

By Senator Campbell

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A bill to be entitled
An act relating to passengers of vehicles;
amending s. 316.2015, F.S.; prohibiting minors
from riding on the bed of a pickup truck or
flatbed truck unless certain conditions are
met; providing penalties; amending s. 316.008,
F.S.; authorizing counties and municipalities
to exempt themselves from such prohibition;
providing an effective date.

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

Section 1. Section 316.2015, Florida Statutes, is amended to read:

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

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

(2) No person shall ride on any vehicle upon any portion thereof not designed or intended for the use of passengers. A minor may not ride on the bed of a pickup truck or flatbed truck unless the truck has factory-installed seating in the bed, or has been modified to include in the bed

1 secure seating and safety restraints, that would prevent the
2 minor from falling, jumping, or being thrown from the truck
3 and the minor is securely restrained in such seating.This
4 provision shall not apply to an employee of a fire department,
5 a governmentally operated solid waste disposal department, or
6 a waste disposal service operating pursuant to a contract with
7 a governmental entity or to a volunteer firefighter engaged in
8 the necessary discharge of a duty, nor does it apply to a
9 person who is being transported in response to an emergency by
10 a public agency or pursuant to the direction or authority of a
11 public agency ~~or to a person or persons riding within truck~~
12 ~~bodies in space intended for merchandise.~~ Any person who
13 violates ~~the provisions of~~ this subsection shall be cited for
14 a nonmoving violation, punishable as provided in chapter 318.

15 (3) This section shall not apply to a performer
16 engaged in a professional exhibition or person participating
17 in an exhibition or parade, or any such person preparing to
18 participate in such exhibitions or parades.

19 Section 2. Subsection (7) is added to section 316.008,
20 Florida Statutes, to read:

21 316.008 Powers of local authorities.--

22 (7) A county or municipality may adopt an ordinance
23 that authorizes persons to ride on the bed of a pickup truck
24 or flatbed truck, notwithstanding the prohibition contained in
25 s. 316.2015.

26 Section 3. This act shall take effect October 1, 1999.
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SENATE SUMMARY

Prohibits minors from riding on the bed of pickup trucks or flatbed trucks without being securely restrained in seating therefor. Provides exemptions for firefighters, employees of waste disposal services, and persons being transported in response to an emergency. Allows a county or municipality to opt out of the prohibition by ordinance.