

By Senator Bullard

39-00424-08

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1 A bill to be entitled

2 An act relating to bicycle safety; amending s. 316.2065,
3 F.S.; revising safety standard requirements for bicycle
4 helmets that must be worn by certain riders and
5 passengers; providing for enforcement of requirements for
6 bicycle lighting equipment; providing penalties for
7 violations; providing for dismissal of the charge
8 following a first offense; providing an effective date.

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10 Be It Enacted by the Legislature of the State of Florida:

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12 Section 1. Paragraph (d) of subsection (3) and subsection
13 (8) of section 316.2065, Florida Statutes, are amended to read:
14 316.2065 Bicycle regulations.--

15 (3)

16 (d) A bicycle rider or passenger who is under 16 years of
17 age must wear a bicycle helmet that is properly fitted and is
18 fastened securely upon the passenger's head by a strap, and that
19 meets the federal safety standard for bicycle helmets, final
20 rule, 16 C.F.R. part 1203. Helmets purchased before October 1,
21 2008, and meeting standards of the American National Standards
22 Institute (ANSI Z 90.4 Bicycle Helmet Standards), the standards
23 of the Snell Memorial Foundation (1984 Standard for Protective
24 Headgear for Use in Bicycling), or any other nationally
25 recognized standards for bicycle helmets adopted by the
26 department may continue to be worn by riders or passengers until
27 January 1, 2012. As used in this subsection, the term "passenger"
28 includes a child who is riding in a trailer or semitrailer
29 attached to a bicycle.

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30 (8) Every bicycle in use between sunset and sunrise shall
31 be equipped with a lamp on the front exhibiting a white light
32 visible from a distance of at least 500 feet to the front and a
33 lamp and reflector on the rear each exhibiting a red light
34 visible from a distance of 600 feet to the rear. A bicycle or its
35 rider may be equipped with lights or reflectors in addition to
36 those required by this section. Law enforcement officers may
37 issue a bicycle safety brochure and a verbal warning to a bicycle
38 rider who violates this subsection. A bicycle rider who violates
39 this subsection may be issued a citation by a law enforcement
40 officer and assessed a fine for a pedestrian violation, as
41 provided in s. 318.18. The court shall dismiss the charge against
42 a bicycle rider for a first violation of this subsection upon
43 proof of purchase and installation of the proper lighting
44 equipment.

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