

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:

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 and is upon the half of the roadway upon which the

57 vehicle is traveling or when the pedestrian is approaching so
 58 closely from the opposite half of the roadway as to be in
 59 danger.

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

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

67 Section 2. Section 316.130, Florida Statutes, is amended
 68 to read:

69 316.130 Pedestrians; Pedestrian obedience to traffic
 70 control devices and traffic regulations.--

71 (1) A pedestrian shall obey the instructions of any
 72 official traffic control device specifically applicable to the
 73 pedestrian unless otherwise directed by a police officer.

74 (2) Pedestrians shall be subject to traffic control
 75 signals at intersections as provided in s. 316.075, but at all
 76 other places pedestrians shall be accorded the privileges and be
 77 subject to the restrictions stated in this chapter.

78 (3) Where sidewalks are provided, no pedestrian shall,
 79 unless required by other circumstances, walk along and upon the
 80 portion of a roadway paved for vehicular traffic.

81 (4) Where sidewalks are not provided, any pedestrian
 82 walking along and upon a highway shall, when practicable, walk
 83 only on the shoulder on the left side of the roadway in relation
 84 to the pedestrian's direction of travel, facing traffic which

85 may approach from the opposite direction.

86 (5) No person shall stand in the portion of a roadway
 87 paved for vehicular traffic for the purpose of soliciting a
 88 ride, employment, or business from the occupant of any vehicle.

89 (6) No person shall stand on or in proximity to a street
 90 or highway for the purpose of soliciting the watching or
 91 guarding of any vehicle while parked or about to be parked on a
 92 street or highway.

93 (7) (a) The driver of a vehicle at an intersection with a
 94 traffic control signal in place shall stop before entering the
 95 crosswalk and remain stopped to allow a pedestrian, with a
 96 permitted signal, to cross a roadway when the pedestrian is
 97 either in the crosswalk or steps into the crosswalk and is upon
 98 the half of the roadway upon which the vehicle is traveling or
 99 when the pedestrian is approaching so closely from the opposite
 100 half of the roadway as to be in danger.

101 (b) The driver of a vehicle at any crosswalk where signage
 102 so indicates shall stop and remain stopped to allow a pedestrian
 103 to cross a roadway when the pedestrian is either in the
 104 crosswalk or steps into the crosswalk and is upon the half of
 105 the roadway upon which the vehicle is traveling or when the
 106 pedestrian is approaching so closely from the opposite half of
 107 the roadway as to be in danger.

108 (c) When traffic control signals are not in place or in
 109 operation and there is no signage indicating otherwise, the
 110 driver of a vehicle shall yield the right-of-way, slowing down
 111 or stopping if need be to so yield, to a pedestrian crossing the
 112 roadway within a crosswalk when the pedestrian is upon the half

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113 of the roadway upon which the vehicle is traveling or when the
114 pedestrian is approaching so closely from the opposite half of
115 the roadway as to be in danger. Any pedestrian crossing a
116 roadway at a point where a pedestrian tunnel or overhead
117 pedestrian crossing has been provided shall yield the right-of-
118 way to all vehicles upon the roadway.

119 (8) No pedestrian shall suddenly leave a curb or other
120 place of safety and walk or run into the path of a vehicle which
121 is so close that it is impossible for the driver to yield.

122 (9) Whenever any vehicle is stopped at a marked crosswalk
123 or at any unmarked crosswalk at an intersection to permit a
124 pedestrian to cross the roadway, the driver of any other vehicle
125 approaching from the rear shall not overtake and pass such
126 stopped vehicle.

127 (10) Every pedestrian crossing a roadway at any point
128 other than within a marked crosswalk or within an unmarked
129 crosswalk at an intersection shall yield the right-of-way to all
130 vehicles upon the roadway.

131 (11) Between adjacent intersections at which traffic
132 control signals are in operation, pedestrians shall not cross at
133 any place except in a marked crosswalk.

134 (12) No pedestrian shall, except in a marked crosswalk,
135 cross a roadway at any other place than by a route at right
136 angles to the curb or by the shortest route to the opposite
137 curb.

138 (13) Pedestrians shall move, whenever practicable, upon
139 the right half of crosswalks.

140 (14) No pedestrian shall cross a roadway intersection

141 diagonally unless authorized by official traffic control
142 devices, and, when authorized to cross diagonally, pedestrians
143 shall cross only in accordance with the official traffic control
144 devices pertaining to such crossing movements.

145 (15) Notwithstanding other provisions of this chapter,
146 every driver of a vehicle shall exercise due care to avoid
147 colliding with any pedestrian or any person propelling a human-
148 powered vehicle and give warning when necessary and exercise
149 proper precaution upon observing any child or any obviously
150 confused or incapacitated person.

151 (16) No pedestrian shall enter or remain upon any bridge
152 or approach thereto beyond the bridge signal, gate, or barrier
153 after a bridge operation signal indication has been given. No
154 pedestrian shall pass through, around, over, or under any
155 crossing gate or barrier at a railroad grade crossing or bridge
156 while such gate or barrier is closed or is being opened or
157 closed.

158 (17) No pedestrian may jump or dive from a publicly owned
159 bridge. Nothing in this provision requires the state or any
160 political subdivision of the state to post signs notifying the
161 public of this provision. The failure to post a sign may not be
162 construed by any court to create liability on the part of the
163 state or any of its political subdivisions for injuries
164 sustained as a result of jumping or diving from a bridge in
165 violation of this subsection.

166 (18) No pedestrian shall walk upon a limited access
167 facility or a ramp connecting a limited access facility to any
168 other street or highway; however, this subsection does not apply

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169 | to maintenance personnel of any governmental subdivision.

170 | (19) A violation of this section is a noncriminal traffic
171 | infraction, punishable pursuant to chapter 318 as either a
172 | pedestrian violation or, if the infraction resulted from the
173 | operation of a vehicle, as a moving violation.

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