

A bill to be entitled

An act relating to motor vehicle safety; requiring that guardrails or other barriers be installed between a highway and an adjacent canal or waterway; requiring that the Department of Transportation adopt rules establishing certain standards governing the installation of the barriers; requiring that barriers be installed for existing highways by a specified date; defining the term "highway"; providing for installation and maintenance of required barriers by the department or the local governmental entity that maintains the highway adjacent to the barriers; providing an effective date.

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

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

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29 section must be installed on or before December 31, 2008. The  
30 Department of Transportation shall adopt rules to administer  
31 this section. As used in this section, the term "highway" means  
32 a road, street, or other way open to the public for travel by  
33 motor vehicles and whose maintenance is the responsibility of a  
34 municipality, a county, or the Department of Transportation. The  
35 barriers required by this section must be installed and  
36 maintained by the governmental entity responsible for  
37 maintaining the highway that is adjacent to a canal or water  
38 body.

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