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CS/CS/HB 405, Engrossed 1

2009 Legislature

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, and
 6 utility vehicles by seasonal delivery personnel during a
 7 certain timeframe; requiring specified vehicles to be
 8 equipped with safety equipment; providing an effective
 9 date.

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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

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29 enforcement, and inspection of public facilities.

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
 36 on state roads that have a posted speed limit of 30 miles per
 37 hour 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.

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57 3. "Seasonal delivery personnel" means employees of a
 58 licensed commercial delivery service that has at least 10,000
 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
 67 s. 320.01 upon any public road within a residential area that
 68 has a 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

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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
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.
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