

SENATE STAFF ANALYSIS AND ECONOMIC IMPACT STATEMENT

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

BILL: SB 932
 SPONSOR: Senator Burt
 SUBJECT: State Uniform Traffic Control
 DATE: January 17, 2002 REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	McAuliffe	Meyer	TR	Favorable
2.	_____	_____	_____	_____
3.	_____	_____	_____	_____
4.	_____	_____	_____	_____
5.	_____	_____	_____	_____
6.	_____	_____	_____	_____

I. Summary:

This bill provides the driver of a vehicle about to enter or cross a paved county maintained road or highway from a nonmaintained paved or unpaved road, where there is no traffic control sign (i.e. stop or yield sign), must yield to all vehicles approaching on the county-maintained road or highway.

This bill substantially amends section 316.121 of the Florida Statutes.

II. Present Situation:

Section 316.121, F.S., governs driver behavior by dictating which driver has right of way when approaching or entering intersections. The section provides:

- (1) The driver of a vehicle approaching an intersection must yield to a vehicle which has entered the intersection from a different highway.
- (2) When two vehicles enter an intersection from different highways at the same time the driver of the vehicle on the left must yield to the driver of the vehicle on the right.
- (3) The driver of a vehicle about to enter or cross a state-maintained road or highway from a paved or unpaved road, and where there is no traffic control sign, must yield to all approaching vehicles on the state-maintained road or highway.
- (4) The driver of a vehicle about to enter or cross a paved county or city-maintained road or highway from a paved or unpaved road, where there is no traffic control sign, must yield to all approaching vehicles on the county or city-maintained road or highway.

The section further provides violating these provisions is a moving violation punishable by a \$60 fine and three points pursuant to s. 322.27, F.S.

III. Effect of Proposed Changes:

This bill amends s. 316.121, F.S., creating a new subsection (4) providing the driver of a vehicle about to enter or cross a paved county maintained road or highway from a nonmaintained paved or unpaved road, where there is no traffic control sign, must yield to all vehicles approaching on the county-maintained road or highway.

Subsection (5) is amended to provide the driver of a vehicle about to enter or cross a paved city-maintained road or highway (formerly both county and city-maintained roads and highways) from a paved or unpaved road, where there is no traffic control sign, must yield to all approaching vehicles on the county or city-maintained road or highway.

IV. Constitutional Issues:**A. Municipality/County Mandates Restrictions:**

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Economic Impact and Fiscal Note:**A. Tax/Fee Issues:**

None.

B. Private Sector Impact:

The driver of a vehicle entering or crossing a paved county maintained road or highway from a nonmaintained paved or unpaved road, where there is no traffic control sign, without yielding to all vehicles approaching on the county-maintained road or highway would have committed a moving violation punishable by a \$60 fine and three points.

C. Government Sector Impact:

Indeterminate.

VI. Technical Deficiencies:

There is currently no definition in the Florida Statutes for a nonmaintained road.

VII. Related Issues:

None.

VIII. Amendments:

None.

This Senate staff analysis does not reflect the intent or official position of the bill's sponsor or the Florida Senate.
