

By Senator Campbell

32-914-03

See HB 103

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

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

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

18           316.2015 Unlawful for person to ride on exterior of  
19 vehicle.--

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

30           (2) No person shall ride on any vehicle upon any  
31 portion thereof not designed or intended for the use of

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

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

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

29 316.008 Powers of local authorities.--

30 (7) A county or municipality may adopt an ordinance  
31 that authorizes persons to ride on the bed of a pickup truck

1 or flatbed truck, notwithstanding the prohibition contained in  
2 s. 316.2015.

3           Section 3. This act shall take effect July 1, 2003.  
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