



888212

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
03/30/2011	.	
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The Committee on Governmental Oversight and Accountability
(Siplin) recommended the following:

Senate Amendment (with title amendment)

Between lines 389 and 390
insert:

Section 7. Section 316.2015, Florida Statutes, is amended
to read:

316.2015 Unlawful for person to ride on exterior of
vehicle.-

(1) The ~~It is unlawful for any~~ operator of a passenger
vehicle may not ~~to~~ permit any person to ride on the bumper,
radiator, fender, hood, top, trunk, or running board of such
vehicle when operated upon any street or highway that ~~which~~ is



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13 maintained by the state, county, or municipality. Any person who
14 violates this subsection shall be cited for a moving violation,
15 punishable as provided in chapter 318.

16 (2) (a) A ~~no~~ person may not ~~shall~~ ride on any vehicle or
17 upon any portion thereof which is not designed or intended for
18 the use of passengers. This paragraph does not apply to an
19 employee of a fire department, an employee of a governmentally
20 operated solid waste disposal department or a waste disposal
21 service operating pursuant to a contract with a governmental
22 entity, or to a volunteer firefighter when the employee or
23 firefighter is engaged in the necessary discharge of a duty, and
24 does not apply to a person who is being transported in response
25 to an emergency by a public agency or pursuant to the direction
26 or authority of a public agency. This paragraph does not apply
27 to an employee engaged in the necessary discharge of a duty or
28 to a person or persons riding within truck bodies in space
29 intended for merchandise.

30 (b) The ~~It is unlawful for any~~ operator of a pickup truck
31 or flatbed truck may not ~~to~~ permit a person ~~minor child~~ who is
32 younger than ~~has not attained~~ 18 years of age to ride upon
33 limited access facilities of the state within the open body of a
34 pickup truck or flatbed truck unless the minor is restrained
35 within the open body in the back of a truck that has been
36 modified to include secure seating and safety restraints to
37 prevent the passenger from being thrown, falling, or jumping
38 from the truck. This paragraph does not apply in a medical
39 emergency if the child is accompanied within the truck by an
40 adult. A county is exempt from this paragraph if the governing
41 body of the county, by majority vote, following a noticed public



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42 hearing, votes to exempt the county from this paragraph.

43 (c) The operator of a pickup truck or flatbed truck may not
44 permit a child who is younger than 6 years of age to ride within
45 the open body of a pickup truck or flatbed truck while the truck
46 is operating on any publicly maintained street or highway having
47 a posted speed limit that is greater than 35 miles per hour
48 unless the minor is restrained within the open body in the back
49 of a truck that has been modified to include secure seating and
50 safety restraints to prevent the passenger from being thrown,
51 falling, or jumping from the truck. This paragraph does not
52 apply in a medical emergency if the child is accompanied within
53 the truck by an adult. This paragraph does not apply in a
54 medical emergency if the child is accompanied within the truck
55 by an adult. A county is exempt from this paragraph if the
56 governing body of the county, by a majority, vote, following a
57 noticed public hearing, votes to exempt the county from this
58 paragraph. An operator of a pickup truck is exempt from this
59 paragraph if the pickup truck is the only vehicle owned by the
60 operator or his or her immediate family.

61 (d)~~(e)~~ Any person who violates this subsection shall be
62 cited for a nonmoving violation, punishable as provided in
63 chapter 318.

64 (3) This section does ~~shall~~ not apply to a performer
65 engaged in a professional exhibition or person participating in
66 an exhibition or parade, or any such person preparing to
67 participate in such exhibitions or parades.

68
69 ===== T I T L E A M E N D M E N T =====

70 And the title is amended as follows:



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71 Delete line 22
72 and insert:
73 conforming a reference; amending s. 316.2015, F.S.;
74 prohibiting the operator of a pickup truck or flatbed
75 truck from permitting a child who is younger than 6
76 years of age from riding within the open body of the
77 truck under certain circumstances; making technical
78 and grammatical changes; amending s. 316.2085, F.S.;