# Bicycle and Pedestrian School Safety Review Study: Assessment & Implementation Report



#### **Creekside Middle School**

Port Orange, FL





# Volusia County Transportation Planning Organization Bicycle and Pedestrian School Safety Review Study

# Assessment & Implementation Report Creekside Middle Port Orange, Florida

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**Bob Pohlman: Assistant Principal of Creekside Middle** 

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#### **EXECUTIVE SUMMARY**

Lassiter Transportation Group, Inc. (LTG) was contracted by the Volusia County Transportation Planning Organization (TPO) to prepare an Assessment Report for the Bicycle and Pedestrian School Safety Review Study for 17 Volusia County schools. The Assessment Report for the Bicycle and Pedestrian School Safety Review Study will aid the Volusia County TPO in making recommendations for projects that will improve conditions within the walk zones for these schools, and potentially make walking and biking to school a more attractive mode of transportation for students. The subject of this Assessment Report is Creekside Middle School.

#### **Purpose**

The purpose of this study is to improve the environment for students to walk or bicycle to school. The goal for the assessment phase of the Bicycle and Pedestrian School Safety Review Study is to provide the Volusia County TPO with a comprehensive study that will delineate each of the listed school's concerns, document the observed pedestrian and bicycle circulation routes adjacent to the school sites, and then make recommendations for improvements. The assessment examines the walk zone surrounding the school to evaluate safety issues that may affect students walking or bicycling to school.

The U.S. Department of Health and Human Services Center for Disease Control (CDC) and Prevention has determined that students are not as active as they were 10 years ago when physical activity was incorporated into each student's schedule (KidsWalk-to-School, CDC). This has caused the percentage of overweight students from ages six to eleven years to double over the past 30 years. The CDC has determined that the following are benefits associated with students who walk or ride their bicycle to school.

- Increased practice of safe bicycle, pedestrian, and traffic skills
- Knowledge of their environment
- Improved childhood health
- Improved sense of self-image and autonomy
- · Reduced childhood obesity
- Conducive to a healthy social and emotional development
- More alert students who do better in school
- Increased likelihood that students will grow up to lead a healthy lifestyle

The Safe Routes to School (SRTS) program and the CDC went on to say that not only does a safe walking and bicycling environment benefit students, but it also benefits the community in the following ways:

- Decline in the congestion on the roads
- Decreased opportunities for traffic accidents
- Improved air quality
- Improved community security
- Reduced fuel consumption
- Enhanced community accessibility
- Increased community involvement
- Improved partnerships among schools, parents, community groups, and the local government leaders



#### INTRODUCTION

LTG has been retained to conduct an Assessment Report for Creekside Middle School as part of a Bicycle and Pedestrian School Safety Review Study for the Volusia County TPO. Creekside Middle School is located at 6801 Airport Road in the City of Port Orange, Florida. A school location map, that also illustrates the walk zone of the school, is presented as Figure 1.

#### **Background on Creekside Middle School**

Creekside Middle School, currently in its 10<sup>th</sup> year of operation, is a relatively new Volusia County School. It is a Five Star School and has been for seven consecutive years. To qualify for this award, a school must achieve and document 100% of 29 criteria standards in the categories of business partnership, family involvement, volunteers, student community service, and school advisory councils.

The following information on Creekside Middle has been provided by Principal Beattie:

- Number of Volusia County Buses in Use: 14
- Percentage of Walkers: Approximately 26%
- Crossing Guard Location: The two crossing locations on Airport Road (one near each of the two entrances) are not currently attended by Crossing Guards
- Student Population: 1,150 Students
- Number of Bike Racks: One on school property, one on Airport Road Park (school has agreement with the park which allows this)

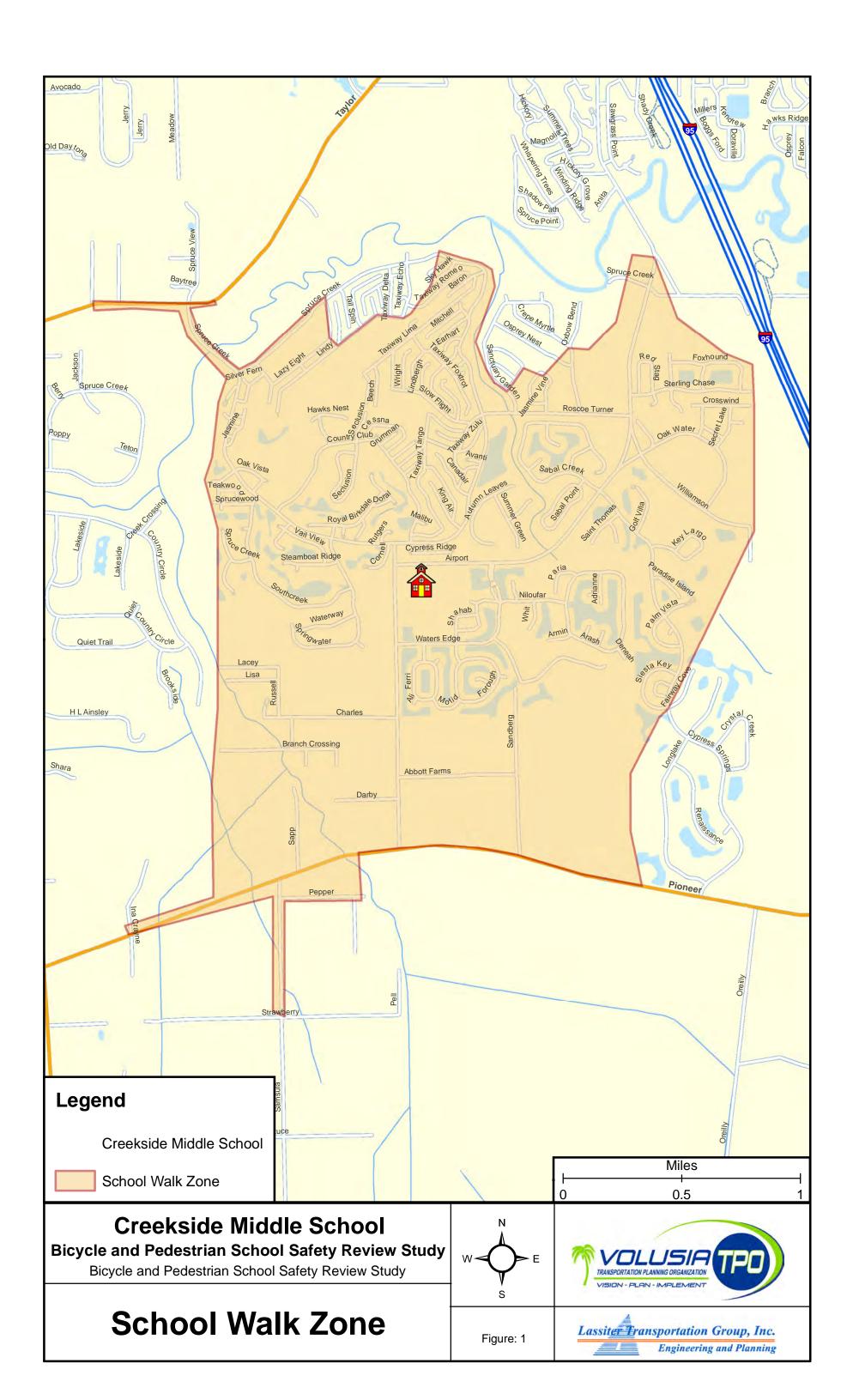


Illustration 1: Flashing signal on Airport Road



Illustration 2: Bike rack utilized by students at Airport Road Park)





- Location and Description of Access Points (an aerial of the school with these locations highlighted has been attached as Figure 2):
  - Easternmost, Airport Road driveway, which provides access to Visitor and Staff parking lot, and parent- loop (walker's gate adjacent to this main entrance).



Illustration 3: Driveway to Parent-Loop

 Second driveway, to the south on Airport Road, provides access for bus loop and additional Staff parking.



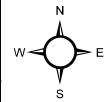
Illustration 4: Bus Loop Driveway



# Creekside Middle School Bicycle and Pedestrian School Safety Review Study

Bicycle and Pedestrian School Safety Review Study

**Aerial** 







#### **EXISTING CONDITIONS**

Creekside Middle School is located 6801 Airport Road, in the City of Port Orange. Airport Road is a Volusia County urban arterial with a posted speed limit of 45 mph (except during the school arrival and dismissal time through the school zone, when the speed limit adjacent to the school is 20 mph), throughout the Creekside Middle School walk zone.

#### **School Walk Zone**

The Creekside Middle School attendance zone is (loosely) bounded by Spruce Creek Boulevard (private road within the Spruce Creek Fly-In development) to the north, Pioneer Trail to the south, and the western and eastern boundaries are tracts of undeveloped land adjacent to CR 415 and I-95, respectively. The only other Volusia County School located within these limits is Cypress Creek Elementary School.

The school is located within a predominantly residential area and the walk zone is served by a network of local streets. The walk zone is not served by Volusia County transit (Votran). Figure 3 shows the approximate location of the other school as well as the crashes to be discussed below. The locations of traffic signals are also indicated.

#### **Crash Data**

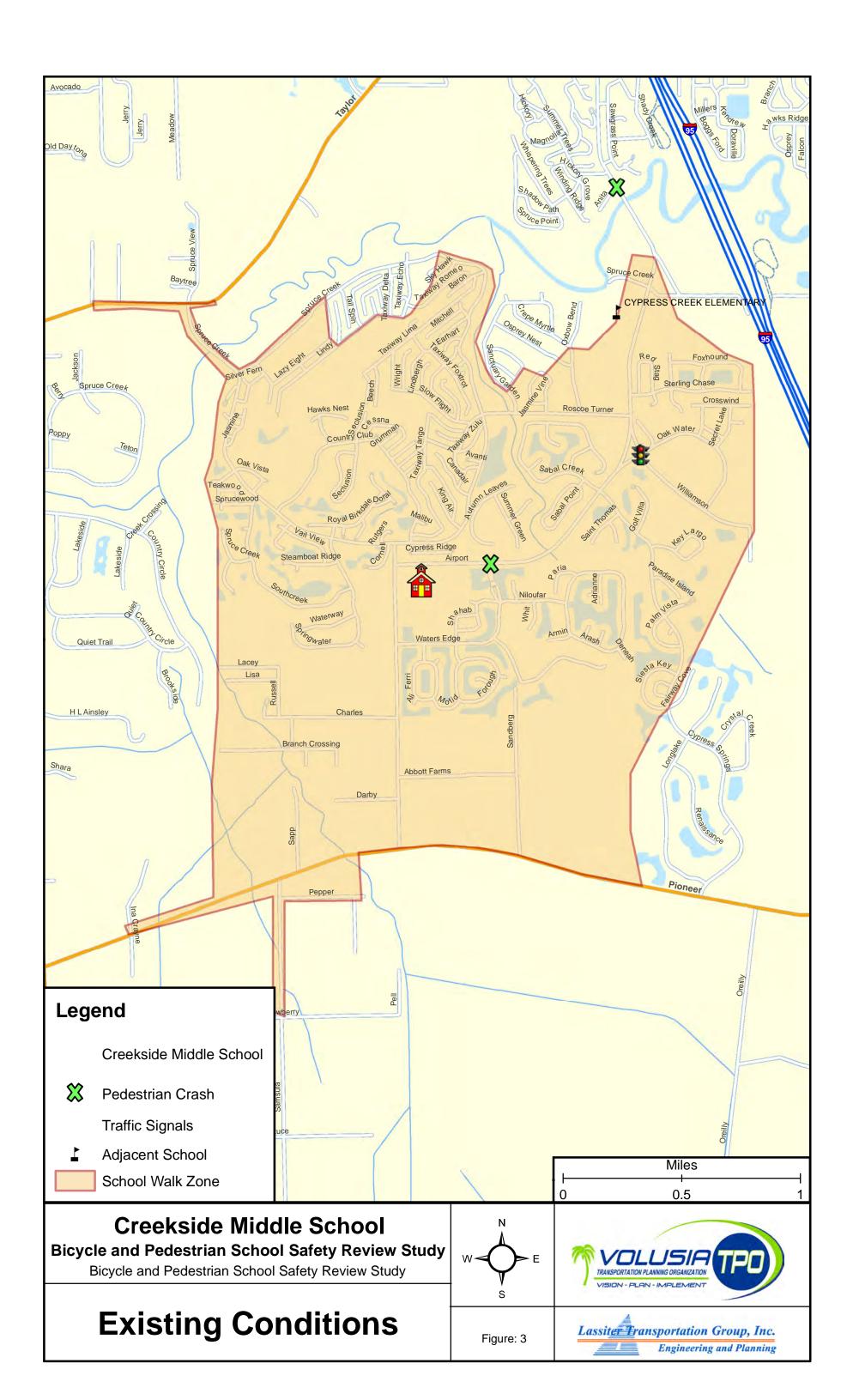
Pedestrian and bicycle crash data for Creekside Middle School's walk zone was obtained from Volusia County and is presented in Table 1. The data in Table 1 was generated based on the following guidelines:

- Data was collected during the timeframes of 8:15 a.m.- 9:15 a.m. and 3:15 p.m.- 4:15 p.m. on Mondays, Tuesdays, Thursdays, and Fridays
- Data was collected during the timeframes of 8:30 a.m. 9:30 a.m. and 2:15 p.m. 3:15 p.m. on Wednesdays
- Data was collected within the walk zone of the school
- · Crashes occurring within the last three years

## Table 1 Bicycle and Pedestrian Crash Data for Creekside Middle School Creekside Middle School Assessment Study

	ACCIDENT	BICYCLE/PEDESTRIAN		AGE OF
DATE	INTERSECTION	INVOLVMENT	DAY/NIGHT	CYCLIST/PEDESTRIAN
	WILLIAMSON			
	BLVD S @			
3/16/2006	ANITA ST	COLL. W/ PEDESTRIAN	DAYLIGHT	18
	AIRPORT RD			
	@ WATERS			
9/25/2008	EDGE BLVD (B)	COLL. W/ BICYCLE	DAYLIGHT	11

Data collected for this table is attached as Appendix A. The crash data shows that within the walk zone, there was one bicycle related accident and one pedestrian collision. The bicycle crash listed above appears to involve a middle-school aged student. However, the details of these crashes, as obtained from their respective crash reports, indicate that the drivers of the involved motor vehicles were at fault.



#### **MEETINGS**

A meeting was held at Creekside Middle School on December 6, 2010. In attendance at this meeting were members of LTG and TPO Staff, Assistant Principal Bob Pohlman, and City of Port Orange Transportation Planner Bill McCord. This meeting, along with questionnaires which were produced by LTG and completed by Principal Beattie, assisted in identifying matters of concern within the school walk zone (see completed questionnaires as well as initial letters sent to establish this meeting in Appendix B).

#### **Meeting Summary**

Creekside Middle School is a relatively new County School which serves an area of newer residential developments. Accordingly, sidewalks in the area (which measure from 5 feet – 8 feet) adhere to newer development standards and are present on at least one side of the public roadways. These facts are consistent with Assistant Principal Pohlman's statement that there are not any sidewalk-related safety concerns that the school has been made aware of, within the walk zone. Assistant Principal Pohlman identified the following concerns in the December meeting:

 There is a perceived danger from oncoming vehicles to students needing to cross Airport Road due to the congestion along that segment.



Illustration 5: Students crossing Airport Road (at crossing adjacent to walker's gate)

With respect to the parent-loop on campus, parents are allowed to park along both sides. However, there
has been a problem with parents forming a third (middle) lane. It should be noted that LTG made a
recommendation, while at this meeting, that cones be used to block the potential third lane and therefore
prevent parents from this practice. This recommendation has since been implemented at Creekside
Middle School and was in use on the subsequent day of observation.



#### FINDINGS AND RECOMMENDATIONS

This section of the report includes data collected during the on-site and off-site investigative observations of Creekside Middle School and its walk zone. Areas of interest identified in the meeting and completed questionnaires were investigated, along with a thorough field review of conditions within the walk zone.

For the subject middle school, LTG has evaluated the safety of sidewalk features based on conditions that are deemed hazardous in the *Americans with Disabilities Act (ADA) of 1990 Guidelines*, the *Manual on Uniform Traffic Control Devices* (MUTCD), the *Florida Department of Transportation* (FDOT), and the *Federal Highway Administration* (FHWA). The relevant excerpts are included in Appendices C and D.

#### On-Site Investigation - A.M. Observations

LTG visited Creekside Middle School on Thursday, January 6, 2011 during school arrival and dismissal time. Both periods were observed for an interval of 30 minutes before and after the bell, for a comprehensive view of all queuing, entering, and exiting patterns at different entry/exit points around the school as well as student walking and cycling practices at the supervised crosswalk and along the adjacent roadways. The following general information was gathered:

Bicycles parked in bicycle rack: 45

 (approximate, includes Airport Road
 Park bike rack, where students are allowed to park)

Number of skateboards: 0

Number of helmets: 20

 Two school related flashing signals located on Airport Road to the east and west of the school



Illustration 6: Bike rack (School property)

**Observation:** LTG began the investigation by observing interaction between vehicular traffic and student walkers and bicyclists on Airport Road. During the a.m. observation, no conflicts were observed. All students were observed to cross at the marked crossing locations. It should be noted that there was a significant number of students crossing Airport Road from the north to access the school.

**Recommendations:** The segment of Airport Road on which Creekside Middle School is located is an urban arterial, on which the flow is uninterrupted by signal control between Pioneer Trail to the west and Williamson Boulevard to the east. The reported 2009 daily volume along this segment was 5,410 vehicles. Given these roadway characteristics, the number of students needing to cross this facility, and the reported staff and parental concerns about the congestion on Airport Road, it is recommended that this school be considered for placement of a Crossing Guard, at such time that providing additional Crossing Guards is feasible.





**Observation:** Parents used the parent-loop correctly, parking in the designated lane for drop-off.

**Recommendations:** Previous recommendation to set up cones in middle lane is already in place.

**Observation:** Some students were observed to be dropped off in the Visitor Parking Lot, and cross the parent-loop lanes at the main crosswalk, where there was a member of staff assisting.

**Recommendations:** There was no safety problem observed (nor reported by staff), relative to students crossing the parent-loop lanes. No improvement recommended.



Illustration 7: Parent-loop



Illustration 8: Staff Member assisting at parent-loop during arrival time



#### On-Site Investigations - P.M. Observations

**Observation:** Parents were observed to use the parent-loop correctly, stacking on both sides to await students and not creating a third travel lane.

**Recommendation:** Previous recommendation to set up cones in middle lane is already in place.



Illustration 9: Parent-loop (dismissal time)

**Observations:** Airport Road was observed to be congested during dismissal time. A maximum queue length of six vehicles was observed at the main school driveway. A similar queue length was observed at the driveway to Airport Road Park, where parent vehicles also wait for students. The heavier volume of traffic caused significant wait times for students awaiting a gap in traffic to cross Airport Road at the crossing locations.

**Recommendations:** The school Principal has listed the assignment of a Crossing Guard to the crossing location near the main (north) gate on Airport Road as an improvement that she would like to see. According to the Principal, parents have also complained about this congestion on Airport Road. Therefore, increased Police presence is recommended at this location. In the absence of a Crossing Guard, police presence would facilitate smoother traffic operations which would make it easier for students to cross the road.



Illustration 10: View eastward to Airport Road Park, from school main driveway





#### **Off-Site Investigation**

A review of the school walk zone confirmed the Principal's assertion that there is a good sidewalk network in place. Sidewalk widths were observed to far exceed the minimum criteria of five feet and no maintenance issues were noted. There were also observed to be several mid-block cross walks in the area, with the proper accommodating signage. Signage and pavement markings were noted to be in good condition. As noted in the previous section, Airport Road was observed to have a heavier volume of traffic in the vicinity of the school and adjacent park during dismissal time. This higher traffic volume increases potential danger to students waiting to cross Airport Road due to lack of significant gaps in traffic.



Illustration 11: Crosswalk signage on Airport Road, west of school main (north)

#### Recommendations:

(**Previous**) In the absence of a Crossing Guard, increased police presence when possible is recommended at dismissal time.



Illustration 12: Crosswalk on Airport Road, east of school. One of many serving various residential developments such as Cypress Head shown in picture



#### **SUMMARY**

The number of walkers and bike riders to Creekside Middle School has been estimated at approximately 26% by the Principal, which is relatively high. The existing sidewalk network serving students of Creekside Middle does not appear to require improvements at this time. Continued, regular maintenance of area sidewalks and signage, as well as police presence, will help to maintain optimal conditions for walking and biking for Creekside Middle School students. It is further recommended that Creekside Middle School be considered for placement of a Crossing Guard (at the crossing just east of the main gate on Airport Road) at such time as additional Crossing Guards within Volusia County schools is feasible.

#### **EXECUTIVE SUMMARY - IMPLEMENTATION SECTION**

Lassiter Transportation Group, Inc. (LTG) was retained by the Volusia Transportation Planning Organization (TPO) to prepare an Implementation Report for the Bicycle and Pedestrian School Safety Review Study for 17 Volusia County schools. The Implementation Report for the Pedestrian and Bicycle School Safety Review Study is based on observations and recommendations of the Assessment Report and includes cost data, ranking criterion for the recommended improvements. The assessment phase of this study for Creekside Middle School has yielded no necessary improvements. Creekside Middle School is a newer Volusia County School. Accordingly, newer standards of development have been adhered to, particularly with respect to provision of sidewalks in the area. At this time, no improvements are recommended for implementation.



#### **WORKS CITED**

- "Florida School Crossing Guard Training Guidelines." Florida Department of Transportation Safety Offices. <a href="http://www.dot.state.fl.us/safety/ped\_bike/brochures/pdf/SCG%20Training%20Guidelines2009.pdf">http://www.dot.state.fl.us/safety/ped\_bike/brochures/pdf/SCG%20Training%20Guidelines2009.pdf</a>.
- "KidsWalk-to-School." U.S. Department of Health and Human Services Centers for Disease Control and Prevention. < http://www.cdc.gov/nccdphp/dnpa/kidswalk/pdf/kidswalk.pdf>.
- "Manual on Uniform Traffic Control Devices." < http://mutcd.fhwa.dot.gov/htm/2009/part7/part7\_toc.htm>.
- "Safe Routes to School Guideline." < http://www.saferoutesinfo.org/guide/pdf/SRTS-Guide\_full.pdf>.

# 8 APPENDICES



# **APPENDICES**

# **APPENDIX A**

Crash Records

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# FLORIDA TRAFFIC CRASH REPORT NARRATIVE/DIAGRAM MAIL TO: DEPARTMENT OF HIGHWAY SAFETY & MOTOR VEHICLES, TRAFFIC CRASH RECORDS SECTION, NEIL KIRKMAN BUILDING, TALLAHASSEE, FL 32399-0500

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Page 4 Of 4

### **APPENDIX B**

Letter to Principal & Completed Principal Questionnaire



#### PRINCIPAL QUESTIONNAIRE

TO: Creekside Middle School Principal Dr. Karen L. Beattie 6801 Airport Road Port Orange, FL 32128

FROM: Stephan Harris

Volusia County Transportation Planning Organization (VCTPO)

2570 W. International Speedway Blvd, Suite 120

Daytona Beach, FL 32114-8145

RE: MEETING DATE (TBD)

SCHOOL WALK ZONE SAFETY ANALYSIS

The Volusia County Transportation Planning Organization (VCTPO) is conducting assessments aimed at improving the safety conditions for students who bicycle or walk to and from school. Creekside Middle School has been chosen as one of the schools to be studied during this study phase. The following questionnaire will aid us in this effort. Your participation is key to the success of this analysis and is greatly appreciated.

You will be meeting with our traffic engineering consultants who will be conducting this study, Lassiter Transportation Group. Each staff member responsible for conducting the on-site analysis has gone through the appropriate back-ground check. Should you have any questions, please do not hesitate to contact them directly. Mr. Sans Lassiter or Ms. Crystal Mercedes PH: (386) 257-2571 or by E-mail: rlassiter@lassitertransportation.com or cmercedes@lassitertransportation. com.

1.	Number of students currently enrolled:
	Comments:
2.	Number of students (or approximate percentage) who walk/bicycle to/from school:
	Comments:
3.	Are you aware of any facility (sidewalk, crosswalk, etc.) maintenance issues? If yes, please explain.
4.	Are you aware of any parents who stop and/or park along the walk zone route to drop-off/pick-up their students to avoid the regular school pick-up lines? If yes, does this cause a safety issue with the students who walk/bicycle?



5.	Are you aware of any safety hazards or issues along the school's walk zone?
6.	Please list all known crash incidents within the walk zone. Did any of the crashes cause an issue for walkers/bikers? I yes, please explain.
7.	What is your biggest concern relative to the conditions faced by the students who walk/bicycle to/from school?
8.	What changes/improvements would you like to see relative to the conditions faced by the students who walk/bicycle to/from school?
CC	DMMENTS:



Via Email (klbeatti@volusia.k12.fl.us)

Ref: 3706.10

November 30, 2010

Principal Dr. Karen L. Beattie Creekside Middle School 6801 Airport Road Port Orange, FL 32128

Re: Volusia County Transportation Planning Organization (VCTPO) Bike and Pedestrian Safety Review

Dear Dr. Beattie:

The VCMPO has been awarded a Florida Department of Transportation (FDOT) safety grant to study bicycle and pedestrian safety as it relates to schools, such as Creekside Middle School, in the VCTPO planning area. Lassiter Transportation Group, Inc. has been retained to conduct these studies on the VCTPO's behalf.

We would like input from you to identify any bicycle and pedestrian safety-related issues or concerns that the school may be experiencing. Enclosed with this letter is a questionnaire form detailing the information that we are requesting. We would like to arrange a meeting with you, at your convenience, to discuss these items and will contact you in the near future to this end.

If you should have any questions or comments regarding this letter, please feel free to contact me at (386) 257-2571.

Sincerely,

LASSITER TRANSPORTATION GROUP, INC.

R. Sans Lassiter, PE President

> Stephan C. Harris, Bicycle & Pedestrian Coordinator, VCTPO
>  Saralee Morrissey, AICP, Director of Site Acquisitions & Intergovernmental Coordinator, Volusia County Schools

Jon Cheney, PE, Volusia County Traffic Engineering Lt. Bobby Lambert, Volusia County Sheriff's Office Bill McCord, Transportation Planner, City of Port Orange Joan Carter, M.A., Bicycle & Pedestrian Coordinator, FDOT D-5



PRINCIPAL QUESTIONNAIRE

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FROM: Stephan Harris

Volusia County Transportation Planning Organization (VCTPO)

2570 W. International Speedway Blvd, Suite 120

Daytona Beach, FL 32114-8145

RE: MEETING DATE (TBD)

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You will be meeting with our traffic engineering consultants who will be conducting this study, Lassiter Transportation Group. Each staff member responsible for conducting the on-site analysis has gone through the appropriate back-ground check. Should you have any questions, please do not hesitate to contact them directly. Mr. Sans Lassiter or Ms. Crystal Mercedes PH: (386) 257-2571 or by E-mail: rlassiter@lassitertransportation.com or cmercedes@lassitertransportation.com.

1.	Number of students currently enrolled: 1150
	Comments:
2.	Number of students (or approximate percentage) who walk/bicycle to/from school:
3.	Are you aware of any facility (sidewalk, crosswalk, etc.) maintenance Issues? If yes, please explain.  Not aware of any facility (sidewalk, crosswalk, etc.) maintenance Issues? If yes, please explain.
4.	Are you aware of any parents who stop and/or park along the walk zone route to drop-off/pick-up their students to avoid the regular school pick-up lines? If yes, does this cause a safety issue with the students who walk/bicycle?  AND



5.	Are you aware of any safety hazards or issues along the school's walk zone?  Note India A am aware of any safety hazards or issues along the school's walk zone?
6.	Please list all known crash incidents within the walk zone. Did any of the crashes cause an issue for walkers/bikers? yes, please explain.  Auction at Manager for Student within the walk zone. Did any of the crashes cause an issue for walkers/bikers? yes, please explain.  Auction at Manager for Student within the walk zone. Did any of the crashes cause an issue for walkers/bikers? yes, please explain.  Auction at Manager for Student within the walk zone. Did any of the crashes cause an issue for walkers/bikers? yes, please explain.  Auction at Manager for Student within the walk zone. Did any of the crashes cause an issue for walkers/bikers? yes, please explain.
7.	What is your biggest concern relative to the conditions faced by the students who walk/bicycle to/from school?  Lindents payeng causing larger lead:  Parants alating fuel lands of traffic  at paient pink up
8.	What changes/Improvements would you like to see relative to the conditions faced by the students who walk/bicycle to/from school?  Application of the conditions faced by the students who walk/bicycle to/from school?  Application of the conditions faced by the students who walk/bicycle to/from school?  Application of the conditions faced by the students who walk/bicycle to/from school?  Application of the conditions faced by the students who walk/bicycle to/from school?  Application of the conditions faced by the students who walk/bicycle to/from school?  Application of the conditions faced by the students who walk/bicycle to/from school?
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# **APPENDIX C**2009 Florida Statute Excerpts

#### The 2009 Florida Statutes

<u>Title XLVIII</u> <u>Chapter 1006</u> <u>View Entire Chapter</u>
K-20 EDUCATION CODE SUPPORT FOR LEARNING

(1) DEFINITION.--As used in this section, "student" means any public elementary school student whose grade level does not exceed grade 6.

#### (2) TRANSPORTATION; CORRECTION OF HAZARDS.--

- (a) It is intended that district school boards and other governmental entities work cooperatively to identify conditions that are hazardous along student walking routes to school and that district school boards provide transportation to students who would be subjected to such conditions. It is further intended that state or local governmental entities having jurisdiction correct such hazardous conditions within a reasonable period of time.
- (b) Upon a determination pursuant to this section that a condition is hazardous to students, the district school board shall request a determination from the state or local governmental entity having jurisdiction regarding whether the hazard will be corrected and, if so, regarding a projected completion date. State funds shall be allocated for the transportation of students subjected to such hazards, provided that such funding shall cease upon correction of the hazard or upon the projected completion date, whichever occurs first.
- (3) IDENTIFICATION OF HAZARDOUS CONDITIONS.--When a request for review is made to the district school superintendent or the district school superintendent's designee concerning a condition perceived to be hazardous to students in that district who live within the 2-mile limit and who walk to school, such condition shall be inspected by a representative of the school district and a representative of the state or local governmental entity that has jurisdiction over the perceived hazardous location. The district school superintendent or his or her designee and the state or local governmental entity or its representative shall then make a final determination that is mutually agreed upon regarding whether the hazardous condition meets the state criteria pursuant to this section. The district school superintendent or his or her designee shall report this final determination to the department.

#### (4) STATE CRITERIA FOR DETERMINING HAZARDOUS WALKING CONDITIONS.--

- (a) Walkways parallel to the road.--
  - 1. It shall be considered a hazardous walking condition with respect to any road along which students must walk in order to walk to and from school if there is not an area at least 4 feet wide adjacent to the road, having a surface upon which students may walk without being required to walk on the road surface. In addition, whenever the road along which students must walk is uncurbed and has a posted speed limit of 55 miles per hour, the area as described above for students to walk upon shall be set off the road by no less than 3 feet from the edge of the road.
  - 2. The provisions of subparagraph 1. do not apply when the road along which students must walk:
    - a. Is in a residential area which has little or no transient traffic;

- b. Is a road on which the volume of traffic is less than 180 vehicles per hour, per direction, during the time students walk to and from school; or
- c. Is located in a residential area and has a posted speed limit of 30 miles per hour or less.
- (b) Walkways perpendicular to the road.--It shall be considered a hazardous walking condition with respect to any road across which students must walk in order to walk to and from school:
  - 1. If the traffic volume on the road exceeds the rate of 360 vehicles per hour, per direction (including all lanes), during the time students walk to and from school and if the crossing site is uncontrolled. For purposes of this subsection, an "uncontrolled crossing site" is an intersection or other designated crossing site where no crossing guard, traffic enforcement officer, or stop sign or other traffic control signal is present during the times students walk to and from school.
  - 2. If the total traffic volume on the road exceeds 4,000 vehicles per hour through an intersection or other crossing site controlled by a stop sign or other traffic control signal, unless crossing guards or other traffic enforcement officers are also present during the times students walk to and from school.

Traffic volume shall be determined by the most current traffic engineering study conducted by a state or local governmental agency.

**History.**--s. 297, ch. 2002-387.

#### Title XXIII Chapter 316

**View Entire Chapter** 

MOTOR VEHICLES STATE UNIFORM TRAFFIC CONTROL

**316.75** School crossing guards.--The Department of Transportation shall adopt uniform guidelines for the training of school crossing guards. Each local governmental entity administering a school crossing guard program shall provide a training program for school crossing guards according to the uniform guidelines. Successful completion of the training program shall be required of each school guard except:

- (1) A person who received equivalent training during employment as a law enforcement officer.
- (2) A person who receives less than \$5,000 in annual compensation in a county with a population of less than 75,000.
- (3) A student who serves in a school patrol.

School crossing guard training programs may be made available to nonpublic schools upon contract.

History.--s. 2, ch. 92-194; s. 42, ch. 97-190.

Note.--Former s. 234.302.

**View Entire Chapter** 

MOTOR VEHICLES STATE UNIFORM TRAFFIC CONTROL 316.2065 Bicycle regulations.--

- (1) Every person propelling a vehicle by human power has all of the rights and all of the duties applicable to the driver of any other vehicle under this chapter, except as to special regulations in this chapter, and except as to provisions of this chapter which by their nature can have no application.
- (2) A person operating a bicycle may not ride other than upon or astride a permanent and regular seat attached thereto.
- (3)(a) A bicycle may not be used to carry more persons at one time than the number for which it is designed or equipped, except that an adult rider may carry a child securely attached to his or her person in a backpack or sling.
- (b) Except as provided in paragraph (a), a bicycle rider must carry any passenger who is a child under 4 years of age, or who weighs 40 pounds or less, in a seat or carrier that is designed to carry a child of that age or size and that secures and protects the child from the moving parts of the bicycle.
- (c) A bicycle rider may not allow a passenger to remain in a child seat or carrier on a bicycle when the rider is not in immediate control of the bicycle.
- (d) A bicycle rider or passenger who is under 16 years of age must wear a bicycle helmet that is properly fitted and is fastened securely upon the passenger's head by a strap, and that meets the standards of the American National Standards Institute (ANSI Z 90.4 Bicycle Helmet Standards), the standards of the Snell Memorial Foundation (1984 Standard for Protective Headgear for Use in Bicycling), or any other nationally recognized standards for bicycle helmets adopted by the department. As used in this subsection, the term "passenger" includes a child who is riding in a trailer or semitrailer attached to a bicycle.
- (e) Law enforcement officers and school crossing guards may issue a bicycle safety brochure and a verbal warning to a bicycle rider or passenger who violates this subsection. A bicycle rider or passenger who violates this subsection may be issued a citation by a law enforcement officer and assessed a fine for a pedestrian violation, as provided in s. 318.18. The court shall dismiss the charge against a bicycle rider or passenger for a first violation of paragraph (d) upon proof of purchase of a bicycle helmet that complies with this subsection.
- (4) No person riding upon any bicycle, coaster, roller skates, sled, or toy vehicle may attach the same or himself or herself to any vehicle upon a roadway. This subsection does not prohibit attaching a bicycle trailer or bicycle semitrailer to a bicycle if that trailer or semitrailer is commercially available and has been designed for such attachment.
- (5)(a) Any person operating a bicycle upon a roadway at less than the normal speed of traffic at the time and place and under the conditions then existing shall ride as close as practicable to the right-hand curb or edge of the roadway except under any of the following situations:
- 1. When overtaking and passing another bicycle or vehicle proceeding in the same direction.
- 2. When preparing for a left turn at an intersection or into a private road or driveway.

- 3. When reasonably necessary to avoid any condition, including, but not limited to, a fixed or moving object, parked or moving vehicle, bicycle, pedestrian, animal, surface hazard, or substandard-width lane, that makes it unsafe to continue along the right-hand curb or edge. For the purposes of this subsection, a "substandard-width lane" is a lane that is too narrow for a bicycle and another vehicle to travel safely side by side within the lane.
- (b) Any person operating a bicycle upon a one-way highway with two or more marked traffic lanes may ride as near the left-hand curb or edge of such roadway as practicable.
- (6) Persons riding bicycles upon a roadway may not ride more than two abreast except on paths or parts of roadways set aside for the exclusive use of bicycles. Persons riding two abreast may not impede traffic when traveling at less than the normal speed of traffic at the time and place and under the conditions then existing and shall ride within a single lane.
- (7) Any person operating a bicycle shall keep at least one hand upon the handlebars.
- (8) Every bicycle in use between sunset and sunrise shall be equipped with a lamp on the front exhibiting a white light visible from a distance of at least 500 feet to the front and a lamp and reflector on the rear each exhibiting a red light visible from a distance of 600 feet to the rear. A bicycle or its rider may be equipped with lights or reflectors in addition to those required by this section.
- (9) No parent of any minor child and no guardian of any minor ward may authorize or knowingly permit any such minor child or ward to violate any of the provisions of this section.
- (10) A person propelling a vehicle by human power upon and along a sidewalk, or across a roadway upon and along a crosswalk, has all the rights and duties applicable to a pedestrian under the same circumstances.
- (11) A person propelling a bicycle upon and along a sidewalk, or across a roadway upon and along a crosswalk, shall yield the right-of-way to any pedestrian and shall give an audible signal before overtaking and passing such pedestrian.
- (12) No person upon roller skates, or riding in or by means of any coaster, toy vehicle, or similar device, may go upon any roadway except while crossing a street on a crosswalk; and, when so crossing, such person shall be granted all rights and shall be subject to all of the duties applicable to pedestrians.
- (13) This section shall not apply upon any street while set aside as a play street authorized herein or as designated by state, county, or municipal authority.
- (14) Every bicycle shall be equipped with a brake or brakes which will enable its rider to stop the bicycle within 25 feet from a speed of 10 miles per hour on dry, level, clean pavement.
- (15) A person engaged in the business of selling bicycles at retail shall not sell any bicycle unless the bicycle has an identifying number permanently stamped or cast on its frame.
- (16)(a) A person may not knowingly rent or lease any bicycle to be ridden by a child who is under the age of 16 years unless:
- 1. The child possesses a bicycle helmet; or

- 2. The lessor provides a bicycle helmet for the child to wear.
- (b) A violation of this subsection is a nonmoving violation, punishable as provided in s. 318.18.
- (17) The court may waive, reduce, or suspend payment of any fine imposed under subsection (3) or subsection (16) and may impose any other conditions on the waiver, reduction, or suspension. If the court finds that a person does not have sufficient funds to pay the fine, the court may require the performance of a specified number of hours of community service or attendance at a safety seminar.
- (18) Notwithstanding s.  $\underline{318.21}$ , all proceeds collected pursuant to s.  $\underline{318.18}$  for violations under paragraphs (3)(e) and (16)(b) shall be deposited into the State Transportation Trust Fund.
- (19) The failure of a person to wear a bicycle helmet or the failure of a parent or guardian to prevent a child from riding a bicycle without a bicycle helmet may not be considered evidence of negligence or contributory negligence.
- (20) Except as otherwise provided in this section, a violation of this section is a noncriminal traffic infraction, punishable as a pedestrian violation as provided in chapter 318. A law enforcement officer may issue traffic citations for a violation of subsection (3) or subsection (16) only if the violation occurs on a bicycle path or road, as defined in s. 334.03. However, they may not issue citations to persons on private property, except any part thereof which is open to the use of the public for purposes of vehicular traffic.

**History.**--s. 1, ch. 71-135; s. 1, ch. 76-31; s. 2, ch. 76-286; s. 1, ch. 78-353; s. 8, ch. 83-68; s. 5, ch. 85-309; s. 1, ch. 86-23; s. 7, ch. 87-161; s. 21, ch. 94-306; s. 899, ch. 95-148; s. 1, ch. 96-185; s. 2, ch. 97-300; s. 161, ch. 99-248.

Note.--Former s. 316.111.