

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

577-04991-09

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

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

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

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

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

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

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

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

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

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

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

51 (3) (a) As used in this subsection, the term:

52 1. "Golf cart" means a motor vehicle as defined in s.  
53 320.01(22), including vehicles modified to have a cargo platform  
54 or bin to transport parcels or a hitch to tow a trailer.

55 2. "Residential area" means areas zoned primarily or  
56 exclusively for single-family or multifamily residential use.

57 3. "Seasonal delivery personnel" means employees of a  
58 licensed commercial delivery service that has at least 10,000

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59 persons employed in this state.

60 (b) Seasonal delivery personnel may use the following  
61 vehicles solely for the purpose of delivering express envelopes  
62 and packages having a maximum size of 130 inches for the  
63 combined length and girth and weighing not more than 150 pounds  
64 from midnight October 15 until midnight December 31 of each  
65 year:

66 1. Low-speed vehicles and utility vehicles as defined in s.  
67 320.01 upon any public road within a residential area that has a  
68 posted speed limit of 35 miles per hour or less.

69 2. Golf carts upon a public road within a residential area  
70 that has a posted speed limit of 30 miles per hour or less.

71 3. Golf carts upon a public road within a residential area  
72 that has a posted speed limit of 30 to 35 miles per hour, unless  
73 a municipality having jurisdiction over the public road has  
74 enacted an ordinance restricting personnel from driving on such  
75 roads.

76  
77 Seasonal delivery personnel may pull a trailer from any of these  
78 vehicles.

79 (c) All vehicles specified in this subsection must be:

80 1. Marked in a conspicuous manner with the name of the  
81 delivery service.

82 2. Equipped with, at a minimum, the equipment required  
83 under s. 316.212(6).

84 3. Equipped with head lamps and tail lamps, in addition to  
85 the safety requirements in s. 316.212(6), if operated after  
86 sunset.

87 (4)~~(3)~~ Anyone operating a golf cart, low-speed vehicle, or

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88 utility vehicle pursuant to this section must possess a valid  
89 driver's license as required by s. 322.03.

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