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1  
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 in the crosswalk or steps into the  
6 crosswalk; providing penalties; providing an effective  
7 date.

8  
9 Be It Enacted by the Legislature of the State of Florida:

10  
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 or  
15 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

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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 traffic  
41 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 then  
45 make a left turn into the one-way street, but shall yield the  
46 right-of-way to pedestrians and other traffic proceeding as  
47 directed by the signal at the intersection, except that municipal  
48 and county authorities may prohibit any such left turn as  
49 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 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 danger.

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

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

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

68           316.130 Pedestrians; ~~Pedestrian obedience to traffic~~  
69 ~~control devices and~~ traffic regulations.--

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

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

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

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

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

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

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

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

107           (c) When traffic control signals are not in place or in  
108 operation and there is no signage indicating otherwise, the  
109 driver of a vehicle shall yield the right-of-way, slowing down or  
110 stopping if need be to so yield, to a pedestrian crossing the  
111 roadway within a crosswalk when the pedestrian is upon the half  
112 of the roadway upon which the vehicle is traveling or when the  
113 pedestrian is approaching so closely from the opposite half of  
114 the roadway as to be in danger. Any pedestrian crossing a roadway  
115 at a point where a pedestrian tunnel or overhead pedestrian  
116 crossing has been provided shall yield the right-of-way to all

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117 | vehicles upon the roadway.

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

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

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

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

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

136 |       (13) Pedestrians shall move, whenever practicable, upon the  
137 | right half of crosswalks.

138 |       (14) No pedestrian shall cross a roadway intersection  
139 | diagonally unless authorized by official traffic control devices,  
140 | and, when authorized to cross diagonally, pedestrians shall cross  
141 | only in accordance with the official traffic control devices  
142 | pertaining to such crossing movements.

143 |       (15) Notwithstanding other provisions of this chapter,  
144 | every driver of a vehicle shall exercise due care to avoid  
145 | colliding with any pedestrian or any person propelling a human-

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146 | powered vehicle and give warning when necessary and exercise  
147 | proper precaution upon observing any child or any obviously  
148 | confused or incapacitated person.

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

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

164 |       (18) No pedestrian shall walk upon a limited access  
165 | facility or a ramp connecting a limited access facility to any  
166 | other street or highway; however, this subsection does not apply  
167 | to maintenance personnel of any governmental subdivision.

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

172 |       Section 3. This act shall take effect July 1, 2008.