

By the Committees on Community Affairs; and Transportation; and
Senator Altman

578-04389-09

20091088c2

1 A bill to be entitled
2 An act relating to delivery vehicles; amending s.
3 316.2126, F.S.; defining the terms "seasonal delivery
4 personnel," "residential area," and "golf cart";
5 authorizing the use of golf carts, modified carts,
6 low-speed vehicles, and utility vehicles by seasonal
7 delivery personnel during a certain timeframe;
8 providing an effective date.

9
10 Be It Enacted by the Legislature of the State of Florida:

11
12 Section 1. Section 316.2126, Florida Statutes, is amended
13 to read:

14 316.2126 Authorized use of golf carts, modified carts, low-
15 speed vehicles, and utility vehicles ~~by municipalities and state~~
16 ~~employees, state park volunteers, and state park visitors.-~~

17 (1) In addition to the powers granted by ss. 316.212 and
18 316.2125, municipalities are authorized to utilize golf carts
19 and utility vehicles, as defined in s. 320.01, upon any state,
20 county, or municipal roads located within the corporate limits
21 of such municipalities, subject to the following conditions:

22 (a) Golf carts and utility vehicles must comply with the
23 operational and safety requirements in ss. 316.212 and 316.2125,
24 and with any more restrictive ordinances enacted by the local
25 governmental entity pursuant to s. 316.212(8), and shall be
26 operated only by municipal employees for municipal purposes,
27 including, but not limited to, police patrol, traffic
28 enforcement, and inspection of public facilities.

29 (b) In addition to the safety equipment required in s.

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30 316.212(6) and any more restrictive safety equipment required by
31 the local governmental entity pursuant to s. 316.212(8), such
32 golf carts and utility vehicles must be equipped with sufficient
33 lighting and turn signal equipment.

34 (c) Golf carts and utility vehicles may be operated only on
35 state roads that have a posted speed limit of 30 miles per hour
36 or less.

37 (2) State employees, state park volunteers, and state park
38 visitors are authorized to use golf carts and utility vehicles,
39 as defined in s. 320.01, upon any public roads within the
40 boundaries of state parks managed by the Division of Recreation
41 and Parks of the Department of Environmental Protection, subject
42 to the following conditions:

43 (a) Golf carts and utility vehicles must comply with the
44 operational and safety requirements in s. 316.212.

45 (b) Golf carts and utility vehicles shall be operated only
46 by state employees and state park volunteers for state purposes
47 and by state park visitors for uses authorized by the Division
48 of Recreation and Parks of the Department of Environmental
49 Protection.

50 (3) (a) As used in this subsection, the term "seasonal
51 delivery personnel" means employees of a licensed commercial
52 delivery service, having at least 10,000 persons employed in
53 Florida, when delivering express envelopes and packages having a
54 maximum size of 130 inches for the combined length and girth and
55 weighing not more than 150 pounds for that service during the
56 time period specified in paragraph (b).

57 (b) Seasonal delivery personnel are authorized to use low-
58 speed vehicles and utility vehicles as defined in s. 320.01 upon

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59 any public road within a residential area that has a speed limit
60 of up to 35 miles per hour for the purpose of delivering goods
61 sent through a delivery service. Such personnel are authorized
62 to use golf carts and modified carts upon a public road within a
63 residential area that has a speed limit of up to 30 miles per
64 hour. Such personnel are also authorized to use golf carts and
65 modified carts within areas that have a speed limit of up to 35
66 miles per hour unless a municipality having jurisdiction over
67 such public roads enacts an ordinance restricting personnel from
68 driving on roads that have a speed limit of up to 35 miles per
69 hour.

70
71 As used in this subsection, the term "residential area" means
72 areas zoned primarily and exclusively for single-family or
73 multifamily residential use. As used in this subsection, the
74 term "golf cart" means a motor vehicle as defined in s.
75 320.01(22), including vehicles modified to have a cargo platform
76 or bin to transport parcels or a hitch to tow a trailer. Such
77 vehicles must be marked in some manner with the name of the
78 delivery service. A trailer may be pulled by the vehicle.
79 Vehicles used pursuant to this subsection may be operated after
80 sunset if, in addition to the safety requirements in s.
81 316.212(6), they are equipped with suitable headlamps and tail
82 lamps. This authorization applies to deliveries made from
83 midnight October 15 until midnight December 31 of each year.

84 (4)~~(3)~~ Anyone operating a golf cart or utility vehicle
85 pursuant to this section must possess a valid driver's license
86 as required by s. 322.03.

87 Section 2. This act shall take effect July 1, 2009.