

1                   A bill to be entitled  
2           An act relating to public transit safety; creating s.  
3           341.0613, F.S.; requiring every public transit provider to  
4           provide to transit system drivers an appropriate rest  
5           period for certain purposes; providing a short title;  
6           providing purpose; defining the term "appropriate rest  
7           period"; prohibiting a deduction from the driver's pay for  
8           taking an appropriate rest period; providing for different  
9           rest periods to be established by collective bargaining;  
10          providing an effective date.

11  
12          WHEREAS, in a growing number of areas throughout the state,  
13          tight, computer-generated bus schedules and increased traffic  
14          congestion have virtually eliminated any extra time that bus  
15          operators formerly had to use restroom facilities along their  
16          routes, when necessary, resulting in transit operators delaying  
17          restroom breaks, which can lead to a series of serious health  
18          problems, and

19          WHEREAS, medical studies indicate that adverse health  
20          effects that may result from voluntary urinary retention include  
21          urinary tract infections, renal damage, kidney infections,  
22          kidney failure, bladder cancer, and prostate problems, and  
23          urinary tract infections can lead to other complications if  
24          experienced during pregnancy, including low birth weight babies  
25          who are at risk for additional health problems compared to  
26          normal weight infants, and

27          WHEREAS, drivers who refrain from drinking throughout the  
28          day face risk of dehydration which can result in serious, and

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29 | even potentially life-threatening, health effects, such as  
 30 | changes in the body's chemistry, kidney failure, nausea,  
 31 | headaches, dizziness or light-headedness, weakness, fever, and  
 32 | heart palpitations, and

33 |       WHEREAS, transit vehicle operators who are not able to use  
 34 | the restroom, like any distressed and distracted driver, are  
 35 | also a danger to others as they may be forced to ignore speed  
 36 | limits or drive recklessly, putting transit riders and all  
 37 | persons outside the vehicle at risk, and

38 |       WHEREAS, the Legislature finds that, in order to carry out  
 39 | the provisions of the Florida Public Transit Act in a manner  
 40 | that protects the health and safety of our state's residents and  
 41 | tourists, it is necessary to develop a framework for the  
 42 | provision of appropriate rest periods for public transit vehicle  
 43 | operators, NOW, THEREFORE,

44 |  
 45 | Be It Enacted by the Legislature of the State of Florida:

46 |  
 47 |       Section 1. Section 341.0613, Florida Statutes, is created  
 48 | to read:

49 |       341.0613 Transit operations safety.--

50 |       (1) This section may be cited as the "Public Transit  
 51 | Safety Act."

52 |       (2) The purpose of this section is to provide for the  
 53 | health of public transportation employees and the safety of  
 54 | transit passengers, other vehicle operators, and pedestrians.

55 |       (3) As used in this section, the term "appropriate rest  
 56 | period" means a period of rest not less than 10 minutes during

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57 each segment of 4 hours or major part thereof worked in one work  
58 period.

59 (4) Every public transit provider must provide to each  
60 employee operating a commercial motor vehicle for the purpose of  
61 providing public transit an appropriate rest period to utilize  
62 the nearest convenient restroom. A public transit provider may  
63 not make any deduction from the employee's pay for taking an  
64 appropriate rest period.

65 (5) Nothing in this section prohibits employers and  
66 employees from establishing appropriate rest periods different  
67 from those provided in this section pursuant to a collective  
68 bargaining agreement.

69 Section 2. This act shall take effect July 1, 2007.