

Bill No. SB 276

Barcode 430106

CHAMBER ACTION

Senate

House

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31

Comm: FAV
02/08/2006 09:37 AM

.
. .
. .
. .
. .
. .

The Committee on Transportation (Sebesta) recommended the following amendment:

Senate Amendment (with title amendment)

On page 13, between lines 16 and 17,

insert:

Section 4. Paragraph b of subsection 2 of section 316.006, Florida Statutes, is amended to read:

(2) MUNICIPALITIES.--

(b) A municipality may exercise jurisdiction over any private road or roads, or over any limited access road or roads owned or controlled by a special district, located within its boundaries if the municipality and party or parties owning or controlling such road or roads provide, by written agreement approved by the governing body of the municipality, for municipal traffic control jurisdiction over the road or roads encompassed by such agreement. Pursuant thereto:

1. Provision for reimbursement for actual costs of traffic control and enforcement and for liability insurance and indemnification by the party or parties, and such other

Bill No. SB 276

Barcode 430106

1 terms as are mutually agreeable, may be included in such an
2 agreement.

3 2. The exercise of jurisdiction provided for herein
4 shall be in addition to jurisdictional authority presently
5 exercised by municipalities under law, and nothing in this
6 paragraph shall be construed to limit or remove any such
7 jurisdictional authority. Such jurisdiction includes
8 regulation of access to such road or roads by security devices
9 or personnel.

10 3. Any such agreement may provide for the installation
11 of multiparty stop signs by the parties controlling the roads
12 covered by the agreement if a determination is made by such
13 parties that the signage will enhance traffic safety.
14 Multiparty stop signs must conform to the manual and
15 specifications of the Department of Transportation; however,
16 minimum traffic volumes may not be required for the
17 installation of such signage. Enforcement for the signs shall
18 be as provided in s. 316.123.

19 4. The board of directors of a homeowner's association
20 as defined in Chapter 720 may, by majority vote, elect to have
21 state traffic laws enforced by local law enforcement agencies
22 on private roads that are controlled by the association.

23 Section 5. Paragraph b of subsection 3 of section
24 316.006, Florida Statutes, is amended to read:

25 (3) COUNTIES.--

26 (b) A county may exercise jurisdiction over any
27 private road or roads, or over any limited access road or
28 roads owned or controlled by a special district, located in
29 the unincorporated area within its boundaries if the county
30 and party or parties owning or controlling such road or roads
31 provide, by written agreement approved by the governing body

Bill No. SB 276

Barcode 430106

1 of the county, for county traffic control jurisdiction over
2 the road or roads encompassed by such agreement. Pursuant
3 thereto:

4 1. Provision for reimbursement for actual costs of
5 traffic control and enforcement and for liability insurance
6 and indemnification by the party or parties, and such other
7 terms as are mutually agreeable, may be included in such an
8 agreement.

9 2. Prior to entering into an agreement which provides
10 for enforcement of the traffic laws of the state over a
11 private road or roads, or over any limited access road or
12 roads owned or controlled by a special district, the governing
13 body of the county shall consult with the sheriff. No such
14 agreement shall take effect prior to October 1, the beginning
15 of the county fiscal year, unless this requirement is waived
16 in writing by the sheriff.

17 3. The exercise of jurisdiction provided for herein
18 shall be in addition to jurisdictional authority presently
19 exercised by counties under law, and nothing in this paragraph
20 shall be construed to limit or remove any such jurisdictional
21 authority.

22 4. Any such agreement may provide for the installation
23 of multiparty stop signs by the parties controlling the roads
24 covered by the agreement if a determination is made by such
25 parties that the signage will enhance traffic safety.
26 Multiparty stop signs must conform to the manual and
27 specifications of the Department of Transportation; however,
28 minimum traffic volumes may not be required for the
29 installation of such signage. Enforcement for the signs shall
30 be as provided in s. 316.123.

31 5. The board of directors of a homeowner's association

Bill No. SB 276

Barcode 430106

1 as defined in Chapter 720 may, by majority vote, elect to have
 2 state traffic laws enforced by local law enforcement agencies
 3 on private roads that are controlled by the association.

4
 5 (Redesignate subsequent sections.)

6
 7
 8 ===== T I T L E A M E N D M E N T =====

9 And the title is amended as follows:

10 On page 1, line 17, after the semicolon

11
 12 insert:

13 Amending s. 316.006, F.S., authorizing the
 14 board of directors of a homeowner's association
 15 to provide for local law enforcement agencies
 16 to enforce state traffic laws on private roads
 17 that are controlled by the association;

18
 19
 20
 21
 22
 23
 24
 25
 26
 27
 28
 29
 30
 31