

SENATE STAFF ANALYSIS AND ECONOMIC IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

BILL: SB 1046

SPONSOR: Senator Villalobos

SUBJECT: Operation of Motorcycles

DATE: February 25, 2003 REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Davis</u>	<u>Meyer</u>	<u>TR</u>	<u>Favorable</u>
2.	_____	_____	_____	_____
3.	_____	_____	_____	_____
4.	_____	_____	_____	_____
5.	_____	_____	_____	_____
6.	_____	_____	_____	_____

I. Summary:

This bill provides certain prohibitions concerning the operation of motorcycles, which currently do not apply to police officers, will also, not apply to firefighters in the performance of their official duties.

This bill substantially amends section 316.209, Florida Statutes.

II. Present Situation:

Section 316.209, F.S., provides the following rules of operation for motorcycles:

- 1) All motorcycles are entitled to full use of a lane and no motor vehicle may be driven in such a manner as to deprive any motorcycle of the full use of a lane.
- 2) The operator of a motorcycle may not overtake and pass in the same lane occupied by the vehicle being overtaken.
- 3) No person may operate a motorcycle between lanes of traffic or between adjacent lines or rows of vehicles.
- 4) No more than two motorcycles may operate side by side in a single lane.
- 5) A violation of this section is punishable as a moving violation (\$60 fine).

Currently, provisions 2 and 3 above relating to the operation of motorcycles are not applicable to police officers. Firefighters are not exempt under present law. The Miami-Dade Fire Rescue Department had 10 motorcycles donated to them and is embarking upon a new pilot program involving the use of motorcycles by incorporating them into their daily fire rescue responses. First response motorcycle units, outfitted with life saving equipment, will lower response times,

allow faster initiation of medical treatment and keep other fire rescue units in service and available for critical Advanced Life Support calls.

III. Effect of Proposed Changes:

This bill amends s. 316.209, F.S., to provide certain prohibitions concerning the operation of motorcycles, which currently do not apply to police officers, will also, not apply to firefighters in the performance of their official duties.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Economic Impact and Fiscal Note:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

None.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Amendments:

None.