

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 Appropriations

BILL: SB 1416

INTRODUCER: Senators Young and Passidomo

SUBJECT: Enhanced Safety for School Crossings

DATE: April 19, 2017

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Price</u>	<u>Miller</u>	<u>TR</u>	Favorable
2.	<u>McKinnon</u>	<u>Pitts</u>	<u>ATD</u>	Recommend: Favorable
3.	<u>McKinnon</u>	<u>Hansen</u>	<u>AP</u>	Pre-meeting

I. Summary:

SB 1416 requires the Florida Department of Transportation (FDOT) to evaluate the viability and cost of a uniform system of pavement markings and signage for use on all state and local arterial or collector roads within a one-mile radius of all public and private schools for the purpose of designating safe school crossing locations.

The FDOT may incur insignificant expenses associated with conducting the evaluation required by the bill.

The bill takes effect July 1, 2017.

II. Present Situation:

School Zones

Section 316.1895(1), F.S., directs the FDOT to adopt a uniform system of traffic control devices and pedestrian control devices for use on the streets and highways surrounding all schools, public and private. Pursuant to direction in s. 316.0745, F.S., the FDOT has adopted the Manual on Uniform Traffic Control Devices (MUTCD) as the uniform system.¹ The FDOT is required to transmit the manual containing all specifications and requirements with respect to the uniform system to the governing body of each county and municipality in the state. The FDOT and each county and municipality must maintain such traffic and pedestrian control devices in conformity with the uniform system.²

¹ The MUTCD is the national standard for all traffic control devices installed on any street, highway, bikeway, or private road open to travel and is intended to obtain basic uniformity of traffic control devices.

² Section 316.1895(2), F.S.

On request from the appropriate local government, the FDOT must install and maintain³ traffic and pedestrian control devices on state-maintained roads for all prekindergarten early-intervention schools that receive federal funding through the Head Start program.⁴ The FDOT must maintain a school zone located on a state-maintained primary or secondary road, but the FDOT may enter into agreements with counties or municipalities under which the local governmental entities maintain such zones.⁵ A county must maintain a school zone located outside of any municipality and on a county road. A municipality must maintain a school zone located in the municipality.⁶

Permanent signs designating school zones and school zone speed limits must be uniform in size and color and must clearly designate on the signs the times during which the restrictive speed limit is enforced. Flashing beacons activated by a time clock or other automatic device, or manually activated, may be used as an alternative to posting the times during which the restrictive speed limit is enforced. Any school zone established, or any school zone in which the signing has been replaced, on or after July 1, 2008, must have a sign stating “Speeding Fines Doubled” installed within the school zone. The FDOT is required to establish adequate standards for the sign.⁷ A school zone speed limit may not be less than 15 miles per hour except by local regulation. A school zone speed limit may not be more than 20 miles per hour in an urbanized area.⁸

Portable signs designating school zones and school zone speed limits must be uniform in size and color and may be erected on the roadway only during those hours when students are arriving at and leaving regularly scheduled school sessions. The FDOT must establish adequate standards for the signs.⁹

Safe Routes to Schools Program

The FDOT operates a Safe Routes to Schools program¹⁰ for which the FDOT has set aside \$7 million a year for 10 years beginning this year.¹¹ The FDOT describes the program as follows:

³ “Maintained” is defined with respect to any school zone to mean the care and maintenance of all school zone signs, markers, traffic control devices, and pedestrian control devices. Section 316.1895(3)(d), F.S.

⁴ Section 316.1895(3), F.S. Head Start programs promote school readiness of children ages birth to five from low-income families. See the U.S. Department of Health & Human Services website available at: <https://www.acf.hhs.gov/ohs/about/head-start>. (Last visited March 22, 2017.)

⁵ Section 316.1895(3)(a), F.S.

⁶ Section 316.1895(3)(b) and (c), F.S.

⁷ Section 316.1895(6), F.S.

⁸ Section 316.1895(5), F.S. “Urbanized area” is defined in s. 334.03, F.S., to mean a geographic region comprising as a minimum the area inside an urban place of 50,000 or more persons, as designated by the U.S. Bureau of the Census, expanded to include adjacent developed areas as provided for by Federal Highway Administration regulations. Urban areas with a population of fewer than 50,000 persons that are located within the expanded boundary of an urbanized area are not separately recognized.

⁹ Section 316.1895(7), F.S.

¹⁰ The program is authorized under s. 335.066, F.S., as the Safe *Paths* to Schools Program, but it is the same program. This program receives a portion of the 15 percent of proceeds from concession agreements for the sponsorship of state greenways and trails under s. 260.0144, F.S. A portion of the proceeds is also directed for use in the FDOT’s Traffic and Bicycle Safety Program.

¹¹ Under MAP-21, federal Highway Safety Program funds were transferred to the Surface Transportation Program for Safe Routes funding. The FDOT coordinates the statewide program using the federal funds. Telephone conversation with the FDOT staff, March 24, 2017.

Safe Routes to School is a growing movement that has taken hold in communities throughout the United States. The concept is to increase the number of children who walk or bicycle to school by funding projects that remove the barriers currently preventing them from doing so. Those barriers include lack of infrastructure, unsafe infrastructure, and a lack of programs that promote walking and bicycling through education/encouragement programs aimed at children, parents, and the community.¹²

Eligible projects include planning, design, and construction of infrastructure-related projects that will substantially improve the ability of students to walk and bicycle to school. The projects should directly support increased safety and convenience for school children in grades K-12. Eligible applicants are public, private, and tribal schools serving kindergarten through high school who have partnered with a “maintaining agency.” That agency is a government agency with the ability to:

- Enter into a legal agreement with the FDOT,
- Design and construct the project in accordance with all federal requirements,
- Provide the initial funding for the project before being reimbursed, and
- Maintain the completed infrastructure project.¹³

III. Effect of Proposed Changes:

The bill requires the FDOT to evaluate the viability and cost of a uniform system of specific, high-visibility pavement markings and signage for use on all state and local arterial roads¹⁴ and collector roads¹⁵ within a one-mile radius of all private and public schools. The bill authorizes the FDOT in its evaluation to consider implementation of new technology or innovations that enhance pedestrian and crosswalk visibility.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

¹² See the FDOT’s website available at: http://www.fdot.gov/safety/2A-Programs/Safe-Routes_Funding.shtm. (Last visited March 22, 2017.)

¹³ See the FDOT’s website for additional details available at: http://www.fdot.gov/safety/2A-Programs/Safe-Routes_ProgramGuidelines.shtm. (Last visited March 22, 2017.)

¹⁴ Section 334.03(1), F.S., defines “arterial road” as a route providing service which is relatively continuous and of relatively high traffic volume, long average trip length, high operating speed, and high mobility importance. Every United States numbered highway is an arterial road.

¹⁵ Defined in s. 334.03(4), F.S., as a route providing service which is of relatively moderate average traffic volume, moderately average trip length, and moderately average operating speed. Such a route also collects and distributes traffic between local roads or arterial roads and serves as a linkage between land access and mobility needs.

C. Trust Funds Restrictions:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

The FDOT may incur insignificant expenses associated with conducting the evaluation required by the bill.

VI. Technical Deficiencies:

The bill requires the FDOT to conduct the specified evaluation but does not require a report on its evaluation to be provided to a specific entity.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill creates section 316.1896 of the Florida Statutes.

IX. Additional Information:

A. Committee Substitute – Statement of Changes:

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

B. Amendments:

None.