

By Senator Campbell

33-1087-01

See HB 195

1 A bill to be entitled
2 An act relating to passengers of vehicles;
3 amending s. 316.2015, F.S.; prohibiting certain
4 persons from riding on the exterior of a
5 passenger vehicle or in areas not designed or
6 intended for the use of passengers on certain
7 vehicles; prohibiting certain minors from
8 riding within the body of a pickup truck or
9 flatbed truck; providing exceptions; providing
10 penalties; amending s. 316.008, F.S.;
11 authorizing counties and municipalities to
12 exempt themselves from such prohibition;
13 providing an effective date.

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

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

19 316.2015 Unlawful for person to ride on exterior of
20 vehicle.--

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

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1 (2) No person shall ride on any vehicle upon any
2 portion thereof not designed or intended for the use of
3 passengers. This provision shall not apply to an employee of a
4 fire department, a governmentally operated solid waste
5 disposal department, or a waste disposal service operating
6 pursuant to a contract with a governmental entity or to a
7 volunteer firefighter engaged in the necessary discharge of a
8 duty, nor does it apply to a person who is being transported
9 in response to an emergency by a public agency or pursuant to
10 the direction or authority of a public agency ~~or to a person~~
11 ~~or persons riding within truck bodies in space intended for~~
12 ~~merchandise.~~ No minor child 16 years of age or younger shall
13 ride upon the public roads of the state within the body of an
14 open pickup truck or flatbed truck unless the minor is
15 restrained within the back of a truck which has been modified
16 to include secure seating and safety restraints which would
17 prevent the minor from being thrown, falling, or jumping from
18 the truck. The provisions of this subsection shall be
19 inapplicable in a medical emergency if the child is
20 accompanied within the truck by an adult and shall be
21 inapplicable when the truck is being operated upon a farm or
22 off the public roads of the state. Any person who violates ~~the~~
23 ~~provisions of~~ this subsection shall be cited for a nonmoving
24 violation, punishable as provided in chapter 318.

25 (3) This section shall not apply to a performer
26 engaged in a professional exhibition or person participating
27 in an exhibition or parade, or any such person preparing to
28 participate in such exhibitions or parades.

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

31 316.008 Powers of local authorities.--

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

5 Section 3. This act shall take effect October 1, 2001.

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8 LEGISLATIVE SUMMARY

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10 Specifies that certain areas in a vehicle not designed or
11 intended for the use of passengers as areas on which it
12 is unlawful for persons, except for employees of fire
13 departments or solid waste disposal departments or
14 contractors, volunteer firefighters, and persons being
15 transported in emergencies, to ride. Provides that it is
16 unlawful for the operator of a passenger vehicle to
17 permit another person to ride on the bumper, radiator,
18 fender, hood, top, trunk, or running board of the
19 vehicle, whether or not in a securely affixed seat.
20 Allows a county or municipality to opt out of the
21 prohibition by ordinance.

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23 Prohibits minor children 16 years of age or younger from
24 riding within the body of an open pickup truck or flatbed
25 truck with described exceptions. (See bill for details.)
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