

By Senator Campbell

32-213-04

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 a county
11 or municipality to exempt itself from such
12 prohibition; providing an effective date.

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

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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~~
25 ~~of 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) A ~~No~~ person may not ~~shall~~ ride on any vehicle upon
31 any portion thereof not designed or intended for the use of

1 passengers. This provision does ~~shall~~ not apply to an employee
2 of a 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, and does not 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.~~ A minor child 16 years of age or younger may not
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 that has been modified
14 to include secure seating and safety restraints that would
15 prevent the minor from being thrown, falling, or jumping from
16 the truck. This subsection is inapplicable in a medical
17 emergency if the child is accompanied within the truck by an
18 adult and is inapplicable when the truck is being operated
19 upon a farm or off the public roads of the state. Any person
20 who violates ~~the provisions of~~ this subsection shall be cited
21 for a nonmoving violation, punishable as provided in chapter
22 318.

23 (3) This section does ~~shall~~ not apply to a performer
24 engaged in a professional exhibition or person participating
25 in an exhibition or parade, or a ~~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, 2004.

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6 SENATE SUMMARY

7 Prohibits certain persons from riding on or in certain
8 areas of motor vehicles not designated for passengers.
9 Provides penalties. Authorizes certain local governments
to exempt themselves from such prohibitions. (See bill
for details.)

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