

Bill No. CS for SB 1306

Amendment No. ____

<u>Senate</u>	CHAMBER ACTION	<u>House</u>
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11 Senator Carlton moved the following amendment:

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13 **Senate Amendment (with title amendment)**

14 On page 70, lines 4-12, delete those lines

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16 and insert:

17 Section 143. Section 316.405, Florida Statutes, is
18 amended to read:

19 316.405 Motorcycle headlights to be turned on.--

20 (1) Any person who operates a motorcycle or
 21 motor-driven cycle on the public streets or highways shall,
 22 while so engaged, have the headlight or headlights of such
 23 motorcycle or motor-driven cycle turned on. Failure to comply
 24 with this section during the hours from sunrise to sunset,
 25 unless compliance is otherwise required by law, shall not be
 26 admissible as evidence of negligence in a civil action. During
 27 the hours of operation between sunrise and sunset, the
 28 headlights may modulate either the upper beam or the lower
 29 beam from its maximum intensity to a lower intensity, in
 30 accordance with Federal Motor Vehicle Safety Standard 571.108.

31 (2) Failure to comply with the provisions of this

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1 section shall not be deemed negligence per se in any civil
2 action, but the violation of this section may be considered on
3 the issue of negligence if the violation of this section is a
4 proximate cause of a crash ~~an accident~~.

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7 ===== T I T L E A M E N D M E N T =====

8 And the title is amended as follows:

9 On page 2, line 4, following the semicolon

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11 insert:

12 amending s. 316.405, F.S.; authorizing certain
13 use of modulating headlights by motorcycles;

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