

1                                   A bill to be entitled  
 2           An act relating to pedestrian safety; amending ss. 316.075  
 3           and 316.130, F.S.; requiring a driver to stop at certain  
 4           intersections to allow a pedestrian to cross a roadway  
 5           when the pedestrian is either in the crosswalk or steps  
 6           into the crosswalk; providing penalties; providing an  
 7           effective date.

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

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 11           Section 1. Paragraph (c) of subsection (1) of section  
 12   316.075, Florida Statutes, is amended to read:

13           316.075 Traffic control signal devices.--

14           (1) Except for automatic warning signal lights installed  
 15   or to be installed at railroad crossings, whenever traffic,  
 16   including municipal traffic, is controlled by traffic control  
 17   signals exhibiting different colored lights, or colored lighted  
 18   arrows, successively one at a time or in combination, only the  
 19   colors green, red, and yellow shall be used, except for special  
 20   pedestrian signals carrying a word legend, and the lights shall  
 21   indicate and apply to drivers of vehicles and pedestrians as  
 22   follows:

23           (c) Steady red indication.--

24           1. Vehicular traffic facing a steady red signal shall stop  
 25   before entering the crosswalk on the near side of the  
 26   intersection or, if none, then before entering the intersection  
 27   and shall remain standing until a green indication is shown;  
 28   however:

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29 a. The driver of a vehicle which is stopped at a clearly  
30 marked stop line, but if none, before entering the crosswalk on  
31 the near side of the intersection, or, if none then at the point  
32 nearest the intersecting roadway where the driver has a view of  
33 approaching traffic on the intersecting roadway before entering  
34 the intersection in obedience to a steady red signal may make a  
35 right turn, but shall yield the right-of-way to pedestrians and  
36 other traffic proceeding as directed by the signal at the  
37 intersection, except that municipal and county authorities may  
38 prohibit any such right turn against a steady red signal at any  
39 intersection, which prohibition shall be effective when a sign  
40 giving notice thereof is erected in a location visible to  
41 traffic approaching the intersection.

42 b. The driver of a vehicle on a one-way street that  
43 intersects another one-way street on which traffic moves to the  
44 left shall stop in obedience to a steady red signal, but may  
45 then make a left turn into the one-way street, but shall yield  
46 the right-of-way to pedestrians and other traffic proceeding as  
47 directed by the signal at the intersection, except that  
48 municipal and county authorities may prohibit any such left turn  
49 as described, which prohibition shall be effective when a sign  
50 giving notice thereof is attached to the traffic control signal  
51 device at the intersection.

52 2.a. The driver of a vehicle facing a steady red signal  
53 shall stop before entering the crosswalk and remain stopped to  
54 allow a pedestrian, with a permitted signal, to cross a roadway  
55 when the pedestrian is either in the crosswalk or steps into the  
56 crosswalk.

57 b. Unless otherwise directed by a pedestrian control  
58 signal as provided in s. 316.0755, pedestrians facing a steady  
59 red signal shall not enter the roadway.

60 (4) A violation of this section is a noncriminal traffic  
61 infraction, punishable pursuant to chapter 318 as either a  
62 pedestrian violation or, if the infraction resulted from the  
63 operation of a vehicle, as a moving violation.

64 Section 2. Subsection (7) of section 316.130, Florida  
65 Statutes, is amended to read:

66 316.130 Pedestrians; ~~Pedestrian obedience to traffic~~  
67 ~~control devices and~~ traffic regulations.--

68 (7) (a) The driver of a vehicle at an intersection with a  
69 traffic control signal in place shall stop before entering the  
70 crosswalk and remain stopped to allow a pedestrian, with a  
71 permitted signal, to cross a roadway when the pedestrian is  
72 either in the crosswalk or steps into the crosswalk.

73 (b) The driver of a vehicle at any crosswalk where signage  
74 so indicates shall stop and remain stopped to allow a pedestrian  
75 to cross a roadway when the pedestrian is either in the  
76 crosswalk or steps into the crosswalk.

77 (c) When traffic control signals are not in place or in  
78 operation and there is no signage indicating otherwise, the  
79 driver of a vehicle shall yield the right-of-way, slowing down  
80 or stopping if need be to so yield, to a pedestrian crossing the  
81 roadway within a crosswalk when the pedestrian is upon the half  
82 of the roadway upon which the vehicle is traveling or when the  
83 pedestrian is approaching so closely from the opposite half of  
84 the roadway as to be in danger. Any pedestrian crossing a

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85 roadway at a point where a pedestrian tunnel or overhead  
86 pedestrian crossing has been provided shall yield the right-of-  
87 way to all vehicles upon the roadway.

88 (19) A violation of this section is a noncriminal traffic  
89 infraction, punishable pursuant to chapter 318 as either a  
90 pedestrian violation or, if the infraction resulted from the  
91 operation of a vehicle, as a moving violation.

92 Section 3. This act shall take effect July 1, 2007.