

STORAGE NAME: h4089a.grr

DATE: April 21, 1998

**HOUSE OF REPRESENTATIVES
AS FURTHER REVISED BY THE COMMITTEE ON
GOVERNMENTAL RULES AND REGULATIONS
BILL RESEARCH & ECONOMIC IMPACT STATEMENT**

BILL #: HB 4089

RELATING TO: Inline Skating/Regulations

SPONSOR(S): Representative Barreiro

COMPANION BILL(S): None

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

- (1) LAW ENFORCEMENT AND PUBLIC SAFETY YEAS 4 NAYS 1
- (2) FAMILY LAW & CHILDREN (W/D)
- (3) GOVERNMENTAL RULES AND REGULATIONS YEAS 3 NAYS 2
- (4)
- (5)

I. SUMMARY:

HB 4089 defines inline skates as those skates with wheels arranged singularly in a tandem line rather than in pairs. The bill provides that inline skating shall be subject to the same rules of the road that currently apply to bicycling.

The bill prohibits any person using inline skates from attaching to a vehicle. Also, inline skaters moving at less than the normal speed of traffic must stay as close to the right-hand curb as possible unless (1) passing another vehicle, (2) turning left, or (3) avoiding obstacles. If inline skating on a one way road, the skater may ride as near to the left-hand curb as practicable. Inline skaters operating upon a roadway may not skate more than two abreast unless the road is set aside for the exclusive use of inline skates and/or bicycles.

The bill also requires that every person operating inline skates upon a public street or highway must be able to operate the skates in a careful and prudent manner. Between the hours of sunset and sunrise, each inline skater must display, on the front of his/her person, a white light visible to oncoming traffic and a red light somewhere on the rear of his/her person. The bill also requires skaters under the age of sixteen to wear a helmet. The bill further stipulates that no parent/guardian of any minor child may authorize a violation of these rules.

Under the bill, anyone operating inline skates on a sidewalk or crosswalk has all the rights and duties applicable to pedestrians under the same circumstances. However, any person operating inline skates on a sidewalk or crosswalk shall yield the right-of-way to any pedestrian and must make an audible sign before passing a pedestrian.

This bill provides that this act shall take effect upon becoming a law.

II. SUBSTANTIVE RESEARCH:

A. PRESENT SITUATION:

Inline Skates Defined

Inline skates are a newer variation of the traditional roller skate. Commonly referred to as "rollerblades"(after the company who pioneered the original inline skates), the most noticeable difference between inline skates and roller skates is that the wheels on inline skates are centered on the boot and arranged in a single line to increase speed and maneuverability. A brake is also attached to the heel to aid in stopping. The original purpose behind this invention was to give ice hockey players a way to practice skating in the summer months. However, inline skates have become very popular for other recreational uses. Many individuals inline skate for exercise purposes because the activity burns calories as fast as running and is easier on the joints. In addition, various hockey, basketball and racing leagues utilize the inline skate. In 1996, there were over thirty-one million inline skaters. "Gear Up! Guide to Inline Skating" Wild World of Inline Skating p.1-4.

Current Regulation of Inline Skating

Section 316.008(s), F.S., provides that local jurisdictions have the authority to regulate persons upon skates. Additionally, s. 316.2065, F.S., contains an extensive set of rules which currently govern the operation of bicycles, roller skates, toy vehicles and other human powered vehicles. Under this proposal, the applicable sections of this current statute would be integrated into the newly created statute in order to also apply to the use of inline skates.

B. EFFECT OF PROPOSED CHANGES:

This bill creates s. 316.2067, F.S., to provide definitions and regulations with respect to the operation of inline skates. The bill provides a definition of "inline skates", which differentiates these skates from the other "human powered vehicles" listed in s. 316.2065, F.S.

The bill provides that a person may not attach to any vehicle while using inline skates. Also, a person using inline skates at less than the normal speed of traffic must stay to the right-hand curb unless:

- passing another vehicle;
- turning left; or
- avoiding obstacles.

If inline skating on a one way road, the skater may ride as near to the left-hand curb as practicable. Also, inline skaters operating upon a roadway may not skate more than two abreast unless the road is set aside for the exclusive use of inline skates and/or bicycles.

The bill requires that every person operating inline skates upon a public street or highway must be able to operate the skates in a careful and prudent manner. Between the hours of sunset and sunrise, each inline skater must display, on the front of his/her

person, a white light visible to oncoming traffic, and a red light somewhere on the rear of his/her person. The bill also requires skaters under the age of sixteen to wear a helmet that meets or exceeds recognizable standards. The bill further stipulates that no parent/guardian of any minor child may authorize a violation of these rules.

Under the bill, anyone operating inline skates on a sidewalk or crosswalk has all the rights and duties applicable to pedestrians under the same circumstances. However, any person operating inline skates on a sidewalk or crosswalk shall yield the right-of-way to any pedestrian, and must make an audible sign before passing a pedestrian.

This bill provides that this act shall take effect upon becoming a law.

C. APPLICATION OF PRINCIPLES:

1. Less Government:

a. Does the bill create, increase or reduce, either directly or indirectly:

(1) any authority to make rules or adjudicate disputes?

No.

(2) any new responsibilities, obligations or work for other governmental or private organizations or individuals?

No.

(3) any entitlement to a government service or benefit?

No.

b. If an agency or program is eliminated or reduced:

(1) what responsibilities, costs and powers are passed on to another program, agency, level of government, or private entity?

N/A

(2) what is the cost of such responsibility at the new level/agency?

N/A

(3) how is the new agency accountable to the people governed?

N/A

2. Lower Taxes:

a. Does the bill increase anyone's taxes?

No.

b. Does the bill require or authorize an increase in any fees?

No.

c. Does the bill reduce total taxes, both rates and revenues?

No.

d. Does the bill reduce total fees, both rates and revenues?

No.

e. Does the bill authorize any fee or tax increase by any local government?

No.

3. Personal Responsibility:

a. Does the bill reduce or eliminate an entitlement to government services or subsidy?

No.

b. Do the beneficiaries of the legislation directly pay any portion of the cost of implementation and operation?

No.

4. Individual Freedom:

a. Does the bill increase the allowable options of individuals or private organizations/associations to conduct their own affairs?

No.

- b. Does the bill prohibit, or create new government interference with, any presently lawful activity?

No.

5. Family Empowerment:

- a. If the bill purports to provide services to families or children:

- (1) Who evaluates the family's needs?

N/A

- (2) Who makes the decisions?

N/A

- (3) Are private alternatives permitted?

N/A

- (4) Are families required to participate in a program?

N/A

- (5) Are families penalized for not participating in a program?

N/A

- b. Does the bill directly affect the legal rights and obligations between family members?

No.

- c. If the bill creates or changes a program providing services to families or children, in which of the following does the bill vest control of the program, either through direct participation or appointment authority:

- (1) parents and guardians?

N/A

(2) service providers?

N/A

(3) government employees/agencies?

N/A

D. STATUTE(S) AFFECTED:

S. 316.2067, F.S.

E. SECTION-BY-SECTION RESEARCH:

Section 1: Provides definitions and regulations with respect to the operation of inline skates upon the roadways of the state, and provides rights and duties of persons operating inline skates.

Section 2: Provides that the act shall take effect upon becoming law.

III. FISCAL RESEARCH & ECONOMIC IMPACT STATEMENT:

A. FISCAL IMPACT ON STATE AGENCIES/STATE FUNDS:

1. Non-recurring Effects:

N/A

2. Recurring Effects:

N/A

3. Long Run Effects Other Than Normal Growth:

N/A

4. Total Revenues and Expenditures:

N/A

B. FISCAL IMPACT ON LOCAL GOVERNMENTS AS A WHOLE:

1. Non-recurring Effects:

N/A

2. Recurring Effects:

N/A

3. Long Run Effects Other Than Normal Growth:

N/A

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

1. Direct Private Sector Costs:

N/A

2. Direct Private Sector Benefits:

N/A

3. Effects on Competition, Private Enterprise and Employment Markets:

N/A

D. FISCAL COMMENTS:

N/A

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

A. APPLICABILITY OF THE MANDATES PROVISION:

The bill does not require counties or municipalities to spend funds or to take an action requiring the expenditure of funds.

B. REDUCTION OF REVENUE RAISING AUTHORITY:

The bill does not reduce the authority that municipalities or counties have to raise revenues in the aggregate.

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

The bill does not reduce the percentage of a state tax shared with counties or municipalities.

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V. COMMENTS:

N/A

VI. AMENDMENTS OR COMMITTEE SUBSTITUTE CHANGES:

N/A

VII. SIGNATURES:

COMMITTEE ON LAW ENFORCEMENT AND PUBLIC SAFETY:

Prepared by:

Legislative Research Director:

J. Gregory Godsey

Kurt E. Ahrendt

AS FURTHER REVISED BY THE COMMITTEE ON GOVERNMENTAL RULES AND REGULATIONS:

Prepared by:

Legislative Research Director:

Angela Price

David M. Greenbaum