

HOUSE OF REPRESENTATIVES STAFF ANALYSIS

BILL #: HB 925 Traffic Regulations
SPONSOR(S): Bendross-Mindingall
TIED BILLS: **IDEN./SIM. BILLS:** SB 642

| REFERENCE | ACTION | ANALYST | STAFF DIRECTOR |
|--|------------------|-----------------|-----------------|
| 1) <u>Transportation Committee</u> | <u>13 Y, 0 N</u> | <u>Thompson</u> | <u>Miller</u> |
| 2) <u>State Infrastructure Council</u> | <u>9 Y, 0 N</u> | <u>Thompson</u> | <u>Havlicak</u> |
| 3) _____ | _____ | _____ | _____ |
| 4) _____ | _____ | _____ | _____ |
| 5) _____ | _____ | _____ | _____ |

SUMMARY ANALYSIS

HB 925 expands the definition of mobility impaired pedestrians to include people using guide dogs or service animals. When a mobility impaired pedestrian is crossing a public street or highway, drivers arriving at an intersection must come to a stop and take precautions to avoid injuring the mobility impaired person. Violations are non-criminal traffic infractions punishable as a moving violation.

This bill has no significant fiscal impact and will take effect July 1, 2005.

FULL ANALYSIS

I. SUBSTANTIVE ANALYSIS

A. HOUSE PRINCIPLES ANALYSIS:

Maintain Public Security—The bill requires the driver of every vehicle approaching an intersection where a mobility impaired pedestrian using a guide dog or service animal is crossing, to bring his or her vehicle to a complete stop, and to avoid injuring such pedestrians.

B. EFFECT OF PROPOSED CHANGES:

Under s. 316.1303, F.S., when a pedestrian is in the process of crossing a public street or highway and the pedestrian is mobility-impaired (using a walker, a crutch, an orthopedic cane, or a wheelchair), the driver of every vehicle approaching the intersection is to bring his or her vehicle to a full stop before arriving at the intersection. Necessary precautions must be taken before the vehicles proceed to avoid injuring the mobility impaired pedestrian. HB 925 amends this section by adding persons using guide dogs or service animals to the definition of pedestrians who are mobility impaired. Violation of this prohibition is a moving traffic infraction punishable by a \$60 civil fine plus applicable court costs and fees. The fees and court costs vary from county to county, but the total paid for each citation would range from \$112.50 to \$118.50, and an assessment of 4 points against the driver's license.

Section 413.081 (5)(a), F.S., defines the term "guide dog" which means a dog trained for the purpose of guiding blind persons or a dog trained for the purpose of assisting hearing impaired persons, and s. 413.081 (5)(b), F.S., defines "service animal" which means an animal which is trained for the purposes of assisting or accommodating a disabled person's sensory, mental, or physical disability.

C. SECTION DIRECTORY:

Section 1. amends s. 316.1303, F.S., to expand the definition of mobility impaired pedestrians to include guide dogs or service animals and provide penalties.

Section 2. This act takes effect July 1, 2005.

II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

See D. Fiscal Comments, below.

2. Expenditures:

None.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

None.

2. Expenditures:

None.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

This bill does not appear to have a significant direct economic impact on the private sector.

D. FISCAL COMMENTS:

To the extent that additional citations are issued for drivers not stopping for pedestrians with guide dogs or service animals, civil penalty revenue will be increased. Any increase in revenue would likely be insignificant.

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:

None.

C. DRAFTING ISSUES OR OTHER COMMENTS:

None.

IV. AMENDMENTS/COMMITTEE SUBSTITUTE & COMBINED BILL CHANGES