

By Senator King

8-1314-05

See HB 357

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A bill to be entitled

An act relating to bicycle regulation; amending s. 316.2065, F.S.; revising safety standard requirements for bicycle helmets that must be worn by certain riders and passengers; providing for enforcement of certain bicycle equipment requirements; providing penalties for violations; providing for dismissal of a first offense; providing an effective date.

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

Section 1. Paragraph (d) of subsection (3) and subsection (8) of section 316.2065, Florida Statutes, are amended to read:

316.2065 Bicycle regulations.--

(3)

(d) A bicycle rider or passenger who is under 16 years of age must wear a bicycle helmet that is properly fitted and is fastened securely upon the passenger's head by a strap, and that meets the federal safety standard for bicycle helmets, final rule, 16 C.F.R. part 1203. Helmets purchased prior to October 1, 2005, and meeting standards of the American National Standards Institute (ANSI Z 90.4 Bicycle Helmet Standards), the standards of the Snell Memorial Foundation (1984 Standard for Protective Headgear for Use in Bicycling), or any other nationally recognized standards for bicycle helmets adopted by the department may continue to be worn by riders or passengers until January 1, 2009. As used in this subsection, the term "passenger" includes a child who is riding in a trailer or semitrailer attached to a bicycle.

1 (8) Every bicycle in use between sunset and sunrise
2 shall be equipped with a lamp on the front exhibiting a white
3 light visible from a distance of at least 500 feet to the
4 front and a lamp and reflector on the rear each exhibiting a
5 red light visible from a distance of 600 feet to the rear. A
6 bicycle or its rider may be equipped with lights or reflectors
7 in addition to those required by this section. Law enforcement
8 officers may issue a bicycle safety brochure and a verbal
9 warning to a bicycle rider who violates this subsection. A
10 bicycle rider who violates this subsection may be issued a
11 citation by a law enforcement officer and assessed a fine for
12 a pedestrian violation, as provided in s. 318.18. The court
13 shall dismiss the charge against a bicycle rider for a first
14 violation of this paragraph upon proof of purchase and
15 installation of the proper lighting equipment.

16 Section 2. This act shall take effect October 1, 2005.
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