

STORAGE NAME: h4089.leps
DATE: March 20, 1998

**HOUSE OF REPRESENTATIVES
COMMITTEE ON
LAW ENFORCEMENT AND PUBLIC SAFETY
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
- (2) FAMILY LAW & CHILDREN
- (3) GOVERNMENTAL RULES & REGULATIONS
- (4)
- (5)

I. SUMMARY:

This bill defines inline skates as those skates with wheels arranged singularly in a tandem line rather than in pairs. Under the bill, there will now be a differentiation in the law between "inline skates", and "toy vehicles" by the creation of a new statute designed specifically to regulate the operation of inline skates upon the roads of the state.

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 to the right-hand curb unless (1) passing another vehicle, (2) turning left, (3) avoiding obstacles, (4) skating on a one way road. 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. All inline skaters must display (1) a white light visible to oncoming traffic, and (2) a red light displayed somewhere on the rear of the person between the hours of sunset and sunrise. There is also a requirement that those skaters under the age of sixteen must wear a helmet that meets or exceeds recognizable standards. 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 law.

II. SUBSTANTIVE RESEARCH:

A. PRESENT SITUATION:

What are "inline skates"

Inline skates are a newer variation of the traditional roller skate. Commonly referred to as "rollerblading"(after the company who pioneered the original inline skates), the most noticeable difference between inline skates and roller skates is that on inline skates, the wheels are centered on the boot and arranged in a single line to increase speed and maneuverability. There is also a brake 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, the inline skates have become very popular for other recreational uses as well. The inline skate is used primarily for exercise purposes because it burns calories as fast as running, and is also easier on the joints. There are also various hockey, basketball and racing leagues which utilize the inline skate. In 1996, over thirty-one million people inline skated. "Gear Up! Guide to Inline Skating" Wild World of Inline Skating p.1-4.

Current Regulation of Inline Skating

Although there is currently no Florida law which explicitly regulates the use of "Inline" skates, **s. 316.008(s), F.S.**, establishes that local jurisdictions have the authority to regulate persons upon skates. There are an extensive set of rules in **s. 316.2065, F.S.**, which currently govern the operation of bicycles, roller skates, toy vehicles and other human powered vehicles. Under this bill, the applicable sections of this current statute would be integrated into the newly created statute in order to also apply specifically 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. "Inline skates" will now be differentiated from the other "human powered vehicles" listed in s. 316.2065, F.S., by the creation of this new statute.

A person may not attach to any vehicle while using inline skates. Also, a person using these inline skates at less than the normal speed of traffic must stay to the right-hand curb unless (1) passing another vehicle, (2) turning left, or (3) avoiding obstacles. If inline skating on a one way road, the skater may ride to the left-hand curb. 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. All inline skaters must display (1) a white light visible to oncoming traffic, and (2) a red light displayed somewhere on the rear of the person between the hours of sunset and sunrise. There is also a requirement that those skaters under the age of sixteen must wear a helmet that meets or exceeds recognizable standards. 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.

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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

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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 is not subject to the mandates provision.

B. REDUCTION OF REVENUE RAISING AUTHORITY:

The bill does not reduce revenue raising authority.

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

The bill does not reduce the state tax shared with counties and municipalities.

V. COMMENTS:

N/A

VI. AMENDMENTS OR COMMITTEE SUBSTITUTE CHANGES:

N/A

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VII. SIGNATURES:

COMMITTEE ON LAW ENFORCEMENT AND PUBLIC SAFETY:

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