

Bill No. CS for SB 454

Barcode 611142

CHAMBER ACTION

Senate

House

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The Committee on Governmental Oversight and Productivity
(Sebesta) recommended the following amendment:

Senate Amendment (with title amendment)

On page 6, between lines 18 and 19,

and insert:

Section 5. Section 316.212, Florida Statutes, is
amended to read:

316.212 Operation of golf carts on certain
roadways.--The operation of a golf cart upon the public roads
or streets of this state is prohibited except as provided
herein:

(1) A golf cart may be operated only upon a county
road that has been designated by a county, or a municipal city
street that has been designated by a municipality city, for
use by golf carts. Prior to making such a designation, the
responsible local governmental entity must first determine
that golf carts may safely travel on or cross the public road
or street, considering factors including the speed, volume,
and character of motor vehicle traffic using the road or

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1 street. Upon a determination that golf carts may be safely
 2 operated on a designated road or street, the responsible
 3 governmental entity shall post appropriate signs to indicate
 4 that such operation is allowed.

5 (2) A golf cart may be operated on a part of the State
 6 Highway System only under the following conditions:

7 (a) To cross a portion of the State Highway System
 8 which intersects a county road or municipal ~~city~~ street that
 9 has been designated for use by golf carts if the Department of
 10 Transportation has reviewed and approved the location and
 11 design of the crossing and any traffic control devices needed
 12 for safety purposes.

13 (b) To cross, at midblock, a part of the State Highway
 14 System where a golf course is constructed on both sides of the
 15 highway if the Department of Transportation has reviewed and
 16 approved the location and design of the crossing and any
 17 traffic control devices needed for safety purposes.

18 (c) A golf cart may be operated on a state road that
 19 has been designated for transfer to a local government unit
 20 pursuant to s. 335.0415 if the Department of Transportation
 21 determines that the operation of a golf cart within the
 22 right-of-way of the road will not impede the safe and
 23 efficient flow of motor vehicular traffic. The department may
 24 authorize the operation of golf carts on such a road if:

25 1. The road is the only available public road along
 26 which golf carts may travel or cross or the road provides the
 27 safest travel route among alternative routes available; and

28 2. The speed, volume, and character of motor vehicular
 29 traffic using the road is considered in making such a
 30 determination.

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1 Upon its determination that golf carts may be operated on a
2 given road, the department shall post appropriate signs on the
3 road to indicate that such operation is allowed.

4 (3) Any other provision of this section to the
5 contrary notwithstanding, a golf cart may be operated for the
6 purpose of crossing a street or highway where a single mobile
7 home park is located on both sides of the street or highway
8 and is divided by that street or highway, provided that the
9 governmental entity having original jurisdiction over such
10 street or highway shall review and approve the location of the
11 crossing and require implementation of any traffic controls
12 needed for safety purposes. This subsection shall apply only
13 to residents or guests of the mobile home park. Any other
14 provision of law to the contrary notwithstanding, if notice is
15 posted at the entrance and exit to any mobile home park that
16 residents of the park utilize golf carts or electric vehicles
17 within the confines of the park it shall not be necessary that
18 the park have a gate or other device at the entrance and exit
19 in order for such golf carts or electric vehicles to be
20 lawfully operated in the park.

21 (4) A golf cart may be operated only during the hours
22 between sunrise and sunset, unless the responsible
23 governmental entity has determined that a golf cart may be
24 operated during the hours between sunset and sunrise and the
25 golf cart is equipped with headlights, brake lights, turn
26 signals, and a windshield.

27 (5) A golf cart must be equipped with efficient
28 brakes, reliable steering apparatus, safe tires, a rearview
29 mirror, and red reflectorized warning devices in both the
30 front and rear.

31 (6) A golf cart may not be operated on public roads or

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1 streets by any person under the age of 14.

2 (7) A local governmental entity may enact an ordinance
3 regarding golf cart operation and equipment which is more
4 restrictive than those enumerated in this section. Upon
5 enactment of any such ordinance, the local governmental entity
6 shall post appropriate signs or otherwise inform the residents
7 that such an ordinance exists and shall be enforced within its
8 jurisdictional territory.

9 (8)(7) A violation of this section is a noncriminal
10 traffic infraction, punishable pursuant to chapter 318 as
11 either a moving violation for infractions of subsection (1),
12 subsection (2), subsection (3), or subsection (4), or a local
13 ordinance corresponding thereto and enacted pursuant to
14 subsection (7), or punishable pursuant to chapter 318 as a
15 nonmoving violation for infractions of subsection subsections
16 (5), subsection and (6), or a local ordinance corresponding
17 thereto and enacted pursuant to subsection (7).

18 Section 6. Section 316.2126, Florida Statutes, is
19 amended to read:

20 316.2126 Use of golf carts and utility vehicles by
21 municipalities.--In addition to the powers granted by ss.
22 316.212 and 316.2125, municipalities are hereby authorized to
23 utilize golf carts and utility vehicles, as defined in s.
24 320.01, upon any state, county, or municipal roads located
25 within the corporate limits of such municipalities, subject to
26 the following conditions:

27 (1) Golf carts and utility vehicles must comply with
28 the operational and safety requirements in ss. 316.212 and
29 316.2125, and with any more restrictive ordinances enacted by
30 the local governmental entity pursuant to s. 316.212(7), and
31 shall only be operated by municipal employees for municipal

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1 purposes, including, but not limited to, police patrol,
2 traffic enforcement, and inspection of public facilities.

3 (2) In addition to the safety equipment required in s.
4 316.212(5) and any more restrictive safety equipment required
5 by the local governmental entity pursuant to s. 316.212(7),
6 such golf carts and utility vehicles must be equipped with
7 sufficient lighting and turn signal equipment.

8 (3) Golf carts and utility vehicles may only be
9 operated on state roads that have a posted speed limit of 30
10 miles per hour or less.

11 (4) A municipal employee operating a golf cart or
12 utility vehicle pursuant to this section must possess a valid
13 driver's license as required by s. 322.03.

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15 (Redesignate subsequent sections.)

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18 ===== T I T L E A M E N D M E N T =====

19 And the title is amended as follows:

20 On page 1, line 13, after the first semicolon

21

22 insert:

23 amending s. 316.212, F.S.; granting local
24 jurisdictions the authority to enact ordinances
25 governing the use of golf carts which are more
26 restrictive than state law; amending s.

27 316.2126, F.S.; requiring that the use of golf
28 carts upon any state, county, or municipal road
29 located within a local jurisdiction be in
30 compliance with local ordinances governing the
31 use of golf carts;