

**The Florida Senate**  
**PROFESSIONAL STAFF ANALYSIS AND ECONOMIC IMPACT STATEMENT**  
(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: Transportation Committee

BILL: CS/SB 670

INTRODUCER: Transportation Committee and Senator Fasano

SUBJECT: Pedestrian Safety in Crosswalks

DATE: March 27, 2007

REVISED: \_\_\_\_\_

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Eichin	Meyer	TR	Fav/CS
2.				
3.				
4.				
5.				
6.				

**I. Summary:**

Chapter 316, F.S., currently requires drivers of vehicles to yield the right-of-way to pedestrians to allow the pedestrian to cross the roadway. The Committee Substitute for Senate Bill 670 (the bill) clarifies the requirement for drivers to stop before entering a crosswalk when a pedestrian has entered a crosswalk with a permitted signal or where signage indicates pedestrian right-of-way, and remain stopped while the pedestrian is on the same side of the roadway as the vehicle. A violation of these new provisions would be a noncriminal traffic infraction, punishable as a moving violation for the operator of a motor vehicle (\$60 plus court costs as assessed by the county and 3 points assessed on the driver's license).

This bill substantially amends sections 316.075 and 316.130 of the Florida Statutes.

**II. Present Situation:**

Current law found in s. 316.075, F.S., authorizes pedestrians to cross a roadway in a marked or unmarked crosswalk when facing a green traffic control signal unless otherwise directed by a pedestrian control signal or the sole green signal is a turning arrow. A motor vehicle driver facing a green traffic control signal must nonetheless, yield the right-of-way to pedestrians lawfully in the intersection or an adjacent crosswalk. Pedestrians facing a steady yellow or red traffic control signal are prohibited from starting to cross the road unless otherwise directed by a pedestrian control signal. Motor vehicle drivers facing a steady red traffic control signal must stop before crossing the stop line or entering the crosswalk and must remain stopped until a green signal is shown. A driver may turn right (or left from a one-way street onto another one-way street) when facing a red signal after stopping; however, a driver making a right (or left)

turn on red must yield the right-of-way to pedestrians and other traffic proceeding as directed by a traffic or pedestrian control signal.

For intersections where traffic control signals are not in place, e.g., an intersection controlled by a stop sign, current law found in s. 316.130, F.S., states drivers shall yield the right-of-way by slowing down or stopping if need be to yield to a pedestrian crossing the crosswalk when the pedestrian is upon the half of the roadway upon which the vehicle is traveling or when the pedestrian is approaching so closely from the opposite half of the roadway as to be in danger.

Violations by drivers are moving violations punishable by a fine of \$60 (plus court costs as assessed by the county) and 3 points assessed against the violator's driver's license.

A pedestrian violation is a noncriminal traffic infraction, punishable by a fine of \$15 (plus court costs as assessed by the county.)

### **III. Effect of Proposed Changes:**

The bill clarifies the requirement for drivers to come to a stop before entering a crosswalk when a pedestrian has entered a crosswalk with a permitted signal or where signage indicates pedestrian right-of-way, and remain stopped while the pedestrian is on the same side of the roadway centerline as the vehicle or approaching the opposite side so closely as to be in danger.

The bill further clarifies drivers approaching stop sign-controlled intersections shall, unless directed otherwise by signage, yield the right-of-way to pedestrians crossing the roadway in a crosswalk while the pedestrian is on the same side of the roadway centerline as the vehicle or approaching the opposite side so closely as to be in danger.

### **IV. Constitutional Issues:**

#### **A. Municipality/County Mandates Restrictions:**

None.

#### **B. Public Records/Open Meetings Issues:**

None.

#### **C. Trust Funds Restrictions:**

None.

### **V. Economic Impact and Fiscal Note:**

#### **A. Tax/Fee Issues:**

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

None.

**VI. Technical Deficiencies:**

None.

**VII. Related Issues:**

None.

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This Senate Professional Staff Analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.

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## **VIII. Summary of Amendments:**

None.

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