

By Senator Baker

20-00543-09

2009798__

1 A bill to be entitled
2 An act relating to off-highway vehicles; amending s.
3 261.03, F.S.; redefining the terms "ATV" and "off-
4 highway vehicle" for purposes of provisions relating
5 to off-highway vehicle safety; amending s. 316.2074,
6 F.S.; redefining the terms "ATV" and "off-highway
7 vehicle" for purposes of the Florida Uniform Traffic
8 Control Law; amending s. 317.0003, F.S.; redefining
9 the terms "ATV" and "off-highway vehicle" for purposes
10 of provisions relating to the titling of such
11 vehicles; providing an effective date.

12
13 Be It Enacted by the Legislature of the State of Florida:

14
15 Section 1. Subsections (2), (6), and (11) of section
16 261.03, Florida Statutes, are amended 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 1,500
20 ~~900~~ pounds or less, designed to travel on three or more low-
21 pressure tires, having a bench seat or seat designed to be
22 straddled by the operator and handlebars or a steering wheel for
23 steering control, and intended for use by a single operator or
24 an operator and passengers if it is designed for an operator and
25 one or more passengers ~~with no passenger.~~

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

20-00543-09

2009798__

30 ~~(11) "Two-rider ATV" means any ATV that is specifically~~
31 ~~designed by the manufacturer for a single operator and one~~
32 ~~passenger.~~

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

35 316.2074 All-terrain vehicles.—

36 (2) As used in this section, the term "all-terrain vehicle"
37 means any motorized off-highway vehicle 60 ~~50~~ inches or less in
38 width, having a dry weight of 1,500 ~~900~~ pounds or less, designed
39 to travel on three or more low-pressure tires, having a bench
40 seat or seat designed to be straddled by the operator and
41 handlebars or a steering wheel for steering control, and
42 intended for use by a single operator or an operator and
43 passengers if it is designed for an operator and one or more
44 passengers with no passenger. ~~For the purposes of this section,~~
45 ~~"all-terrain vehicle" also includes any "two-rider ATV" as~~
46 ~~defined in s. 317.0003.~~

47 Section 3. Subsections (1), (6), and (9) of section
48 317.0003, Florida Statutes, are amended to read:

49 317.0003 Definitions.—As used in this chapter, the term:

50 (1) "ATV" means any motorized off-highway or all-terrain
51 vehicle 60 ~~50~~ inches or less in width, having a dry weight of
52 1,500 ~~900~~ pounds or less, designed to travel on three or more
53 low-pressure tires, having a bench seat or seat designed to be
54 straddled by the operator and handlebars or a steering wheel for
55 steering control, and intended for use by a single operator or
56 an operator and passengers if it is designed for an operator and
57 one or more passengers ~~and with no passenger.~~

58 (6) "Off-highway vehicle" means any ATV, ~~two-rider ATV,~~ or

20-00543-09

2009798__

59 OHM that is used off the roads or highways of this state and
60 that is not registered and licensed for highway use pursuant to
61 chapter 320.

62 ~~(9) "Two-rider ATV" means any ATV that is specifically~~
63 ~~designed by the manufacturer for a single operator and one~~
64 ~~passenger.~~

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