

THE FLORIDA SENATE
2015 SUMMARY OF LEGISLATION PASSED
Committee on Education Pre-K - 12

CS/CS/CS/HB 41 — Hazardous Walking Conditions

by the Education Committee; Education Appropriations Subcommittee; Local Government Affairs Subcommittee; and Rep. Metz and others (CS/CS/CS/SB 154 by the Appropriations Committee; Community Affairs Committee; Education Pre-K – 12 Committee; and Senator Hays)

The bill designated as the “Gabby’s Law for Student Safety Act,” requires a district school board, in cooperation with the applicable state or local governmental entity, to inspect and identify hazardous conditions along routes that students must take while walking to or from school. The bill also requires the applicable state or local governmental entity to correct any hazardous walking conditions within a reasonable period of time.

Specifically, the bill:

- Revises the conditions for identifying walkways parallel to a road as hazardous.
- Creates criteria for identifying conditions at uncontrolled crossing sites as hazardous.
- Revises the process for inspecting, identifying, and correcting hazardous walking conditions.
- Authorizes a district school board to initiate a proceeding seeking a declaratory judgment if the governmental representatives are unable to reach a consensus on whether a hazardous walking condition exists.
- Prohibits the admissibility of the designation of a road as a hazardous walking condition as evidence in a civil action for damages against a governmental entity.
- Authorizes a district school board and other governmental entities to enter into an interlocal agreement addressing the standards and procedures for identifying and correcting hazardous walking conditions if the agreement:
 - o Implements the Safe Paths to Schools Program; or
 - o Establishes standards that meet or exceed the standards and procedures set forth in the Florida Statutes.
- Authorizes each district school board to implement a safe driver toll-free telephone hotline for individuals to report improper driving by a school bus driver to a district school board, which may investigate and correct or take disciplinary action based on such reports.

If approved by the Governor, these provisions take effect July 1, 2015.

Vote: Senate 39-0; House 113-0