

CHAMBER ACTION

1 The Criminal Justice Committee recommends the following:

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3 **Council/Committee Substitute**

4 Remove the entire bill and insert:

5 A bill to be entitled

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

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

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

18 316.2065 Bicycle regulations.--

19 (3)

20 (d) A bicycle rider or passenger who is under 16 years of
21 age must wear a bicycle helmet that is properly fitted and is
22 fastened securely upon the passenger's head by a strap, and that
23 meets the federal safety standard for bicycle helmets, final

HB 23

2006
CS

24 | rule, 16 C.F.R. part 1203. Helmets purchased prior to October 1,
25 | 2006, and meeting standards of the American National Standards
26 | Institute (ANSI Z 90.4 Bicycle Helmet Standards), the standards
27 | of the Snell Memorial Foundation (1984 Standard for Protective
28 | Headgear for Use in Bicycling), or any other nationally
29 | recognized standards for bicycle helmets adopted by the
30 | department may continue to be worn by riders or passengers until
31 | January 1, 2010. As used in this subsection, the term
32 | "passenger" includes a child who is riding in a trailer or
33 | semitrailer attached to a bicycle.

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

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