

1 A bill to be entitled
 2 An act relating to the state parks; amending s. 258.007,
 3 F.S.; requiring that certain violations of rules of the
 4 Division of Recreation and Parks of the Department of
 5 Environmental Protection are punishable as noncriminal
 6 infractions; specifying violations punishable as a
 7 misdemeanor of the second degree for certain activities;
 8 providing fines and penalties; providing for the deposit
 9 of certain fines into the State Park Trust Fund; providing
 10 for the use of certain funds in the State Park Trust Fund;
 11 amending s. 258.014, F.S.; requiring that an active member
 12 of the Florida National Guard, or a dependent of such a
 13 member, be charged only half the price of admission to a
 14 state park; amending s. 316.212, F.S.; authorizing
 15 operation of golf carts on certain roads in state parks;
 16 correcting cross-references; amending s. 316.2125, F.S.;
 17 correcting cross-references; amending s. 316.2126, F.S.;
 18 authorizing the state to use golf carts and utility
 19 vehicles on certain roads; correcting cross-references;
 20 providing an effective date.

21
 22 Be It Enacted by the Legislature of the State of Florida:

23
 24 Section 1. Subsection (2) of section 258.007, Florida
 25 Statutes, is amended to read:

26 258.007 Powers of division.--

27 (2) The division has authority to adopt rules pursuant to
 28 ss. 120.536(1) and 120.54 to implement provisions of law

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29 conferring duties on it, and the violation of any rule
30 authorized by this subsection ~~section~~ shall be a ~~misdemeanor~~ and
31 punishable as follows: accordingly.

32 (a) Except as provided in paragraph (b), any person who
33 violates or otherwise fails to comply with the rules adopted
34 under this subsection commits a noncriminal infraction for which
35 ejection from all property managed by the division and a fine of
36 up to \$1,000 may be imposed by the division.

37 (b) Unless such activity has been specifically permitted
38 by the division, any person who is in violation of any of the
39 following commits a misdemeanor of the second degree, punishable
40 as provided in s. 775.082 or s. 775.083, and shall be ejected
41 from all property managed by the division:

42 1. Cutting, carving, injuring, mutilating, moving,
43 displacing, or breaking off any water bottom formation or coral
44 within the boundaries of a state park.

45 2. Capturing, trapping, injuring, or harassing wild
46 animals within the boundaries of a state park.

47 3. Collecting plant or animal specimens within the
48 boundaries of a state park.

49 4. Leaving the designated public roads with a vehicle
50 within the boundaries of a state park.

51 5. Hunting within the boundaries of a state park.

52 6. Failing to sign a citation given under paragraph (a),
53 failing to appear in court in response to a citation, or failing
54 to comply with the court's order.

55 (c) Any fines collected pursuant to this section shall be
56 deposited in the State Park Trust Fund, and such funds shall be

57 used for the administration, maintenance, preservation, and
 58 improvement of state parks.

59 Section 2. Section 258.014, Florida Statutes, is amended
 60 to read:

61 258.014 Fees for use of state parks.--

62 (1) The Division of Recreation and Parks shall have the
 63 power to charge reasonable fees, rentals or charges for the use
 64 or operation of facilities and concessions in state parks, and
 65 all such fees, rentals, and charges so collected shall be
 66 deposited in the State Treasury to the credit of "State Park
 67 Trust Fund," which is hereby created, the continuing balance of
 68 which fund is hereby appropriated to be expended by said
 69 division for the administration, improvement and maintenance of
 70 state parks and for the acquisition and development of lands
 71 hereafter acquired for state park purposes. The appropriation of
 72 said fund shall be continuing, and shall not revert to the
 73 General Revenue Fund at the end of any fiscal year or at any
 74 other time but shall, until expended, be continually available
 75 to said division for the uses and purposes set forth.

76 (2) A person who is an active member of the Florida
 77 National Guard, or the spouse or minor child of such a person,
 78 may be charged only half the price of admission to a state park
 79 upon presentation of a valid card that identifies the person as
 80 being an active member of the Florida National Guard or a
 81 dependent of such a member.

82 (3)~~(2)~~ Any moneys received in trust by the division by
 83 gift, devise, appropriation, or otherwise shall, subject to the
 84 terms of such trust, be deposited with the Chief Financial

85 Officer in a fund to be known as the "State Park Trust Fund,"
 86 and shall be subject to withdrawal upon application of such
 87 division for expenditure or investment in accordance with the
 88 terms of the trust. Unless prohibited by the terms of the trust
 89 by which the moneys are derived, all of such moneys may be
 90 invested as provided by law.

91 Section 3. Subsections (4), (5), (6), and (7) of section
 92 316.212, Florida Statutes, are renumbered as subsections (5),
 93 (6), (7), and (8), respectively, present subsection (8) is
 94 renumbered as subsection (9) and amended, and a new subsection
 95 (4) is added to that section, to read:

96 316.212 Operation of golf carts on certain roadways.--The
 97 operation of a golf cart upon the public roads or streets of
 98 this state is prohibited except as provided herein:

99 (4) Notwithstanding any other provisions of this section,
 100 a golf cart may be operated on a road that is part of the State
 101 Park Road System, where the posted speed limit is 35 miles per
 102 hour or less, and where not otherwise prohibited by the Division
 103 of Recreation and Parks of the Department of Environmental
 104 Protection.

105 (9)~~(8)~~ A violation of this section is a noncriminal
 106 traffic infraction, punishable pursuant to chapter 318 as a
 107 moving violation for infractions of subsection (1), subsection
 108 (2), subsection (3), subsection (5) ~~(4)~~, or a local ordinance
 109 corresponding thereto and enacted pursuant to subsection (8)
 110 ~~(7)~~, or punishable pursuant to chapter 318 as a nonmoving
 111 violation for infractions of subsection (6) ~~(5)~~, subsection (7)

112 ~~(6)~~, or a local ordinance corresponding thereto and enacted
 113 pursuant to subsection (8) ~~(7)~~.

114 Section 4. Subsection (1) of section 316.2125, Florida
 115 Statutes, is amended to read:

116 316.2125 Operation of golf carts within a retirement
 117 community.--

118 (1) Notwithstanding the provisions of s. 316.212, the
 119 reasonable operation of a golf cart, equipped and operated as
 120 provided in s. 316.212 (5) ~~(4)~~, (6) ~~(5)~~, and (7) ~~(6)~~, within any
 121 self-contained retirement community is permitted unless
 122 prohibited under subsection (2).

123 Section 5. Section 316.2126, Florida Statutes, is amended
 124 to read:

125 316.2126 Use of golf carts and utility vehicles by
 126 municipalities and the state.--In addition to the powers granted
 127 by ss. 316.212 and 316.2125, municipalities and the state are
 128 hereby authorized to utilize golf carts and utility vehicles, as
 129 defined in s. 320.01, upon any state, county, or municipal roads
 130 located within the corporate limits of such municipalities,
 131 subject to the following conditions:

132 (1) Golf carts and utility vehicles must comply with the
 133 operational and safety requirements in ss. 316.212 and 316.2125,
 134 and with any more restrictive ordinances enacted by the local
 135 governmental entity pursuant to s. 316.212 (8) ~~(7)~~, and shall only
 136 be operated by municipal or state employees for municipal or
 137 state purposes, including, but not limited to, police patrol,
 138 traffic enforcement, and inspection of public facilities.

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139 (2) In addition to the safety equipment required in s.
140 316.212~~(6)(5)~~ and any more restrictive safety equipment required
141 by the local governmental entity pursuant to s. 316.212~~(8)(7)~~,
142 such golf carts and utility vehicles must be equipped with
143 sufficient lighting and turn signal equipment.

144 (3) Golf carts and utility vehicles may only be operated
145 on state roads that have a posted speed limit of 30 miles per
146 hour or less.

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

150 Section 6. This act shall take effect July 1, 2007.