

By Senators Saunders, Lee, Clary, Horne, Brown-Waite, Bronson, Jones, Meek, Webster and Gutman

25-502-99

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A bill to be entitled
An act relating to motorcycles and mopeds;
amending s. 316.211, F.S.; exempting persons
over a specified age from certain safety
requirements; providing an effective date.

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

Section 1. Section 316.211, Florida Statutes, is
amended to read:

316.211 Equipment for motorcycle and moped riders.--

(1) No person shall operate or ride upon a motorcycle
unless the person is properly wearing protective headgear
securely fastened upon his or her head which complies with
standards established by the department.

(2) No person shall operate a motorcycle unless the
person is wearing an eye-protective device over his or her
eyes of a type approved by the department.

(3) This section does ~~shall~~ not apply to persons
riding within an enclosed cab, ~~or~~ to any person 16 years of
age or older who is operating or riding upon a motorcycle
powered by a motor that has with a displacement of 50 cubic
centimeters or less, that ~~or~~ is rated not in excess of 2 brake
horsepower, and that which is not capable of propelling such
motorcycle at a speed greater than 30 miles per hour on level
ground, or to any person 21 years of age or older.

(4) No person under 16 years of age shall operate or
ride upon a moped unless the person is properly wearing
protective headgear securely fastened upon his or her head
which complies with standards established by the department.

1 (5) The department is authorized to approve protective
2 headgear made to specifications drawn and devised by, or
3 approved by, the American National Standards Institute, the
4 United States Department of Transportation, the United States
5 Consumer Products Safety Commission, the United States
6 Department of Defense, or any other entity which can provide
7 equally effective equipment specifications. The department
8 shall publish lists of protective equipment, and such lists
9 shall be made available by request to all users of such
10 equipment.

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

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SENATE SUMMARY

Exempts persons 21 years of age or older from certain
motorcycle and moped safety requirements.