

1 A bill to be entitled
 2 An act relating to bicycle safety; amending s. 316.2065,
 3 F.S.; revising safety standard requirements for bicycle
 4 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, 2010. As used in this subsection, the term

28 "passenger" includes a child who is riding in a trailer or
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 and
37 traffic infraction enforcement officers may issue a bicycle
38 safety brochure and a verbal warning to a bicycle rider who
39 violates this subsection. A bicycle rider who violates this
40 subsection may be issued a citation by a law enforcement officer
41 or a traffic infraction enforcement officer and assessed a fine
42 for a pedestrian violation, as provided in s. 318.18. The court
43 shall dismiss the charge against a bicycle rider for a first
44 violation of this subsection upon proof of purchase and
45 installation of the proper lighting equipment.

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