

By Senator King

8-311-06

See HB 23

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A bill to be entitled

An act relating to bicycle safety; 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, 2010. 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 and traffic infraction enforcement officers may issue
9 a bicycle safety brochure and a verbal warning to a bicycle
10 rider who violates this subsection. A bicycle rider who
11 violates this subsection may be issued a citation by a law
12 enforcement officer or a traffic infraction enforcement
13 officer and assessed a fine for a pedestrian violation, as
14 provided in s. 318.18. The court shall dismiss the charge
15 against a bicycle rider for a first violation of this
16 subsection upon proof of purchase and installation of the
17 proper lighting equipment.

18 Section 2. This act shall take effect October 1, 2006.
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