

By Senator Saunders

25-897-99

1 A bill to be entitled
2 An act relating to passengers of vehicles;
3 amending s. 316.2015, F.S.; prescribing the
4 authority of local governmental entities to
5 adopt ordinances prohibiting persons from
6 riding in the open bed of trucks; providing
7 penalties; providing an effective date.

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9 Be It Enacted by the Legislature of the State of Florida:

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11 Section 1. Subsections (1) and (2) of section
12 316.2015, Florida Statutes, are amended to read:

13 316.2015 Unlawful for person to ride on exterior of
14 vehicle.--

15 (1) It is unlawful for any operator of a passenger
16 vehicle to permit any person to ride on the bumper, radiator,
17 fender, hood, top, trunk, or running board of such vehicle
18 when operated upon any street or highway which is maintained
19 by the state, county or municipality. However, the operator
20 of any vehicle shall not be in violation of this section when
21 such operator permits any person to occupy seats securely
22 affixed to the exterior of such vehicle, except as provided in
23 subsection (2). Any person who violates the provisions of this
24 subsection shall be cited for a moving violation, punishable
25 as provided in chapter 318.

26 (2) No person shall ride on any vehicle upon any
27 portion thereof not designed or intended for the use of
28 passengers. This provision shall not apply to an employee
29 engaged in the necessary discharge of a duty or to a person or
30 persons riding within truck bodies in space intended for
31 merchandise. Any person who violates the provisions of this

1 subsection shall be cited for a nonmoving violation,
2 punishable as provided in chapter 318. However, nothing in
3 this section may be construed to prohibit a local governmental
4 entity from enacting an ordinance that prohibits any person
5 other than an employee engaged in the discharge of his or her
6 duties from riding in or otherwise occupying the open bed of a
7 truck being operated upon any street or highway within its
8 territorial limits. A person who violates such an ordinance is
9 subject to the penalties provided in this subsection.

10 Section 2. This act shall take effect July 1, 1999.

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13 SENATE SUMMARY

14 Prescribes the authority of local governmental entities
15 to adopt ordinances that prohibit certain persons from
riding in or occupying the open bed of a truck.