

HB 137

2008

1 A bill to be entitled

2 An act relating to offenses committed while operating a
3 motorcycle; creating s. 316.1926, F.S.; providing
4 additional penalties for certain offenses committed by a
5 person operating or in actual physical control of a
6 motorcycle; requiring that the person be taken into
7 custody; providing for seizure and forfeiture of the
8 motorcycle; providing for revocation of the person's
9 privilege to operate a motorcycle; providing an effective
10 date.

11
12 Be It Enacted by the Legislature of the State of Florida:

13
14 Section 1. Section 316.1926, Florida Statutes, is created
15 to read:

16 316.1926 Motorcycle offenses.--

17 (1) When a law enforcement officer charges a person with
18 reckless driving in violation of s. 316.192 or exceeding the
19 speed limit by 30 miles per hour or more in violation of s.
20 316.183(2), s. 316.187, or s. 316.189 while operating or in
21 actual physical control of a motorcycle, the officer shall
22 arrest the person, take him or her into custody, and seize the
23 motorcycle, which shall be subject to forfeiture under the
24 Florida Contraband Forfeiture Act.

25 (2) Upon conviction, in addition to any other penalty
26 provided by law, the court shall revoke the person's
27 authorization and privilege to operate a motorcycle for a period

HB 137

2008

28 of 10 years and order the person to surrender his or her
29 driver's license.

30 (a) If the person holds a Class A, Class B, or Class C
31 driver's license, the department shall issue a replacement
32 license, valid for the remainder of the person's unexpired
33 license period, without the endorsement to operate a motorcycle.

34 (b) If the person holds a Class E driver's license that is
35 not restricted to motorcycle operation only, the department
36 shall issue a replacement license, valid for the remainder of
37 the person's unexpired license period, without the authorization
38 to operate a motorcycle.

39 (3) Revocation of the privilege to operate a motorcycle
40 under this section shall not prohibit or restrict the issuance
41 or renewal of a driver's license for purposes other than the
42 operation of a motorcycle.

43 Section 2. This act shall take effect October 1, 2008.