

HOUSE OF REPRESENTATIVES STAFF ANALYSIS

BILL #: HB 643 Safety at School Bus Stops
SPONSOR(S): Gibson
TIED BILLS: **IDEN./SIM. BILLS:**

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR
1) Committee on K-12	8 Y, 0 N	Barnhill	Ahearn
2) Schools & Learning Council		Barnhill	Cobb
3) Policy & Budget Council			
4) _____	_____	_____	_____
5) _____	_____	_____	_____

SUMMARY ANALYSIS

This bill addresses the issue of safety at school bus stops. It requires the Department of Education to assess the safety at all school bus stops in the state. The bill also requires district school boards to submit annual reports that include a plan to improve the safety at school bus stops.

This bill could have a substantial impact on state government expenditures if the Department of Education is required to inspect all school bus stops in Florida.

The Committee on K-12 adopted one amendment on March 27, 2007. This amendment removes the provision of the bill that places requirements on the Department of Education (the Department) to annually assess school bus stop safety. The amendment also removes the provision of the bill that requires school districts to submit an annual report to the Department, and accordingly removes the provision that grants authority to the Department to adopt rules prescribing the style and requirements of such reports. The amendment retains the requirement for school districts to have a plan to improve safety at school bus stops. Please see AMENDMENTS, section IV.

FULL ANALYSIS

I. SUBSTANTIVE ANALYSIS

A. HOUSE PRINCIPLES ANALYSIS:

Provide limited government – The bill increases the Department of Education (DOE) and district school boards' responsibilities and increases DOE's rulemaking authority.

Maintain public security – The bill increases the safety of school bus stops.

B. EFFECT OF PROPOSED CHANGES:

Present Situation

Current Florida law requires district school boards to establish, school bus stops in the most reasonably safe locations available. If the district school board determines an unusual traffic hazard exists on a road outside of the municipality, then the school board can request school bus stop warning signs be placed on the road by the Department of Transportation.¹ Currently, there is no safety inspection of school bus stops required for district school boards.

Effects of Proposed Changes

This bill requires DOE to annually evaluate school bus stop safety. This bill requires each district school board to submit a report to DOE that establishes a plan to improve safety at school bus stops. This bill also provides DOE with the authority to create rules regarding the requirements for the reports from the district school boards.

C. SECTION DIRECTORY:

Section 1. Creates an undesignated section of Florida law requiring school bus stop safety assessment.

Section 2. Provides an effective date.

II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

The bill does not appear to have a fiscal impact on state government revenues.

2. Expenditures:

The bill could require the Department of Education (DOE) to inspect the safety of every school bus stop in the state. The cost of these inspections is undetermined, but could be substantial.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

The bill does not appear to have a fiscal impact on local government revenues.

2. Expenditures:

¹ S. 1006.22(12)(c), F.S.

The bill does not appear to have a fiscal impact on local government expenditures.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

None.

D. FISCAL COMMENTS:

None.

III. COMMENTS

A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision:

This bill does not require a city or county to expend funds or to take any action requiring the expenditure of funds.

The bill does not reduce the authority that municipalities or counties have to raise revenues in the aggregate.

This bill does not reduce the percentage of state tax shared with counties or municipalities.

2. Other:

None.

B. RULE-MAKING AUTHORITY:

The bill gives the Department of Education rulemaking authority pursuant to ss. 120.536(1) and 120.54, F.S., to adopt rules to establish the requirements for the district reports.

C. DRAFTING ISSUES OR OTHER COMMENTS:

None.

D. STATEMENT OF THE SPONSOR

No statement submitted.

IV. AMENDMENTS/COUNCIL SUBSTITUTE CHANGES

The Committee on K-12 adopted one amendment on March 27, 2007. Representative Gibson's amendment removes the provision of the bill that places requirements on the Department of Education (the Department) to annually assess school bus stop safety. The amendment also removes the provision of the bill that requires school districts to submit an annual report to the Department, and accordingly removes the provision of the bill that grants authority to the Department to adopt rules regarding the school district reports. The amendment retains the requirement for school districts to have a plan to improve safety at school bus stops.