

Bill No. SB 2054

Barcode 162538

CHAMBER ACTION

Senate

House

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Comm: RCS  
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The Committee on Environmental Preservation and Conservation  
(Rich) recommended the following amendment:

**Senate Amendment (with title amendment)**

On page 9, between lines 5 and 6,

insert: 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  
street that has been designated by a municipality, 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  
street. Upon a determination that golf carts may be safely

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1 operated on a designated road or street, the responsible  
2 governmental entity shall post appropriate signs to indicate  
3 that such operation is allowed.

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

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

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

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

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

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

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31 Upon its determination that golf carts may be operated on a

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1 given road, the department shall post appropriate signs on the  
2 road to indicate that such operation is allowed.

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

20 (4) Notwithstanding any other provisions of this  
21 section, a golf cart may be operated on a road which is part  
22 of the State Park Road System and where the posted speed limit  
23 is 35 miles per hour or less, and where not otherwise  
24 prohibited by the Division of Recreation and Parks of the  
25 Department of Environmental Protection.

26 ~~(5)(4)~~ A golf cart may be operated only during the  
27 hours between sunrise and sunset, unless the responsible  
28 governmental entity has determined that a golf cart may be  
29 operated during the hours between sunset and sunrise and the  
30 golf cart is equipped with headlights, brake lights, turn  
31 signals, and a windshield.

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1           ~~(6)(5)~~ A golf cart must be equipped with efficient  
2 brakes, reliable steering apparatus, safe tires, a rearview  
3 mirror, and red reflectorized warning devices in both the  
4 front and rear.

5           ~~(7)(6)~~ A golf cart may not be operated on public roads  
6 or streets by any person under the age of 14.

7           ~~(8)(7)~~ A local governmental entity may enact an  
8 ordinance regarding golf cart operation and equipment which is  
9 more restrictive than those enumerated in this section. Upon  
10 enactment of any such ordinance, the local governmental entity  
11 shall post appropriate signs or otherwise inform the residents  
12 that such an ordinance exists and that it shall be enforced  
13 within the local government's jurisdictional territory. An  
14 ordinance referred to in this section must apply only to an  
15 unlicensed driver.

16           ~~(9)(8)~~ A violation of this section is a noncriminal  
17 traffic infraction, punishable pursuant to chapter 318 as a  
18 moving violation for infractions of subsection (1), subsection  
19 (2), subsection (3), subsection~~(5)(4)~~ or a local ordinance  
20 corresponding thereto and enacted pursuant to subsection  
21 ~~(8)(7)~~, or punishable pursuant to chapter 318 as a nonmoving  
22 violation for infractions of subsection~~(6)(5)~~, subsection  
23 ~~(7)(6)~~, or a local ordinance corresponding thereto and enacted  
24 pursuant to subsection~~(8)(7)~~.

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26 (Redesignate subsequent sections.)

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

30 And the title is amended as follows:

31           On page 1, line 10, after the semicolon

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1 and insert:

2           amending s. 316.212, F.S.; allowing golf carts  
3           to be operated on roads within the state park  
4           system under certain conditions;

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