

By Senator Campbell

33-90-00

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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; deleting provisions prohibiting a person
from riding in any portion of a vehicle not
designed for the use of passengers; providing
penalties; authorizing local governmental
entities to enact certain ordinances; 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) 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.~~No~~
4 ~~person shall ride on any vehicle upon any portion thereof not~~
5 ~~designed or intended for the use of passengers. This provision~~
6 ~~shall not apply to an employee engaged in the necessary~~
7 ~~discharge of a duty or to a person or persons riding within~~
8 ~~truck bodies in space intended for merchandise.~~Any operator
9 of a pickup truck or flatbed truck ~~person~~ who violates the
10 ~~provisions of this subsection shall be cited for a nonmoving~~
11 ~~violation, punishable as provided in chapter 318. However,~~
12 nothing in this section may be construed to prohibit a local
13 governmental entity from enacting an ordinance that prohibits
14 any person other than an employee engaged in the discharge of
15 his or her duties from riding in or otherwise occupying the
16 open bed of a truck being operated upon any street or highway
17 within its territorial limits. A person who violates such an
18 ordinance is subject to the penalties provided in this
19 subsection.

20 (3) This section does ~~shall~~ not apply to a performer
21 engaged in a professional exhibition or person participating
22 in an exhibition or parade, or any ~~such~~ person preparing to
23 participate in such exhibitions or parades.

24 Section 2. This act shall take effect October 1, 2000.

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27 SENATE SUMMARY

28 Prohibits a minor from riding in the bed of a pickup
29 truck unless the bed has seating and restraints that
30 secure the minor into such seating. Provides penalties
31 for violations by a pickup truck operator. Authorizes
units of local government to prohibit persons other than
employees acting in the discharge of their duties from
riding in or occupying the open bed of a truck when it is
in operation on public roads.