



100546

LEGISLATIVE ACTION

Senate	.	House
Comm: WD	.	
03/30/2011	.	
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The Committee on Transportation (Garcia) recommended the following:

Senate Amendment (with title amendment)

Between lines 112 and 113
insert:

Section 2. Section 316.1895, Florida Statutes, is amended
to read:

316.1895 Establishment of school speed zones;it enforcement;
designation.-

(1) This section may be cited as the "Shayne Patrick Martin
Safety Act."

(2)~~(1)~~(a) The Department of Transportation, pursuant to the
authority granted under s. 316.0745, shall adopt a uniform



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13 system of traffic control devices and pedestrian control devices
14 for use on the streets and highways in the state surrounding all
15 schools, public and private.

16 (b) The Department of Transportation shall compile,
17 publish, and transmit a manual containing all specifications and
18 requirements with respect to the system of devices established
19 pursuant to paragraph (a) to the governing body of each county
20 and municipality in the state, and the Department of
21 Transportation and each county and municipality in the state
22 shall install and maintain such traffic and pedestrian control
23 devices in conformity with such uniform system.

24 (3)~~(2)~~ Upon request from the appropriate local government,
25 the Department of Transportation shall install and maintain such
26 traffic and pedestrian control devices on state-maintained roads
27 as prescribed in this section for all prekindergarten early-
28 intervention schools that receive federal funding through the
29 Headstart program.

30 (4)~~(3)~~ (a) A school zone located on a state-maintained
31 primary or secondary road shall be maintained by the Department
32 of Transportation. However, nothing herein shall prohibit the
33 Department of Transportation from entering into agreements with
34 counties or municipalities whereby the local governmental
35 entities would maintain specified school zones on state-
36 maintained primary or secondary roads.

37 (b) The county shall have the responsibility to maintain a
38 school zone located outside of any municipality and on a county
39 road.

40 (c) A municipality shall have the responsibility to
41 maintain a school zone located in a municipality.



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42 (d) For the purposes of this section, the term "maintained"
43 with respect to any school zone means the care and maintenance
44 of all school zone signs, markers, traffic control devices, and
45 pedestrian control devices.

46 ~~(5)~~(4)(a) A school zone maintained by a county shall be
47 periodically inspected by the county sheriff's office or any
48 other qualified agent to determine whether or not the school
49 zone is being properly maintained.

50 (b) A school zone maintained by a municipality shall be
51 periodically inspected by the municipal police department or any
52 other qualified agent to determine whether or not the school
53 zone is being properly maintained.

54 ~~(6)~~(5) A school zone shall include transitional speed areas
55 for a distance of 50 yards before and after the slower posted
56 speed limit. The slower posted speed limit in a school zone may
57 not be less than 15 miles per hour, except by local regulation,
58 or. No school zone speed limit shall be more than 20 miles per
59 hour in an urbanized area, as defined in s. 334.03. The speed
60 limit in the transitional speed area of a school zone shall be 5
61 miles per hour higher than the slower posted speed limit in the
62 school zone. School zone ~~Such~~ speed ~~limits~~ ~~limit~~ may be in force
63 only during those times 30 minutes before, during, and 30
64 minutes after the periods of time when pupils are arriving at a
65 regularly scheduled breakfast program or a regularly scheduled
66 school session and leaving a regularly scheduled school session.

67 ~~(7)~~(6) Permanent signs designating school zones and school
68 zone speed limits shall be uniform in size and color, and shall
69 have the times during which the restrictive speed limits are
70 ~~limit is~~ enforced clearly designated thereon. Flashing beacons



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71 activated by a time clock, or other automatic device, or
72 manually activated may be used as an alternative to posting the
73 times during which the restrictive school speed limits are limit
74 ~~is~~ enforced. Beginning July 1, 2008, for any newly established
75 school zone or any school zone in which the signing has been
76 replaced, a sign stating "Speeding Fines Doubled" shall be
77 installed within the school zone. The Department of
78 Transportation shall establish adequate standards for the signs
79 and flashing beacons.

80 (8)~~(7)~~ Portable signs designating school zones and school
81 zone speed limits shall be uniform in size and color. Such signs
82 shall be erected on the roadway only during those hours when
83 pupils are arriving at and leaving regularly scheduled school
84 sessions. The Department of Transportation shall establish
85 adequate standards for the signs.

86 (9)~~(8)~~ This section does not ~~Nothing herein shall~~ prohibit
87 the use of automatic traffic control devices for the control of
88 vehicular and pedestrian traffic at school crossings.

89 (10)~~(9)~~ All flags, belts, apparel, and devices issued,
90 supplied, or furnished to pupils or persons acting in the
91 capacity of school safety patrols, special school police, or
92 special police appointed to control and direct traffic at or
93 near schools, when used during periods of darkness, shall be
94 made at least in part with retroreflective materials so as to be
95 visible at night at 300 feet to approaching motorists when
96 viewed under lawful low-beam headlights.

97 (11)~~(10)~~ A person may not drive a vehicle on a roadway
98 designated as a school zone at a speed greater than that posted
99 in the school zone in accordance with this section. A violation



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100 of a the speed limit limits established pursuant to this section
101 is a noncriminal traffic infraction, punishable must be cited as
102 a moving violation, ~~punishable~~ as provided in chapter 318.

103
104 ===== T I T L E A M E N D M E N T =====

105 And the title is amended as follows:

106 Delete line 10

107 and insert:

108 systems in the state; amending s. 316.1895, F.S.;

109 providing a short title; providing for transitional

110 speed areas before and after the slowest established

111 speed limit within a school zone; providing penalties

112 for violation of a speed limit within a school zone;

113 amending s. 316.3025, F.S.;