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LEGISLATIVE ACTION

Senate	.	House
Comm: FAV	.	
04/19/2010	.	
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The Committee on Transportation and Economic Development
Appropriations (Gardiner) recommended the following:

Senate Amendment (with title amendment)

Before line 128
insert:

Section 1. Subsection (9) of section 261.03, Florida
Statutes, is amended to read:

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

(9) "ROV" means any motorized recreational off-highway
vehicle 64 ~~60~~ inches or less in width, having a dry weight of
2,000 ~~1,500~~ pounds or less, designed to travel on four or more
nonhighway tires, having nonstraddle seating and a steering
wheel, and manufactured for recreational use by one or more



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13 persons. The term "ROV" does not include a golf cart as defined
14 in ss. 320.01(22) and 316.003(68) or a low-speed vehicle as
15 defined in s. 320.01(42).

16 Section 2. Subsection (9) of section 317.0003, Florida
17 Statutes, is amended to read:

18 317.0003 Definitions.—As used in this chapter, the term:

19 (9) "ROV" means any motorized recreational off-highway
20 vehicle 64 ~~60~~ inches or less in width, having a dry weight of
21 2,000 ~~1,500~~ pounds or less, designed to travel on four or more
22 nonhighway tires, having nonstraddle seating and a steering
23 wheel, and manufactured for recreational use by one or more
24 persons. The term "ROV" does not include a golf cart as defined
25 in ss. 320.01(22) and 316.003(68) or a low-speed vehicle as
26 defined in s. 320.01(42).

27 Section 3. Subsections (5) and (20) of section 316.2065,
28 Florida Statutes, are amended to read:

29 316.2065 Bicycle regulations.—

30 (5) (a) Any person operating a bicycle upon a roadway at
31 less than the normal speed of traffic at the time and place and
32 under the conditions then existing shall ride in the lane marked
33 for bicycle use or, if no lane is marked for bicycle use, as
34 close as practicable to the right-hand curb or edge of the
35 roadway except under any of the following situations:

36 1. When overtaking and passing another bicycle or vehicle
37 proceeding in the same direction.

38 2. When preparing for a left turn at an intersection or
39 into a private road or driveway.

40 3. When reasonably necessary to avoid any condition,
41 including, but not limited to, a fixed or moving object, parked



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42 or moving vehicle, bicycle, pedestrian, animal, surface hazard,
43 or substandard-width lane, that makes it unsafe to continue
44 along the right-hand curb or edge. For the purposes of this
45 subsection, a "substandard-width lane" is a lane that is too
46 narrow for a bicycle and another vehicle to travel safely side
47 by side within the lane.

48 (b) Any person operating a bicycle upon a one-way highway
49 with two or more marked traffic lanes may ride as near the left-
50 hand curb or edge of such roadway as practicable.

51 (20) Except as otherwise provided in this section, a
52 violation of this section is a noncriminal traffic infraction,
53 punishable as a pedestrian violation as provided in chapter 318.
54 A law enforcement officer may issue traffic citations for a
55 violation of subsection (3) or subsection (16) only if the
56 violation occurs on a bicycle path or road, as defined in s.
57 334.03. However, a law enforcement officer ~~they~~ may not issue
58 citations to persons on private property, except any part
59 thereof which is open to the use of the public for purposes of
60 vehicular traffic.

61
62 ===== T I T L E A M E N D M E N T =====

63 And the title is amended as follows:

64 Delete line 2

65 and insert:

66 An act relating to motor vehicles; amending ss. 261.03 and
67 317.0003, F.S.; redefining the term "ROV" to include vehicles of
68 an increased width and weight; amending s. 316.2065, F.S.;
69 requiring bicycles to be ridden in the lane marked for bicycle
70 use except under specified circumstances; providing penalties;



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71 amending s.