

By Representative Kottkamp

1 A bill to be entitled
2 An act relating to negligence; creating s.
3 768.093, F.S.; providing that specified
4 assistive technology devices shall not be
5 considered dangerous instrumentalities;
6 defining "powered shopping cart"; providing an
7 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. Section 768.093, Florida Statutes, is
12 created to read:

13 768.093 Owner liability limits; powered shopping
14 carts.--

15 (1) For the purposes of this section, "powered
16 shopping cart" means an electrically powered assistive
17 technology device which is generally used in a retail
18 establishment by a customer, designed for the simultaneous
19 transport of a person and of goods of any kind, and capable of
20 speeds no greater than 2 1/2 miles per hour.

21 (2) A powered shopping cart which is provided to a
22 person gratuitously for use solely on the premises of the
23 owner of such powered shopping cart shall not be considered a
24 dangerous instrumentality in this state.

25 Section 2. This act shall take effect upon becoming a
26 law.

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HOUSE SUMMARY

With respect to ch. 768, F.S., relating to negligence, provides that a powered shopping cart, as defined by the act, provided gratuitously for use solely on the premises of the owner of such cart, shall not be considered a dangerous instrumentality.