

1 A bill to be entitled
 2 An act relating to bicycle regulation; amending s.
 3 316.2065, F.S.; revising safety standard requirements for
 4 bicycle helmets that must be worn by certain riders and
 5 passengers; providing for enforcement of certain bicycle
 6 equipment requirements; providing penalties for
 7 violations; providing for dismissal of a first offense;
 8 providing an effective date.

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

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12 Section 1. Paragraph (d) of subsection (3) and subsection
 13 (8) of section 316.2065, Florida Statutes, are amended to read:
 14 316.2065 Bicycle regulations.--

15 (3)

16 (d) A bicycle rider or passenger who is under 16 years of
 17 age must wear a bicycle helmet that is properly fitted and is
 18 fastened securely upon the passenger's head by a strap, and that
 19 meets the federal safety standard for bicycle helmets, final
 20 rule, 16 C.F.R. part 1203. Helmets purchased prior to October 1,
 21 2005, and meeting standards of the American National Standards
 22 Institute (ANSI Z 90.4 Bicycle Helmet Standards), the standards
 23 of the Snell Memorial Foundation (1984 Standard for Protective
 24 Headgear for Use in Bicycling), or any other nationally
 25 recognized standards for bicycle helmets adopted by the
 26 department may continue to be worn by riders or passengers until
 27 January 1, 2009. As used in this subsection, the term
 28 "passenger" includes a child who is riding in a trailer or

HB 0357

2005

29 semitrailer attached to a bicycle.

30 (8) Every bicycle in use between sunset and sunrise shall
31 be equipped with a lamp on the front exhibiting a white light
32 visible from a distance of at least 500 feet to the front and a
33 lamp and reflector on the rear each exhibiting a red light
34 visible from a distance of 600 feet to the rear. A bicycle or
35 its rider may be equipped with lights or reflectors in addition
36 to those required by this section. Law enforcement officers may
37 issue a bicycle safety brochure and a verbal warning to a
38 bicycle rider who violates this subsection. A bicycle rider who
39 violates this subsection may be issued a citation by a law
40 enforcement officer and assessed a fine for a pedestrian
41 violation, as provided in s. 318.18. The court shall dismiss the
42 charge against a bicycle rider for a first violation of this
43 paragraph upon proof of purchase and installation of the proper
44 lighting equipment.

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