

By Senator Perry

8-00391-18

2018504\_\_

1                   A bill to be entitled  
2       An act relating to autocycles; amending s. 316.003,  
3       F.S.; defining the term "autocycle"; revising the  
4       definition of the term "motorcycle"; conforming a  
5       cross-reference; amending s. 316.614, F.S.; requiring  
6       safety belt or, if applicable, child restraint usage  
7       by an operator or passenger of an autocycle; amending  
8       s. 320.01, F.S.; including an autocycle in the  
9       definition of the term "motorcycle"; amending s.  
10      322.03, F.S.; authorizing a person to operate an  
11      autocycle without a motorcycle endorsement; amending  
12      s. 322.12, F.S.; providing applicability; amending ss.  
13      212.05, 316.303, 320.08, and 655.960, F.S.; conforming  
14      cross-references; providing an effective date.

15  
16 Be It Enacted by the Legislature of the State of Florida:

17  
18       Section 1. Present subsections (2) through (99) of section  
19      316.003, Florida Statutes, are renumbered as subsections (3)  
20      through (100), respectively, a new subsection (2) is added to  
21      that section, and present subsections (41) and (57) are amended,  
22      to read:

23       316.003 Definitions.—The following words and phrases, when  
24      used in this chapter, shall have the meanings respectively  
25      ascribed to them in this section, except where the context  
26      otherwise requires:

27       (2) AUTOCYCLE.—A three-wheeled motorcycle that has two  
28      wheels in the front and one wheel in the back; is equipped with  
29      a roll cage or roll hoops, a seat belt for each occupant,

8-00391-18

2018504\_\_

30 antilock brakes, a steering wheel, and seating that does not  
 31 require the operator to straddle or sit astride it; and is  
 32 manufactured in accordance with the applicable federal  
 33 motorcycle safety standards in 49 C.F.R. part 571 by a  
 34 manufacturer registered with the National Highway Traffic Safety  
 35 Administration.

36 (42)-(41) MOTORCYCLE.—Any motor vehicle having a seat or  
 37 saddle for the use of the rider and designed to travel on not  
 38 more than three wheels in contact with the ground. The term  
 39 includes an autocycle, but does not include ~~excluding~~ a tractor,  
 40 ~~or~~ a moped, or any vehicle in which the operator is enclosed by  
 41 a cabin unless it meets the requirements set forth by the  
 42 National Highway Traffic Safety Administration for a motorcycle.

43 (58)-(57)—PRIVATE ROAD OR DRIVEWAY.—Except as otherwise  
 44 provided in paragraph (80) (b) ~~(79)-(b)~~, any privately owned way  
 45 or place used for vehicular travel by the owner and those having  
 46 express or implied permission from the owner, but not by other  
 47 persons.

48 Section 2. Subsections (4) and (5) of section 316.614,  
 49 Florida Statutes, are amended to read:

50 316.614 Safety belt usage.—

51 (4) It is unlawful for any person:

52 (a) To operate a motor vehicle or an autocycle in this  
 53 state unless each passenger and the operator of the vehicle or  
 54 autocycle under the age of 18 years are restrained by a safety  
 55 belt or by a child restraint device pursuant to s. 316.613, if  
 56 applicable; or

57 (b) To operate a motor vehicle or an autocycle in this  
 58 state unless the person is restrained by a safety belt.

8-00391-18

2018504\_\_

59 (5) It is unlawful for any person 18 years of age or older  
60 to be a passenger in the front seat of a motor vehicle or an  
61 autocycle unless such person is restrained by a safety belt when  
62 the vehicle or autocycle is in motion.

63 Section 3. Subsection (26) of section 320.01, Florida  
64 Statutes, is amended to read:

65 320.01 Definitions, general.—As used in the Florida  
66 Statutes, except as otherwise provided, the term:

67 (26) "Motorcycle" means any motor vehicle having a seat or  
68 saddle for the use of the rider and designed to travel on not  
69 more than three wheels in contact with the ground. The term  
70 includes an autocycle, as defined in s. 316.003, but excludes a  
71 tractor, a moped, or any ~~excluding a~~ vehicle in which the  
72 operator is enclosed by a cabin unless it meets the requirements  
73 set forth by the National Highway Traffic Safety Administration  
74 for a motorcycle. ~~The term "motorcycle" does not include a~~  
75 ~~tractor or a moped.~~

76 Section 4. Subsection (4) of section 322.03, Florida  
77 Statutes, is amended to read:

78 322.03 Drivers must be licensed; penalties.—

79 (4) A person may not operate a motorcycle unless he or she  
80 holds a driver license that authorizes such operation, subject  
81 to the appropriate restrictions and endorsements. A person may  
82 operate an autocycle, as defined in s. 316.003, without a  
83 motorcycle endorsement.

84 Section 5. Paragraph (c) is added to subsection (5) of  
85 section 322.12, Florida Statutes, to read:

86 322.12 Examination of applicants.—

87 (5)

8-00391-18

2018504\_\_

88       (c) This subsection does not apply to the operation of an  
89 autocycle, as defined in s. 316.003.

90       Section 6. Paragraph (c) of subsection (1) of section  
91 212.05, Florida Statutes, is amended to read:

92       212.05 Sales, storage, use tax.—It is hereby declared to be  
93 the legislative intent that every person is exercising a taxable  
94 privilege who engages in the business of selling tangible  
95 personal property at retail in this state, including the  
96 business of making mail order sales, or who rents or furnishes  
97 any of the things or services taxable under this chapter, or who  
98 stores for use or consumption in this state any item or article  
99 of tangible personal property as defined herein and who leases  
100 or rents such property within the state.

101       (1) For the exercise of such privilege, a tax is levied on  
102 each taxable transaction or incident, which tax is due and  
103 payable as follows:

104       (c) At the rate of 6 percent of the gross proceeds derived  
105 from the lease or rental of tangible personal property, as  
106 defined herein; however, the following special provisions apply  
107 to the lease or rental of motor vehicles:

108       1. When a motor vehicle is leased or rented for a period of  
109 less than 12 months:

110       a. If the motor vehicle is rented in Florida, the entire  
111 amount of such rental is taxable, even if the vehicle is dropped  
112 off in another state.

113       b. If the motor vehicle is rented in another state and  
114 dropped off in Florida, the rental is exempt from Florida tax.

115       2. Except as provided in subparagraph 3., for the lease or  
116 rental of a motor vehicle for a period of not less than 12

8-00391-18

2018504\_\_

117 months, sales tax is due on the lease or rental payments if the  
118 vehicle is registered in this state; provided, however, that no  
119 tax shall be due if the taxpayer documents use of the motor  
120 vehicle outside this state and tax is being paid on the lease or  
121 rental payments in another state.

122 3. The tax imposed by this chapter does not apply to the  
123 lease or rental of a commercial motor vehicle as defined in s.  
124 316.003(13) (a) ~~316.003(12) (a)~~ to one lessee or rentee for a  
125 period of not less than 12 months when tax was paid on the  
126 purchase price of such vehicle by the lessor. To the extent tax  
127 was paid with respect to the purchase of such vehicle in another  
128 state, territory of the United States, or the District of  
129 Columbia, the Florida tax payable shall be reduced in accordance  
130 with the provisions of s. 212.06(7). This subparagraph shall  
131 only be available when the lease or rental of such property is  
132 an established business or part of an established business or  
133 the same is incidental or germane to such business.

134 Section 7. Subsections (1) and (3) of section 316.303,  
135 Florida Statutes, are amended to read:

136 316.303 Television receivers.—

137 (1) No motor vehicle may be operated on the highways of  
138 this state if the vehicle is actively displaying moving  
139 television broadcast or pre-recorded video entertainment content  
140 that is visible from the driver's seat while the vehicle is in  
141 motion, unless the vehicle is equipped with autonomous  
142 technology, as defined in s. 316.003(3) ~~316.003(2)~~, and is being  
143 operated in autonomous mode, as provided in s. 316.85(2).

144 (3) This section does not prohibit the use of an electronic  
145 display used in conjunction with a vehicle navigation system; an

8-00391-18

2018504\_\_

146 electronic display used by an operator of a vehicle equipped  
147 with autonomous technology, as defined in s. 316.003(3) ~~316.003~~;  
148 or an electronic display used by an operator of a vehicle  
149 equipped and operating with driver-assistive truck platooning  
150 technology, as defined in s. 316.003.

151 Section 8. Section 320.08, Florida Statutes, is amended to  
152 read:

153 320.08 License taxes.—Except as otherwise provided herein,  
154 there are hereby levied and imposed annual license taxes for the  
155 operation of motor vehicles, mopeds, motorized bicycles as  
156 defined in s. 316.003(4) ~~316.003(3)~~, tri-vehicles as defined in  
157 s. 316.003, and mobile homes as defined in s. 320.01, which  
158 shall be paid to and collected by the department or its agent  
159 upon the registration or renewal of registration of the  
160 following:

161 (1) MOTORCYCLES AND MOPEDS.—

162 (a) Any motorcycle: \$10 flat.

163 (b) Any moped: \$5 flat.

164 (c) Upon registration of a motorcycle, motor-driven cycle,  
165 or moped, in addition to the license taxes specified in this  
166 subsection, a nonrefundable motorcycle safety education fee in  
167 the amount of \$2.50 shall be paid. The proceeds of such  
168 additional fee shall be deposited in the Highway Safety  
169 Operating Trust Fund to fund a motorcycle driver improvement  
170 program implemented pursuant to s. 322.025, the Florida  
171 Motorcycle Safety Education Program established in s. 322.0255,  
172 or the general operations of the department.

173 (d) An ancient or antique motorcycle: \$7.50 flat, of which  
174 \$2.50 shall be deposited into the General Revenue Fund.

8-00391-18

2018504\_\_

- 175 (2) AUTOMOBILES OR TRI-VEHICLES FOR PRIVATE USE.—
- 176 (a) An ancient or antique automobile, as defined in s.
- 177 320.086, or a street rod, as defined in s. 320.0863: \$7.50 flat.
- 178 (b) Net weight of less than 2,500 pounds: \$14.50 flat.
- 179 (c) Net weight of 2,500 pounds or more, but less than 3,500
- 180 pounds: \$22.50 flat.
- 181 (d) Net weight of 3,500 pounds or more: \$32.50 flat.
- 182 (3) TRUCKS.—
- 183 (a) Net weight of less than 2,000 pounds: \$14.50 flat.
- 184 (b) Net weight of 2,000 pounds or more, but not more than
- 185 3,000 pounds: \$22.50 flat.
- 186 (c) Net weight more than 3,000 pounds, but not more than
- 187 5,000 pounds: \$32.50 flat.
- 188 (d) A truck defined as a "goat," or other vehicle if used
- 189 in the field by a farmer or in the woods for the purpose of
- 190 harvesting a crop, including naval stores, during such
- 191 harvesting operations, and which is not principally operated
- 192 upon the roads of the state: \$7.50 flat. The term "goat" means a
- 193 motor vehicle designed, constructed, and used principally for
- 194 the transportation of citrus fruit within citrus groves or for
- 195 the transportation of crops on farms, and which can also be used
- 196 for hauling associated equipment or supplies, including required
- 197 sanitary equipment, and the towing of farm trailers.
- 198 (e) An ancient or antique truck, as defined in s. 320.086:
- 199 \$7.50 flat.
- 200 (4) HEAVY TRUCKS, TRUCK TRACTORS, FEES ACCORDING TO GROSS
- 201 VEHICLE WEIGHT.—
- 202 (a) Gross vehicle weight of 5,001 pounds or more, but less
- 203 than 6,000 pounds: \$60.75 flat, of which \$15.75 shall be

8-00391-18

2018504\_\_

204 deposited into the General Revenue Fund.

205 (b) Gross vehicle weight of 6,000 pounds or more, but less  
206 than 8,000 pounds: \$87.75 flat, of which \$22.75 shall be  
207 deposited into the General Revenue Fund.

208 (c) Gross vehicle weight of 8,000 pounds or more, but less  
209 than 10,000 pounds: \$103 flat, of which \$27 shall be deposited  
210 into the General Revenue Fund.

211 (d) Gross vehicle weight of 10,000 pounds or more, but less  
212 than 15,000 pounds: \$118 flat, of which \$31 shall be deposited  
213 into the General Revenue Fund.

214 (e) Gross vehicle weight of 15,000 pounds or more, but less  
215 than 20,000 pounds: \$177 flat, of which \$46 shall be deposited  
216 into the General Revenue Fund.

217 (f) Gross vehicle weight of 20,000 pounds or more, but less  
218 than 26,001 pounds: \$251 flat, of which \$65 shall be deposited  
219 into the General Revenue Fund.

220 (g) Gross vehicle weight of 26,001 pounds or more, but less  
221 than 35,000: \$324 flat, of which \$84 shall be deposited into the  
222 General Revenue Fund.

223 (h) Gross vehicle weight of 35,000 pounds or more, but less  
224 than 44,000 pounds: \$405 flat, of which \$105 shall be deposited  
225 into the General Revenue Fund.

226 (i) Gross vehicle weight of 44,000 pounds or more, but less  
227 than 55,000 pounds: \$773 flat, of which \$201 shall be deposited  
228 into the General Revenue Fund.

229 (j) Gross vehicle weight of 55,000 pounds or more, but less  
230 than 62,000 pounds: \$916 flat, of which \$238 shall be deposited  
231 into the General Revenue Fund.

232 (k) Gross vehicle weight of 62,000 pounds or more, but less

8-00391-18

2018504\_\_

233 than 72,000 pounds: \$1,080 flat, of which \$280 shall be  
234 deposited into the General Revenue Fund.

235 (l) Gross vehicle weight of 72,000 pounds or more: \$1,322  
236 flat, of which \$343 shall be deposited into the General Revenue  
237 Fund.

238 (m) Notwithstanding the declared gross vehicle weight, a  
239 truck tractor used within a 150-mile radius of its home address  
240 is eligible for a license plate for a fee of \$324 flat if:

241 1. The truck tractor is used exclusively for hauling  
242 forestry products; or

243 2. The truck tractor is used primarily for the hauling of  
244 forestry products, and is also used for the hauling of  
245 associated forestry harvesting equipment used by the owner of  
246 the truck tractor.

247  
248 Of the fee imposed by this paragraph, \$84 shall be deposited  
249 into the General Revenue Fund.

250 (n) A truck tractor or heavy truck, not operated as a for-  
251 hire vehicle, which is engaged exclusively in transporting raw,  
252 unprocessed, and nonmanufactured agricultural or horticultural  
253 products within a 150-mile radius of its home address, is  
254 eligible for a restricted license plate for a fee of:

255 1. If such vehicle's declared gross vehicle weight is less  
256 than 44,000 pounds, \$87.75 flat, of which \$22.75 shall be  
257 deposited into the General Revenue Fund.

258 2. If such vehicle's declared gross vehicle weight is  
259 44,000 pounds or more and such vehicle only transports from the  
260 point of production to the point of primary manufacture; to the  
261 point of assembling the same; or to a shipping point of a rail,

8-00391-18

2018504\_\_

262 water, or motor transportation company, \$324 flat, of which \$84  
263 shall be deposited into the General Revenue Fund.

264  
265 Such not-for-hire truck tractors and heavy trucks used  
266 exclusively in transporting raw, unprocessed, and  
267 nonmanufactured agricultural or horticultural products may be  
268 incidentally used to haul farm implements and fertilizers  
269 delivered direct to the growers. The department may require any  
270 documentation deemed necessary to determine eligibility prior to  
271 issuance of this license plate. For the purpose of this  
272 paragraph, "not-for-hire" means the owner of the motor vehicle  
273 must also be the owner of the raw, unprocessed, and  
274 nonmanufactured agricultural or horticultural product, or the  
275 user of the farm implements and fertilizer being delivered.

276 (5) SEMITRAILERS, FEES ACCORDING TO GROSS VEHICLE WEIGHT;  
277 SCHOOL BUSES; SPECIAL PURPOSE VEHICLES.—

278 (a)1. A semitrailer drawn by a GVW truck tractor by means  
279 of a fifth-wheel arrangement: \$13.50 flat per registration year  
280 or any part thereof, of which \$3.50 shall be deposited into the  
281 General Revenue Fund.

282 2. A semitrailer drawn by a GVW truck tractor by means of a  
283 fifth-wheel arrangement: \$68 flat per permanent registration, of  
284 which \$18 shall be deposited into the General Revenue Fund.

285 (b) A motor vehicle equipped with machinery and designed  
286 for the exclusive purpose of well drilling, excavation,  
287 construction, spraying, or similar activity, and which is not  
288 designed or used to transport loads other than the machinery  
289 described above over public roads: \$44 flat, of which \$11.50  
290 shall be deposited into the General Revenue Fund.

8-00391-18

2018504\_\_

291 (c) A school bus used exclusively to transport pupils to  
292 and from school or school or church activities or functions  
293 within their own county: \$41 flat, of which \$11 shall be  
294 deposited into the General Revenue Fund.

295 (d) A wrecker, as defined in s. 320.01, which is used to  
296 tow a vessel as defined in s. 327.02, a disabled, abandoned,  
297 stolen-recovered, or impounded motor vehicle as defined in s.  
298 320.01, or a replacement motor vehicle as defined in s. 320.01:  
299 \$41 flat, of which \$11 shall be deposited into the General  
300 Revenue Fund.

301 (e) A wrecker that is used to tow any nondisabled motor  
302 vehicle, a vessel, or any other cargo unless used as defined in  
303 paragraph (d), as follows:

304 1. Gross vehicle weight of 10,000 pounds or more, but less  
305 than 15,000 pounds: \$118 flat, of which \$31 shall be deposited  
306 into the General Revenue Fund.

307 2. Gross vehicle weight of 15,000 pounds or more, but less  
308 than 20,000 pounds: \$177 flat, of which \$46 shall be deposited  
309 into the General Revenue Fund.

310 3. Gross vehicle weight of 20,000 pounds or more, but less  
311 than 26,000 pounds: \$251 flat, of which \$65 shall be deposited  
312 into the General Revenue Fund.

313 4. Gross vehicle weight of 26,000 pounds or more, but less  
314 than 35,000 pounds: \$324 flat, of which \$84 shall be deposited  
315 into the General Revenue Fund.

316 5. Gross vehicle weight of 35,000 pounds or more, but less  
317 than 44,000 pounds: \$405 flat, of which \$105 shall be deposited  
318 into the General Revenue Fund.

319 6. Gross vehicle weight of 44,000 pounds or more, but less

8-00391-18

2018504\_\_

320 than 55,000 pounds: \$772 flat, of which \$200 shall be deposited  
321 into the General Revenue Fund.

322 7. Gross vehicle weight of 55,000 pounds or more, but less  
323 than 62,000 pounds: \$915 flat, of which \$237 shall be deposited  
324 into the General Revenue Fund.

325 8. Gross vehicle weight of 62,000 pounds or more, but less  
326 than 72,000 pounds: \$1,080 flat, of which \$280 shall be  
327 deposited into the General Revenue Fund.

328 9. Gross vehicle weight of 72,000 pounds or more: \$1,322  
329 flat, of which \$343 shall be deposited into the General Revenue  
330 Fund.

331 (f) A hearse or ambulance: \$40.50 flat, of which \$10.50  
332 shall be deposited into the General Revenue Fund.

333 (6) MOTOR VEHICLES FOR HIRE.—

334 (a) Under nine passengers: \$17 flat, of which \$4.50 shall  
335 be deposited into the General Revenue Fund; plus \$1.50 per cwt,  
336 of which 50 cents shall be deposited into the General Revenue  
337 Fund.

338 (b) Nine passengers and over: \$17 flat, of which \$4.50  
339 shall be deposited into the General Revenue Fund; plus \$2 per  
340 cwt, of which 50 cents shall be deposited into the General  
341 Revenue Fund.

342 (7) TRAILERS FOR PRIVATE USE.—

343 (a) Any trailer weighing 500 pounds or less: \$6.75 flat per  
344 year or any part thereof, of which \$1.75 shall be deposited into  
345 the General Revenue Fund.

346 (b) Net weight over 500 pounds: \$3.50 flat, of which \$1  
347 shall be deposited into the General Revenue Fund; plus \$1 per  
348 cwt, of which 25 cents shall be deposited into the General

8-00391-18

2018504\_\_

349 Revenue Fund.

350 (8) TRAILERS FOR HIRE.—

351 (a) Net weight under 2,000 pounds: \$3.50 flat, of which \$1  
352 shall be deposited into the General Revenue Fund; plus \$1.50 per  
353 cwt, of which 50 cents shall be deposited into the General  
354 Revenue Fund.

355 (b) Net weight 2,000 pounds or more: \$13.50 flat, of which  
356 \$3.50 shall be deposited into the General Revenue Fund; plus  
357 \$1.50 per cwt, of which 50 cents shall be deposited into the  
358 General Revenue Fund.

359 (9) RECREATIONAL VEHICLE-TYPE UNITS.—

360 (a) A travel trailer or fifth-wheel trailer, as defined by  
361 s. 320.01(1)(b), that does not exceed 35 feet in length: \$27  
362 flat, of which \$7 shall be deposited into the General Revenue  
363 Fund.

364 (b) A camping trailer, as defined by s. 320.01(1)(b)2.:  
365 \$13.50 flat, of which \$3.50 shall be deposited into the General  
366 Revenue Fund.

367 (c) A motor home, as defined by s. 320.01(1)(b)4.:

368 1. Net weight of less than 4,500 pounds: \$27 flat, of which  
369 \$7 shall be deposited into the General Revenue Fund.

370 2. Net weight of 4,500 pounds or more: \$47.25 flat, of  
371 which \$12.25 shall be deposited into the General Revenue Fund.

372 (d) A truck camper as defined by s. 320.01(1)(b)3.:

373 1. Net weight of less than 4,500 pounds: \$27 flat, of which  
374 \$7 shall be deposited into the General Revenue Fund.

375 2. Net weight of 4,500 pounds or more: \$47.25 flat, of  
376 which \$12.25 shall be deposited into the General Revenue Fund.

377 (e) A private motor coach as defined by s. 320.01(1)(b)5.:

8-00391-18

2018504\_\_

378 1. Net weight of less than 4,500 pounds: \$27 flat, of which  
379 \$7 shall be deposited into the General Revenue Fund.

380 2. Net weight of 4,500 pounds or more: \$47.25 flat, of  
381 which \$12.25 shall be deposited into the General Revenue Fund.

382 (10) PARK TRAILERS; TRAVEL TRAILERS; FIFTH-WHEEL TRAILERS;  
383 35 FEET TO 40 FEET.—

384 (a) *Park trailers.*—Any park trailer, as defined in s.  
385 320.01(1)(b)7.: \$25 flat.

386 (b) *Travel trailers or fifth-wheel trailers.*—A travel  
387 trailer or fifth-wheel trailer, as defined in s. 320.01(1)(b),  
388 that exceeds 35 feet: \$25 flat.

389 (11) MOBILE HOMES.—

390 (a) A mobile home not exceeding 35 feet in length: \$20  
391 flat.

392 (b) A mobile home over 35 feet in length, but not exceeding  
393 40 feet: \$25 flat.

394 (c) A mobile home over 40 feet in length, but not exceeding  
395 45 feet: \$30 flat.

396 (d) A mobile home over 45 feet in length, but not exceeding  
397 50 feet: \$35 flat.

398 (e) A mobile home over 50 feet in length, but not exceeding  
399 55 feet: \$40 flat.

400 (f) A mobile home over 55 feet in length, but not exceeding  
401 60 feet: \$45 flat.

402 (g) A mobile home over 60 feet in length, but not exceeding  
403 65 feet: \$50 flat.

404 (h) A mobile home over 65 feet in length: \$80 flat.

405 (12) DEALER AND MANUFACTURER LICENSE PLATES.—A franchised  
406 motor vehicle dealer, independent motor vehicle dealer, marine

8-00391-18

2018504\_\_

407 boat trailer dealer, or mobile home dealer and manufacturer  
408 license plate: \$17 flat, of which \$4.50 shall be deposited into  
409 the General Revenue Fund.

410 (13) EXEMPT OR OFFICIAL LICENSE PLATES.—Any exempt or  
411 official license plate: \$4 flat, of which \$1 shall be deposited  
412 into the General Revenue Fund, except that the registration or  
413 renewal of a registration of a marine boat trailer exempt under  
414 s. 320.102 is not subject to any license tax.

415 (14) LOCALLY OPERATED MOTOR VEHICLES FOR HIRE.—A motor  
416 vehicle for hire operated wholly within a city or within 25  
417 miles thereof: \$17 flat, of which \$4.50 shall be deposited into  
418 the General Revenue Fund; plus \$2 per cwt, of which 50 cents  
419 shall be deposited into the General Revenue Fund.

420 (15) TRANSPORTER.—Any transporter license plate issued to a  
421 transporter pursuant to s. 320.133: \$101.25 flat, of which  
422 \$26.25 shall be deposited into the General Revenue Fund.

423 Section 9. Subsection (1) of section 655.960, Florida  
424 Statutes, is amended to read:

425 655.960 Definitions; ss. 655.960-655.965.—As used in this  
426 section and ss. 655.961-655.965, unless the context otherwise  
427 requires:

428 (1) "Access area" means any paved walkway or sidewalk which  
429 is within 50 feet of any automated teller machine. The term does  
430 not include any street or highway open to the use of the public,  
431 as defined in s. 316.003(80)(a) ~~316.003(79)(a)~~ or (b), including  
432 any adjacent sidewalk, as defined in s. 316.003.

433 Section 10. This act shall take effect July 1, 2018.