

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, 2008.