

A bill to be entitled

An act relating to pedestrian safety; amending ss. 316.075 and 316.130, F.S.; requiring a driver to stop at certain intersections to allow a pedestrian to cross a roadway when the pedestrian is in the crosswalk; amending s. 318.18, F.S.; providing penalties; directing that fines received be used by the Department of Highway Safety and Motor Vehicles to educate the public about pedestrian safety and traffic laws governing crosswalks; amending s. 318.21, F.S.; providing for distribution of fines; providing an effective date.

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

Section 1. Paragraph (c) of subsection (1) of section 316.075, Florida Statutes, is amended to read:

316.075 Traffic control signal devices.--

(1) Except for automatic warning signal lights installed or to be installed at railroad crossings, whenever traffic, including municipal traffic, is controlled by traffic control signals exhibiting different colored lights, or colored lighted arrows, successively one at a time or in combination, only the colors green, red, and yellow shall be used, except for special pedestrian signals carrying a word legend, and the lights shall indicate and apply to drivers of vehicles and pedestrians as follows:

(c) Steady red indication.--

1. Vehicular traffic facing a steady red signal shall stop

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29 before entering the crosswalk on the near side of the
30 intersection or, if none, then before entering the intersection
31 and shall remain standing until a green indication is shown;
32 however:

33 a. The driver of a vehicle which is stopped at a clearly
34 marked stop line, but if none, before entering the crosswalk on
35 the near side of the intersection, or, if none then at the point
36 nearest the intersecting roadway where the driver has a view of
37 approaching traffic on the intersecting roadway before entering
38 the intersection in obedience to a steady red signal may make a
39 right turn, but shall yield the right-of-way to pedestrians and
40 other traffic proceeding as directed by the signal at the
41 intersection, except that municipal and county authorities may
42 prohibit any such right turn against a steady red signal at any
43 intersection, which prohibition shall be effective when a sign
44 giving notice thereof is erected in a location visible to
45 traffic approaching the intersection.

46 b. The driver of a vehicle on a one-way street that
47 intersects another one-way street on which traffic moves to the
48 left shall stop in obedience to a steady red signal, but may
49 then make a left turn into the one-way street, but shall yield
50 the right-of-way to pedestrians and other traffic proceeding as
51 directed by the signal at the intersection, except that
52 municipal and county authorities may prohibit any such left turn
53 as described, which prohibition shall be effective when a sign
54 giving notice thereof is attached to the traffic control signal
55 device at the intersection.

56 2.a. The driver of a vehicle facing a steady red signal

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57 shall stop before entering the crosswalk and remain stopped to
58 allow a pedestrian, with a permitted signal, to cross a roadway
59 when the pedestrian is in the crosswalk and is upon the half of
60 the roadway upon which the vehicle is traveling.

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

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

68 Section 2. Subsection (7) of section 316.130, Florida
69 Statutes, is amended to read:

70 316.130 Pedestrians; ~~Pedestrian obedience to traffic~~
71 ~~control devices and~~ traffic regulations.--

72 (7) (a) The driver of a vehicle at an intersection with a
73 traffic control signal in place shall stop before entering the
74 crosswalk and remain stopped to allow a pedestrian, with a
75 permitted signal, to cross a roadway when the pedestrian is in
76 the crosswalk and is upon the half of the roadway upon which the
77 vehicle is traveling.

78 (b) The driver of a vehicle at any crosswalk where signage
79 so indicates shall stop and remain stopped to allow a pedestrian
80 to cross a roadway when the pedestrian is in the crosswalk and
81 is upon the half of the roadway upon which the vehicle is
82 traveling.

83 (c) When traffic control signals are not in place or in
84 operation and there is no signage indicating otherwise, the

85 driver of a vehicle shall yield the right-of-way, slowing down
 86 or stopping if need be to so yield, to a pedestrian crossing the
 87 roadway within a crosswalk when the pedestrian is upon the half
 88 of the roadway upon which the vehicle is traveling or when the
 89 pedestrian is approaching so closely from the opposite half of
 90 the roadway as to be in danger. Any pedestrian crossing a
 91 roadway at a point where a pedestrian tunnel or overhead
 92 pedestrian crossing has been provided shall yield the right-of-
 93 way to all vehicles upon the roadway.

94 (19) A violation of this section is a noncriminal traffic
 95 infraction, punishable pursuant to chapter 318 as either a
 96 pedestrian violation or, if the infraction resulted from the
 97 operation of a vehicle, as a moving violation.

98 Section 3. Paragraph (i) is added to subsection (3) of
 99 section 318.18, Florida Statutes, to read:

100 318.18 Amount of penalties.--The penalties required for a
 101 noncriminal disposition pursuant to s. 318.14 or a criminal
 102 offense listed in s. 318.17 are as follows:

103 (3)

104 (i) A person cited under s. 316.075(1)(c) or s. 316.130(7)
 105 for failure to yield to a pedestrian or for failure to allow a
 106 pedestrian to cross at the crosswalk shall pay \$60 in addition
 107 to the amount listed in paragraph (a). The additional \$60 shall
 108 be distributed to the department to be used to educate the
 109 public about pedestrian safety and traffic laws governing
 110 crosswalks in this state.

111 Section 4. Subsection (18) is added to section 318.21,
 112 Florida Statutes, to read:

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113 318.21 Disposition of civil penalties by county
114 courts.--All civil penalties received by a county court pursuant
115 to the provisions of this chapter shall be distributed and paid
116 monthly as follows:

117 (18) The additional \$60 fine assessed under s.
118 318.18(3)(i) for a violation of s. 316.075(1)(c) or s.
119 316.130(7) shall be remitted to the Department of Revenue for
120 deposit into the Highway Safety Operating Trust Fund and used as
121 provided in s. 318.18(3)(i).

122 Section 5. This act shall take effect July 1, 2008.