

By Senator Bullard

39-733-06

1                                   A bill to be entitled  
2           An act relating to motor vehicle safety;  
3           requiring that guardrails or other barriers be  
4           installed between a highway and an adjacent  
5           canal or waterway; requiring that the  
6           Department of Transportation adopt rules  
7           establishing certain standards governing the  
8           installation of the barriers; requiring that  
9           barriers be installed for existing highways by  
10          a specified date; defining the term "highway";  
11          providing for installation and maintenance of  
12          required barriers by the department or the  
13          local governmental entity that maintains the  
14          highway adjacent to the barriers; providing an  
15          effective date.

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

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19           Section 1. Barrier required between a highway and a  
20 canal or waterbody.--Each highway that is adjacent to a canal  
21 or other waterbody must have a system of guardrails, retention  
22 cables, or other barriers between the highway and the canal or  
23 waterbody which are installed and maintained in conformance  
24 with standards established by rule of the Department of  
25 Transportation. The standards must be designed to limit the  
26 loss of life by safely preventing an out-of-control motor  
27 vehicle from entering the canal or waterbody and may include  
28 criteria, such as the width, depth, or proximity of the canal  
29 or waterbody to the traveled way of the highway, specifying  
30 those areas of the highway where barriers are required. For a  
31 highway in existence on July 1, 2006, the barriers required

1 under this section must be installed on or before December 31,  
2 2008. The Department of Transportation shall adopt rules to  
3 administer this section. As used in this section, the term  
4 "highway" means a road, street, or other way open to the  
5 public for travel by motor vehicles and whose maintenance is  
6 the responsibility of a municipality, a county, or the  
7 Department of Transportation. The barriers required by this  
8 section must be installed and maintained by the governmental  
9 entity responsible for maintaining the highway that is  
10 adjacent to a canal or waterbody.

11 Section 2. This act shall take effect July 1, 2006.

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14 SENATE SUMMARY

15 Provides for guardrails or other barriers between a  
16 highway and an adjacent canal or waterbody. Requires the  
17 Department of Transportation to adopt, by rule, certain  
18 standards governing installation of the barriers.  
19 Provides for installation and maintenance of the required  
20 barriers by the department or local governmental entity  
21 responsible for maintaining the adjacent highway.  
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