

HB 7

2008

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 certain bicycle  
 6           equipment requirements; providing penalties for  
 7           violations; providing for dismissal of a first offense;  
 8           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.--

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16           (3)  
 17           (d) A bicycle rider or passenger who is under 16 years of  
 18           age must wear a bicycle helmet that is properly fitted and is  
 19           fastened securely upon the passenger's head by a strap, and that  
 20           meets the federal safety standard for bicycle helmets, final  
 21           rule, 16 C.F.R. part 1203. Helmets purchased before October 1,  
 22           2008, and meeting standards of the American National Standards  
 23           Institute (ANSI Z 90.4 Bicycle Helmet Standards), the standards  
 24           of the Snell Memorial Foundation (1984 Standard for Protective  
 25           Headgear for Use in Bicycling), or any other nationally  
 26           recognized standards for bicycle helmets adopted by the  
 27           department may continue to be worn by riders or passengers until  
January 1, 2012. As used in this subsection, the term

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28 "passenger" includes a child who is riding in a trailer or  
29 semitrailer attached to a bicycle.

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  
35 its rider may be equipped with lights or reflectors in addition  
36 to those required by this section. Law enforcement officers may  
37 issue a bicycle safety brochure and a verbal warning to a  
38 bicycle rider who violates this subsection. A bicycle rider who  
39 violates this subsection may be issued a citation by a law  
40 enforcement officer and assessed a fine for a pedestrian  
41 violation, as provided in s. 318.18. The court shall dismiss the  
42 charge against a bicycle rider for a first violation of this  
43 subsection upon proof of purchase and installation of the proper  
44 lighting equipment.

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