

1 violation of any rule authorized by this section ~~shall be a~~
2 ~~misdemeanor and punishable accordingly.~~

3 Section 2. Section 258.008, Florida Statutes, is
4 created to read:

5 258.008 Prohibited activities; penalties.--

6 (1) Except as provided in subsection (3), any person
7 who violates or otherwise fails to comply with the rules
8 adopted under this chapter commits a noncriminal infraction
9 for which ejection from all property managed by the Division
10 of Recreation and Parks and a fine of up to \$1,000 may be
11 imposed by the division.

12 (2) In addition to penalties imposed under subsection
13 (1), any person who fails to sign a citation given under
14 subsection (1), fails to appear in court in response to such
15 citation, or fails to comply with the court's order commits a
16 misdemeanor of the second degree, punishable as provided in s.
17 775.082 or s. 775.083.

18 (3) Any person who engages in any of the following
19 activities within the boundaries of a state park without first
20 obtaining the express permission of the Division of Recreation
21 and Parks commits a misdemeanor of the second degree,
22 punishable as provided in s. 775.082 or s. 775.083, and shall
23 be ejected from all property managed by the division:

24 (a) Cutting, carving, injuring, mutilating, moving,
25 displacing, or breaking off any water-bottom formation or
26 coral;

27 (b) Capturing, trapping, injuring, or harassing a wild
28 animal;

29 (c) Collecting plant or animal specimens;

30 (d) Leaving the designated public roads in a vehicle;

31 or

1 (e) Hunting.
2 (4) Fines paid under this section shall be paid to the
3 Department of Environmental Protection and deposited in the
4 State Park Trust Fund. If a person who receives a citation
5 elects to defend himself or herself in court, the county small
6 claims court for the county in which the violation occurred
7 shall have jurisdiction. Court costs shall be determined by
8 and paid to the court as ordered by the court. A person who
9 receives a citation but fails to pay the fine, sign and accept
10 a citation, appear in court, or comply with the court's order
11 may not enter any state park property until he or she has paid
12 the fine, complied with the procedure, or complied with the
13 order. The department may establish by rule the procedures for
14 giving a citation, giving a notice of appearance in court,
15 payment of fines, and listing of persons ejected from state
16 parks; the amounts of fines for civil infractions up to
17 \$1,000; definitions; time limits and deadlines; and any other
18 matter necessary to implement this section.

19 Section 3. Subsection (3) is added to section 258.014,
20 Florida Statutes, to read:

21 258.014 Fees for use of state parks.--

22 (3) A person who is a member of the Florida National
23 Guard, or the spouse or minor child of such a person, shall be
24 charged one-half the admission fee to a state park upon
25 presentation of a valid card that identifies the person as
26 being an active member of the Florida National Guard or a
27 spouse or child of such a member.

28 Section 4. Section 316.212, Florida Statutes, is
29 amended to read:

30 316.212 Operation of golf carts on certain
31 roadways.--The operation of a golf cart upon the public roads

1 or streets of this state is prohibited except as provided
2 herein:

3 (1) A golf cart may be operated only upon a county
4 road that has been designated by a county, or a municipal
5 street that has been designated by a municipality, for use by
6 golf carts. Prior to making such a designation, the
7 responsible local governmental entity must first determine
8 that golf carts may safely travel on or cross the public road
9 or street, considering factors including the speed, volume,
10 and character of motor vehicle traffic using the road or
11 street. Upon a determination that golf carts may be safely
12 operated on a designated road or street, the responsible
13 governmental entity shall post appropriate signs to indicate
14 that such operation is allowed.

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

17 (a) To cross a portion of the State Highway System
18 which intersects a county road or municipal street that has
19 been designated for use by golf carts if the Department of
20 Transportation has reviewed and approved the location and
21 design of the crossing and any traffic control devices needed
22 for safety purposes.

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

28 (c) A golf cart may be operated on a state road that
29 has been designated for transfer to a local government unit
30 pursuant to s. 335.0415 if the Department of Transportation
31 determines that the operation of a golf cart within the

1 right-of-way of the road will not impede the safe and
2 efficient flow of motor vehicular traffic. The department may
3 authorize the operation of golf carts on such a road if:

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

7 2. The speed, volume, and character of motor vehicular
8 traffic using the road is considered in making such a
9 determination.

10
11 Upon its determination that golf carts may be operated on a
12 given road, the department shall post appropriate signs on the
13 road to indicate that such operation is allowed.

14 (3) Notwithstanding any other provision of this
15 section ~~Any other provision of this section to the contrary~~
16 ~~notwithstanding~~, a golf cart may be operated for the purpose
17 of crossing a street or highway where a single mobile home
18 park is located on both sides of the street or highway and is
19 divided by that street or highway, provided that the
20 governmental entity having original jurisdiction over such
21 street or highway shall review and approve the location of the
22 crossing and require implementation of any traffic controls
23 needed for safety purposes. This subsection shall apply only
24 to residents or guests of the mobile home park. ~~Any other~~
25 ~~provision of law to the contrary notwithstanding~~, If notice is
26 posted at the entrance and exit of ~~to~~ any mobile home park
27 where ~~that~~ residents of the park operate ~~utilize~~ golf carts or
28 electric vehicles within the confines of the park it is ~~shall~~
29 not ~~be~~ necessary for ~~that~~ the park to have a gate or other
30 device at the entrance and exit in order for such golf carts
31 or electric vehicles to be lawfully operated in the park.

1 (4) Notwithstanding any other provision of this
2 section, if authorized by the Division of Recreation and Parks
3 of the Department of Environmental Protection, a golf cart may
4 be operated on a road that is part of the State Park Road
5 System if the posted speed limit is 35 miles per hour or less.

6 ~~(5)(4)~~ A golf cart may be operated only during the
7 hours between sunrise and sunset, unless the responsible
8 governmental entity has determined that a golf cart may be
9 operated during the hours between sunset and sunrise and the
10 golf cart is equipped with headlights, brake lights, turn
11 signals, and a windshield.

12 ~~(6)(5)~~ A golf cart must be equipped with efficient
13 brakes, reliable steering apparatus, safe tires, a rearview
14 mirror, and red reflectorized warning devices in both the
15 front and rear.

16 ~~(7)(6)~~ A golf cart may not be operated on public roads
17 or streets by any person under the age of 14.

18 ~~(8)(7)~~ A local governmental entity may enact an
19 ordinance regarding golf cart operation and equipment which is
20 more restrictive than those enumerated in this section. Upon
21 enactment of ~~any~~ such ordinance, the local governmental entity
22 shall post appropriate signs or otherwise inform the residents
23 that such an ordinance exists and that it will ~~shall~~ be
24 enforced within the local government's jurisdictional
25 territory. An ordinance referred to in this section must apply
26 only to an unlicensed driver.

27 ~~(9)(8)~~ A violation of this section is a noncriminal
28 traffic infraction, punishable pursuant to chapter 318 as a
29 moving violation for infractions of subsections (1) through
30 ~~(5) subsection (1), subsection (2), subsection (3), subsection~~
31 ~~(4),~~ or a local ordinance corresponding thereto and enacted

1 pursuant to subsection(8)(7), or punishable pursuant to
2 chapter 318 as a nonmoving violation for infractions of
3 subsection(6)(5), subsection(7)(6), or a local ordinance
4 corresponding thereto and enacted pursuant to subsection(8)
5 (7).

6 Section 5. Subsection (1) of section 316.2125, Florida
7 Statutes, is amended to read:

8 316.2125 Operation of golf carts within a retirement
9 community.--

10 (1) Notwithstanding the provisions of s. 316.212, the
11 reasonable operation of a golf cart, equipped and operated as
12 provided in s. 316.212 ~~s. 316.212(4), (5), and (6)~~, within any
13 self-contained retirement community is permitted unless
14 prohibited under subsection (2).

15 Section 6. Section 316.2126, Florida Statutes, is
16 amended to read:

17 316.2126 Use of golf carts and utility vehicles by
18 governmental units ~~municipalities~~.--In addition to the powers
19 granted by ss. 316.212 and 316.2125, state agencies and
20 municipalities are ~~hereby~~ authorized to operate ~~utilize~~ golf
21 carts and utility vehicles, as defined in s. 320.01, ~~upon any~~
22 ~~state, county, or municipal roads located within the corporate~~
23 ~~limits of such municipalities,~~ subject to the following
24 conditions:

25 (1) Golf carts and utility vehicles must comply with
26 the operational and safety requirements in ss. 316.212 and
27 316.2125, and with any more restrictive ordinances enacted by
28 the local governmental entity pursuant to s. 316.212(8) ~~s.~~
29 ~~316.212(7)~~, and shall ~~only~~ be operated only by state or
30 municipal employees for state or municipal purposes,
31

1 including, but not limited to, police patrol, traffic
2 enforcement, and inspection of public facilities.

3 (2) In addition to the safety equipment required under
4 subsection (1) ~~required in s. 316.212(5) and any more~~
5 ~~restrictive safety equipment required by the local~~
6 ~~governmental entity pursuant to s. 316.212(7)~~, such golf carts
7 and utility vehicles must be equipped with sufficient lighting
8 and turn signal equipment.

9 (3) Golf carts and utility vehicles may ~~only~~ be
10 operated only on state roads that have a posted speed limit of
11 30 miles per hour or less, and, if operated by an employee of
12 a municipality, only on a state, county, or municipal road
13 located within the corporate limits of the municipality.

14 (4) A state or municipal employee operating a golf
15 cart or utility vehicle pursuant to this section must possess
16 a valid driver's license as required by s. 322.03.

17 Section 7. This act shall take effect July 1, 2007.

18
19 STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN
20 COMMITTEE SUBSTITUTE FOR
21 Senate Bill 94

22 The committee substitute provides that certain minor
23 violations of rules relating to state parks are noncriminal
24 violations for which a fine may be imposed. However, a person
25 who engages in certain specified activities in a state park
26 commits a misdemeanor of the second degree. Provides that
27 fines assessed for state park violations are to be deposited
28 in the State Park Trust Fund. Provides for court costs under
29 certain conditions.

30 Provides for a half-price admission fee to state parks for
31 members of the Florida National Guard and their families.

Allows for the operation of golf carts on a road that is part
of the state park road system under certain conditions.

Allows the operation of golf carts within a self-contained
retirement community.

Allows the operation of golf carts by governmental units on
public roads under certain specified conditions.