## The Florida Senate PROFESSIONAL STAFF ANALYSIS AND ECONOMIC IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

		Prepared By: Tra	nsportation Comm	nittee	
BILL:	SB 2670				
INTRODUCER:	Senator Constantine				
SUBJECT:	Motorcycle Riders/Medical Insurance Coverage				
DATE:	March 30, 2007	REVISED:			
ANAL	YST ST.	AFF DIRECTOR	REFERENCE		ACTION
1. Meyer		ver	TR	Pre-meeting	
2.			BI		
3.			GA		
4					
5					
6					
6.					

### I. Summary:

The bill increases, from \$10,000 to \$50,000, the amount of required medical insurance coverage for motorcycle riders who do not wear protective headgear.

This bill substantially amends section 316.211 of the Florida Statutes.

### II. Present Situation:

Currently, s. 316.211, F.S., provides the following requirements for motorcycle and moped riders:

- A person is not to operate or ride on a motorcycle unless the person is properly wearing protective headgear which complies with federal standards promulgated by the United States Department of Transportation (USDOT);
- A person may not operate a motorcycle unless the person is properly wearing an eyeprotective device of a type approved by the Department of Highway Safety and Motor Vehicles (DHSMV);
- These regulations do not apply to persons riding within an enclosed cab or persons 16 years of age or older and operating or riding a motorcycle powered by a motor with a displacement of 50 cubic centimeters or less or not rated in excess of 2 brake horsepower and which is not capable of propelling itself at a speed greater than 30 miles per hour on level ground;
- A person over 21 years of age is allowed to operate or ride a motorcycle without wearing protective headgear if such person is covered by an insurance policy providing for at least \$10,000 in medical benefits for injuries incurred as a result of a crash while operating or riding on a motorcycle;

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- Each motorcycle registered to a person under 21 years of age must display a license plate that
- is unique in design and color;
  A person under 16 years of age may not operate or ride a moped unless the person is properly wearing protective headgear which complies with federal standards promulgated by USDOT; and
- DHSMV must make available a list of approved protective headgear, and the list must be provided upon request.

## III. Effect of Proposed Changes:

The bill increases, from \$10,000 to \$50,000, the amount of required medical insurance coverage for motorcycle riders who do not wear protective headgear. The bill takes effect on July 1, 2007.

## IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

## V. Economic Impact and Fiscal Note:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

Persons over 21 years of age operating or riding motorcycles without headgear will be required to pay higher insurance premiums for the bill's required \$50,000 in medical benefits.

C. Government Sector Impact:

None.

## VI. Technical Deficiencies:

None.

### VII. Related Issues:

None.

This Senate Professional Staff Analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.

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# VIII. Summary of Amendments:

None.

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