Statutes, is amended
 to read:

335.065 Bicycle and pedestrian ways along state roads and
 transportation facilities.--

(1)(a) Bicycle and pedestrian ways shall be incorporated
~~into given full consideration in~~ the planning and development of
 transportation facilities, including the incorporation of such
 ways into state, regional, and local transportation plans and

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29 programs. Bicycle and pedestrian ways shall be established in
30 conjunction with the construction, reconstruction, or other
31 change of any state transportation facility, and special
32 emphasis shall be given to projects in or within 1 mile of an
33 urban area. Except as provided in paragraph (b), bicycle lanes
34 shall be established if there is sufficient right-of-way
35 whenever there is construction, reconstruction, or other change
36 of any state transportation facility.

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

39 1. Where their establishment would be contrary to public
40 safety;

41 2. When the cost would be excessively disproportionate to
42 the need or probable use;

43 3. Where other available means or factors indicate an
44 absence of need.

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

50 (3) The department, in cooperation with the Department of
51 Environmental Protection, shall establish a statewide integrated
52 system of bicycle and pedestrian ways in such a manner as to
53 take full advantage of any such ways which are maintained by any
54 governmental entity. For the purposes of this section, bicycle
55 facilities may be established as part of or separate from the

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56 actual roadway and may utilize existing road rights-of-way or
 57 other rights-of-way or easements acquired for public use.

58 Section 2. Section 335.066, Florida Statutes, is amended
 59 to read:

60 335.066 Safe Paths to Schools Program.--

61 (1) There is established in the Department of
 62 Transportation the Safe Paths to Schools Program to facilitate
 63 ~~consider~~ the planning and construction of bicycle and pedestrian
 64 ways to provide safe transportation for children from
 65 neighborhoods to schools, parks, and the state's greenways and
 66 trails system.

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

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

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

76 335.093 Scenic highway designation.--

77 (2)(a) The department may by rule adopt appropriate
 78 criteria for the designation of scenic highways and may specify
 79 appropriate planning and design standards, including corridor
 80 management plans on such scenic highways.

81 (b) The Legislature recognizes that scenic roads and
 82 corridors are primary bicycle and pedestrian routes. Planning
 83 and design standards under paragraph (a) must provide for

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84 | inclusion of bicycle and pedestrian ways in compliance with s.
85 | 335.065.

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