

STORAGE NAME: h1181a.lec

DATE: April 11, 2000

**HOUSE OF REPRESENTATIVES
AS REVISED BY THE COMMITTEE ON
LAW ENFORCEMENT AND CRIME PREVENTION
ANALYSIS**

BILL #: HB 1181

RELATING TO: Traffic Calming Devices

SPONSOR(S): Representative C. Smith

TIED BILL(S):

ORIGINATING COMMITTEE(S)/COMMITTEE(S) OF REFERENCE:

- (1) TRANSPORTATION YEAS 9 NAYS 1
 - (2) LAW ENFORCEMENT AND CRIME PREVENTION YEAS 8 NAYS 0
 - (3) COMMUNITY AFFAIRS
 - (4) CRIMINAL JUSTICE APPROPRIATIONS
 - (5)
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I. SUMMARY:

The bill authorizes local authorities to plan, design, construct, install, or maintain traffic calming devices on the streets and highways under their jurisdiction. The local governments would have the option of implementing this bill.

The traffic calming devices include, but are not limited to, speed bumps, speed humps, speed tables, roundabouts, or other pavement designs or undulations.

As required by s. 316.0745, F.S., any traffic calming devices installed on the streets or highways by local authorities must comply with the specifications in the manual published by the Department of Transportation.

The bill will become effective upon becoming law.

The bill has an indeterminate fiscal impact due to the uncertainty that counties and cities will elect to utilize traffic calming devices.

II. SUBSTANTIVE ANALYSIS:

A. DOES THE BILL SUPPORT THE FOLLOWING PRINCIPLES:

- | | | | |
|-----------------------------------|------------------------------|-----------------------------|---|
| 1. <u>Less Government</u> | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |
| 2. <u>Lower Taxes</u> | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |
| 3. <u>Individual Freedom</u> | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |
| 4. <u>Personal Responsibility</u> | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |
| 5. <u>Family Empowerment</u> | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |

B. PRESENT SITUATION:

Currently, s. 316.0745, F.S., provides for local authorities to regulate speed on streets and highways within their jurisdiction. This allows for the local police to stop a vehicle for excessive speed and issue a citation.

There is nothing in the current statutes that authorizes local authorities to regulate speed with the use of traffic calming devices.

Section 316.0745, F.S., requires the Department of Transportation to adopt a uniform system of traffic control for streets and highways of this state. All official traffic control devices purchased and installed by any public body or official must comply with the manual and specifications published by the department. This law and manual does not specifically apply to speed bumps, speed humps, speed tables, roundabouts, or other pavement designs.

C. EFFECT OF PROPOSED CHANGES:

The bill amends s. 316.008, F.S., to authorize local authorities to plan, design, construct, install, or maintain traffic calming devices on the streets and highways under their jurisdiction.

The traffic calming devices include, but are not limited to, speed bumps, speed humps, speed tables, roundabouts, or other pavement designs or undulations.

As required by s. 316.0745, F.S., any traffic calming devices installed on the streets or highways by local authorities must comply with the specifications in the manual published by the department.

D. SECTION-BY-SECTION ANALYSIS:

III. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT:

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

N/A

2. Expenditures:

N/A

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

N/A

2. Expenditures:

N/A

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

N/A

D. FISCAL COMMENTS:

Local Government Expenditures

Local authorities would be allowed to install and maintain traffic calming devices. The exact figure is unavailable due to the uncertainty and to the extent to which local governments would choose to utilize traffic calming devices.

IV. CONSEQUENCES OF ARTICLE VII, SECTION 18 OF THE FLORIDA CONSTITUTION:

A. APPLICABILITY OF THE MANDATES PROVISION:

N/A

B. REDUCTION OF REVENUE RAISING AUTHORITY:

N/A

C. REDUCTION OF STATE TAX SHARED WITH COUNTIES AND MUNICIPALITIES:

N/A

V. COMMENTS:

A. CONSTITUTIONAL ISSUES:

N/A

B. RULE-MAKING AUTHORITY:

N/A

C. OTHER COMMENTS:

VI. AMENDMENTS OR COMMITTEE SUBSTITUTE CHANGES:

The Committee on Transportation considered this bill on March 28, 2000 and adopted two amendments as follows:

Amendment 1

This amendment was adopted to change the word "devices" to "techniques". According to the Department of Transportation, speed bumps, speed humps, roundabouts, and other pavement designs are geometric features of the road and, as such, are labeled "techniques". Traffic calming techniques are not contained in the departments manual on traffic control devices. Local authorities, therefore, would not be required to conform to the department's manual upon implementation of this program.

Amendment 2

This amendment was adopted to stipulate that traffic calming techniques could be installed by local authorities only after a traffic engineering study was conducted to determine that the techniques would conform to engineering safety standards.

The bill was voted favorably with the two amendments.

VII. SIGNATURES:

COMMITTEE ON TRANSPORTATION:

Prepared by:

Jennifer L. Sexton-Bartelme

Staff Director:

John R. Johnston

AS REVISED BY THE COMMITTEE ON LAW ENFORCEMENT AND CRIME PREVENTION:

Prepared by:

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