

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Education

BILL: SB 158

INTRODUCER: Senator Hays

SUBJECT: Highway Safety

DATE: April 1, 2013

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	McLaughlin	Klebacha	ED	Favorable
2.	_____	_____	TR	_____
3.	_____	_____	JU	_____
4.	_____	_____	_____	_____
5.	_____	_____	_____	_____
6.	_____	_____	_____	_____

I. Summary:

SB 158 prohibits buses, other than school buses, from stopping in such a manner so as to impede, block, or otherwise restrict the progression of traffic on the main traveled portion of a roadway while the bus is loading or discharging passengers if another reasonable means is available to safely load or discharge passengers.

This bill provides an effective date of July 1, 2013.

This bill creates an undesignated section of law.

II. Present Situation:

There is no Florida law that prohibits public transit and other bus operators from stopping in the main traveled portion of a roadway to load or discharge passengers. Section 316.0815, F. S., requires that the driver of a vehicle yield the right-of-way to a publicly-owned transit bus traveling in the same direction when the bus has signaled and is reentering the traffic flow from a specifically designated pullout bay. This section of law does not relieve the driver of a public transit bus from the duty to drive with due regard for the safety of all persons using the roadway.

III. Effect of Proposed Changes:

Public transit and charter buses will violate Florida law if they stop in a roadway when a means to load or discharge passengers is available. For public transit buses this could result in increased

trip time.¹ School buses would be specifically exempted from the proposed prohibition against stopping in the main traveled portion of the roadway.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

This bill could result in increased costs to private transits due to increased trip times.²

C. Government Sector Impact:

This bill could result in increased costs to public transits due to increased trip times.³

This bill would have no direct operational or fiscal impact on public school students or schools.⁴

VI. Technical Deficiencies:

The bill does not provide any penalties and may be difficult to enforce.⁵

VII. Related Issues:

None.

¹ 2013 Legislative Bill Analysis for SB 158, Florida Department of Highway Safety and Motor Vehicles, January 16, 2013.

² *Id.*

³ *Id.*

⁴ 2013 Legislative Bill Analysis for SB 158, Office of Legislative Affairs, Florida Department of Education, January 10, 2013.

⁵ 2013 Legislative Bill Analysis for SB 158, Florida Department of Highway Safety and Motor Vehicles, January 16, 2013.

VIII. Additional Information:

- A. **Committee Substitute – Statement of Substantial Changes:**
(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

- B. **Amendments:**

None.

This Senate Bill Analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.
