

FULL ANALYSIS

I. SUBSTANTIVE ANALYSIS

A. HOUSE PRINCIPLES ANALYSIS:

Promote Personal Responsibility- This bill increases personal accountability by clearly outlining the outcome of unlawful behavior.

B. EFFECT OF PROPOSED CHANGES:

Current law¹ requires that a person exceeding the speed limit by more than 5 miles per hour in a school zone pay a fine double the amounts specified in statute.² Current law does not, however, require that school zone signs have the statement, "Speeding fines are doubled in school zones," printed on the signs.

Current law also states that a school zone speed limit may not be less than 15 miles per hour except by local regulation. No school zone speed limit shall be more than 20 miles per hour in an urbanized area.³ Current law also specifies when school zone speed limits are enforced. "Such speed limit may be in force only during those times 30 minutes before, during, and 30 minutes after the periods of time when pupils are arriving at a regularly scheduled breakfast program or a regularly scheduled school session and leaving a regularly scheduled school session."⁴ This bill does not change the times in which a school zone infraction is enforced, nor does it increase subsequent penalties.

HB 249 would require that any new or replacement school zone sign erected on or after July 1, 2008, have the statement "Speeding fines are doubled in school zones" clearly printed thereon. This bill would make the school zone notification similar to the notification required in a construction zone. Florida law states that "A person cited for exceeding the speed limit in a posted construction zone, which posting must include notification of the speed limit and the doubling of fines, shall pay a fine double the amount listed..."⁵ By adding notification as a requirement for new and replacement school zone signs, the Department of Transportation would mirror the current practice in other areas where speeding fines are doubled.

C. SECTION DIRECTORY:

Section 1. Amends s. 316.1895, F.S.; requiring that certain signs contain a warning statement regarding increased fines for speeding in school zones.

Section 2. Provides an Effective Date of July 1, 2008.

¹ S. 318.18(3)(c), F.S.

² S. 318.18(3)(b), F.S.

³ S. 334.03, F.S.

⁴ S. 316.1895(5), F.S.

⁵ S. 318.18(3)(d), F.S.

II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

N/A

2. Expenditures:

There would be an insignificant fiscal impact that would be absorbed within existing Department of Transportation resources.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

N/A

2. Expenditures:

N/A

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

N/A

D. FISCAL COMMENTS:

None.

III. COMMENTS

A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision:

Not applicable because this bill does not appear to: require the counties or cities to spend funds or take an action requiring the expenditure of funds; reduce the authority that cities or counties have to raise revenues in the aggregate; or reduce the percentage of a state tax shared with cities or counties.

3. Other:

None

B. RULE-MAKING AUTHORITY:

N/A

C. DRAFTING ISSUES OR OTHER COMMENTS:

The text on current signs posted in areas where speeding fines are doubled is slightly shorter than that in the bill. The Department of Transportation's Traffic Operations Office advises that fewer words per sign facilitate driver ability to read and understand the message.⁶ In keeping with current practice in other areas where speeding fines are doubled, the department recommends that the signs in school zones should simply read: "Speeding Fines Doubled." According to the Department of Transportation, this change will also alleviate any difficulty that could arise in meeting the Manual on Uniform Traffic Control Devices (MUTCD) minimum clearance of 5-feet from the bottom of the sign.

D. STATEMENT OF THE SPONSOR

No statement submitted.

IV. AMENDMENTS/COUNCIL SUBSTITUTE CHANGES

On February 8, 2008, one amendment was adopted by the Infrastructure Committee which shortened the phrase which must appear on the school zone sign to "Speeding Fines Doubled". The bill was reported favorably with the amendment.

⁶ Department of Transportation HB 249 Bill Analysis