

ENROLLED
CS/CS/HB 333

2009 Legislature

1 A bill to be entitled
2 An act relating to off-highway vehicles; amending ss.
3 261.03, 316.2074, and 317.0003, F.S.; revising the
4 definitions of the terms "ATV," "all-terrain vehicle," and
5 "off-highway vehicle" and defining the term "ROV" for
6 purposes of provisions relating to the sale and use of
7 motorized off-highway vehicles; providing an effective
8 date.

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

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12 Section 1. Subsections (2) and (6) of section 261.03,
13 Florida Statutes, are amended, subsections (9), (10), and (11)
14 are renumbered as subsections (10), (11), and (12),
15 respectively, and a new subsection (9) is added to that section,
16 to read:

17 261.03 Definitions.--As used in this chapter, the term:

18 (2) "ATV" means any motorized off-highway or all-terrain
19 vehicle 50 inches or less in width, having a dry weight of 1,200
20 ~~900~~ pounds or less, designed to travel on three or more
21 nonhighway ~~low-pressure~~ tires, having a seat designed to be
22 straddled by the operator and handlebars for steering control,
23 and intended for use by a single operator with no passenger.

24 (6) "Off-highway vehicle" means any ATV, two-rider ATV,
25 ROV, or OHM that is used off the roads or highways of this state
26 and that is not registered and licensed for highway use under
27 chapter 320.

28 (9) "ROV" means any motorized recreational off-highway

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29 vehicle 60 inches or less in width, having a dry weight of 1,500
 30 pounds or less, designed to travel on four or more nonhighway
 31 tires, having nonstraddle seating and a steering wheel, and
 32 manufactured for recreational use by one or more persons. The
 33 term "ROV" does not include a golf cart as defined in ss.
 34 320.01(22) and 316.003(68) or a low-speed vehicle as defined in
 35 s. 320.01(42).

36 Section 2. Subsection (2) of section 316.2074, Florida
 37 Statutes, is amended to read:

38 316.2074 All-terrain vehicles.--

39 (2) As used in this section, the term "all-terrain
 40 vehicle" means any motorized off-highway vehicle 50 inches or
 41 less in width, having a dry weight of 1,200 ~~900~~ pounds or less,
 42 designed to travel on three or more nonhighway ~~low-pressure~~
 43 tires, having a seat designed to be straddled by the operator
 44 and handlebars for steering control, and intended for use by a
 45 single operator with no passenger. For the purposes of this
 46 section, "all-terrain vehicle" also includes any "two-rider ATV"
 47 as defined in s. 317.0003.

48 Section 3. Subsections (1) and (6) of section 317.0003,
 49 Florida Statutes, are amended, subsection (9) is renumbered as
 50 subsection (10), and a new subsection (9) is added to that
 51 section, to read:

52 317.0003 Definitions.--As used in this chapter, the term:

53 (1) "ATV" means any motorized off-highway or all-terrain
 54 vehicle 50 inches or less in width, having a dry weight of 1,200
 55 ~~900~~ pounds or less, designed to travel on three or more
 56 nonhighway ~~low-pressure~~ tires, having a seat designed to be

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57 | straddled by the operator and handlebars for steering control,
58 | and intended for use by a single operator and with no passenger.

59 | (6) "Off-highway vehicle" means any ATV, two-rider ATV,
60 | ROV, or OHM that is used off the roads or highways of this state
61 | and that is not registered and licensed for highway use pursuant
62 | to chapter 320.

63 | (9) "ROV" means any motorized recreational off-highway
64 | vehicle 60 inches or less in width, having a dry weight of 1,500
65 | pounds or less, designed to travel on four or more nonhighway
66 | tires, having nonstraddle seating and a steering wheel, and
67 | manufactured for recreational use by one or more persons. The
68 | term "ROV" does not include a golf cart as defined in ss.
69 | 320.01(22) and 316.003(68) or a low-speed vehicle as defined in
70 | s. 320.01(42).

71 | Section 4. This act shall take effect July 1, 2009.