

By the Committee on Agriculture; and Senator Baker

575-02639-09

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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" and defining the term "ROV" for
 5 purposes of provisions relating to off-highway vehicle
 6 safety; amending s. 316.2074, F.S.; redefining the
 7 term "all-terrain vehicle" for purposes of the Florida
 8 Uniform Traffic Control Law; amending s. 317.0003,
 9 F.S.; redefining the terms "ATV" and "off-highway
 10 vehicle" and defining the term "ROV" for purposes of
 11 provisions relating to the titling of such vehicles;
 12 providing an effective date.

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

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

21 261.03 Definitions.—As used in this chapter, the term:

22 (2) "ATV" means any motorized off-highway or all-terrain
 23 vehicle 50 inches or less in width, having a dry weight of 1,500
 24 ~~900~~ pounds or less, designed to travel on three or more
 25 nonhighway ~~low-pressure~~ tires, having a seat designed to be
 26 straddled by the operator and handlebars for steering control,
 27 and intended for use by a single operator with no passenger.

28 (6) "Off-highway vehicle" means any ATV, two-rider ATV,
 29 ROV, or OHM that is used off the roads or highways of this state

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30 and that is not registered and licensed for highway use under
31 chapter 320.

32 (9) "ROV" means any motorized, recreational, off-highway
33 vehicle that is 60 inches or less in width, has a dry weight of
34 1,500 pounds or less, is designed to travel on four or more
35 nonhighway tires, has nonstraddle seating and a steering wheel,
36 and is manufactured for recreational use by one or more persons.
37 However, the term does not include a golf cart as defined in s.
38 320.01(22) or s. 316.003(68) or a low-speed vehicle as defined
39 in s. 320.01(42).

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

42 316.2074 All-terrain vehicles.—

43 (2) As used in this section, the term "all-terrain vehicle"
44 means any motorized off-highway vehicle 50 inches or less in
45 width, having a dry weight of 1,500 ~~900~~ pounds or less, designed
46 to travel on three or more nonhighway ~~low-pressure~~ tires, having
47 a seat designed to be straddled by the operator and handlebars
48 for steering control, and intended for use by a single operator
49 with no passenger. For the purposes of this section, "all-
50 terrain vehicle" also includes any "two-rider ATV" as defined in
51 s. 317.0003.

52 Section 3. Subsections (1) and (6) of section 317.0003,
53 Florida Statutes, are amended, present subsection (9) of that
54 section is renumbered as subsection (10), and a new subsection
55 (9) is added to that section, to read:

56 317.0003 Definitions.—As used in this chapter, the term:

57 (1) "ATV" means any motorized off-highway or all-terrain
58 vehicle 50 inches or less in width, having a dry weight of 1,500

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59 900 pounds or less, designed to travel on three or more
60 nonhighway ~~low-pressure~~ tires, having a seat designed to be
61 straddled by the operator and handlebars for steering control,
62 and intended for use by a single operator and with no passenger.

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

67 (9) "ROV" means any motorized recreational off-highway
68 vehicle that is 60 inches or less in width, has a dry weight of
69 1,500 pounds or less, is designed to travel on four or more
70 nonhighway tires, has nonstraddle seating and a steering wheel,
71 and is manufactured for recreational use by one or more persons.
72 However, the term does not include a golf cart as defined in s.
73 320.01(22) or s. 316.003(68) or a low-speed vehicle as defined
74 in s. 320.01(42).

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