

Bill No. CS for SB 480

Amendment No. Barcode 103536

<u>Senate</u>	CHAMBER ACTION	<u>House</u>
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Senator Dyer moved the following **amendment to amendment**
(405274):

Senate Amendment (with title amendment)

On page 4, between lines 1 and 2,

insert:

Section 4. Subsection (21) of section 316.003, Florida Statutes, is amended, and subsection (82) is added to that section, to read:

316.003 Definitions.--The following words and phrases, when used in this chapter, shall have the meanings respectively ascribed to them in this section, except where the context otherwise requires:

(21) MOTOR VEHICLE.--Any self-propelled vehicle not operated upon rails or guideway, but not including any bicycle, electric personal assistive mobility device, or moped.

(82) ELECTRIC PERSONAL ASSISTIVE MOBILITY DEVICE.--Any self-balancing, two non-tandem wheeled device, designed to transport only one person, with an electric propulsion system

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1 with average power of 750 watts (1 h.p.), the maximum speed of
2 which, on a paved level surface when powered solely by such a
3 propulsion system while being ridden by an operator who weighs
4 170 pounds, is less than 20 mph. Electric personal assistive
5 mobility devices are not vehicles as defined in this section.

6 Section 5. Section 316.2068, Florida Statutes, is
7 created to read:

8 316.2068 Electric personal assistive mobility devices;
9 regulations.--

10 (1) An electric personal assistive mobility device, as
11 defined in s. 316.003, may be operated:

12 (a) On a road or street where the posted speed limit
13 is 25 miles per hour or less.

14 (b) On a marked bicycle path.

15 (c) On any street or road where bicycles are
16 permitted.

17 (d) At an intersection, to cross a road or street even
18 if the road or street has a posted speed limit of more than 25
19 miles per hour.

20 (d) On a sidewalk if the person operating the device
21 yields the right-of-way to pedestrians and gives an audible
22 signal before overtaking and passing a pedestrian.

23 (2) A valid driver's license is not a prerequisite to
24 operating an electric personal assistive mobility device.

25 (3) Electric personal assistive mobility devices need
26 not be registered and insured in accordance with s. 320.02.

27 (4) A person who is under the age of 16 years may not
28 operate, ride, or otherwise be propelled on an electric
29 personal assistive mobility device unless the person wears a
30 bicycle helmet that is properly fitted, that is fastened
31 securely upon his or her head by a strap, and that meets the

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1 standards of the American National Standards Institute (ANSI Z
2 Bicycle Helmet Standards), the standards of the Snell Memorial
3 Foundation (1984 Standard for Protective Headgear for Use in
4 Bicycling), or any other nationally recognized standards for
5 bicycle helmets which are adopted by the department.

6 (7) A county or municipality may prohibit the
7 operation of electric personal assistive mobility devices on
8 any road, street, or bicycle path under its jurisdiction if
9 the governing body of the county or municipality determines
10 that such a prohibition is necessary in the interest of
11 safety.

12 (8) The Department of Transportation may prohibit the
13 operation of electric personal assistive mobility devices on
14 any road under its jurisdiction if it determines that such a
15 prohibition is necessary in the interest of safety.

16
17 (Redesignate subsequent sections.)

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20 ===== T I T L E A M E N D M E N T =====

21 And the title is amended as follows:

22 On page 4, lines 11 and 12, delete those lines

23

24 and insert:

25 An act relating to transportation; amending s.
26 316.003, F.S.; defining the term "electric
27 personal assistive mobility device"; creating
28 s. 316.2068, F.S.; providing regulations for
29 electric personal assistive mobility devices;
30 amending s. 339.137, F.S.; providing

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