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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
01/19/2012	.	
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The Committee on Transportation (Latvala) recommended the following:

**Senate Amendment (with title amendment)**

Delete lines 464 - 520  
and insert:

Section 6. Subsection (1) of section 316.2126, Florida Statutes, is amended to read:

316.2126 Authorized use of golf carts, low-speed vehicles, and utility vehicles.-

(1) In addition to the powers granted by ss. 316.212 and 316.2125, municipalities are authorized to utilize golf carts and utility vehicles, as defined in s. 320.01, upon any state, county, or municipal roads located within the corporate limits



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13 of such municipalities, subject to the following conditions:

14 (a) Golf carts and utility vehicles must comply with the  
15 operational and safety requirements in ss. 316.212 and 316.2125,  
16 and with any more restrictive ordinances enacted by the local  
17 governmental entity pursuant to s. 316.212(8), and shall be  
18 operated only by municipal employees for municipal purposes,  
19 including, but not limited to, police patrol, traffic  
20 enforcement, and inspection of public facilities.

21 (b) In addition to the safety equipment required in s.  
22 316.212(6) and any more restrictive safety equipment required by  
23 the local governmental entity pursuant to s. 316.212(8), such  
24 golf carts and utility vehicles must be equipped with sufficient  
25 lighting and turn signal equipment.

26 (c) Golf carts and utility vehicles may be operated only on  
27 state roads that have a posted speed limit of 30 miles per hour  
28 or less.

29 (d) Golf carts and utility vehicles may cross any portion  
30 of the State Highway System having a posted speed limit of 45  
31 miles per hour or less only at an intersection that has an  
32 official traffic control device.

33 (e) Golf carts and utility vehicles may be operated on a  
34 sidewalk adjacent to a state highway only if such golf carts and  
35 utility vehicles yield to pedestrians and if the sidewalk is at  
36 least 5 feet wide.

37 Section 7. Section 316.2129, Florida Statutes, is created  
38 to read:

39 316.2129 Operation of swamp buggies on public roads,  
40 streets, or highways authorized.-

41 (1) The operation of a swamp buggy on a public road,



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42 street, or highway is authorized if a local governmental entity  
43 has designated the public road, street, or highway for use by  
44 swamp buggies. Upon determining that swamp buggies may safely  
45 operate on or cross a public road, street, or highway, the local  
46 governmental entity shall post appropriate signs or otherwise  
47 inform the public that the operation of swamp buggies is  
48 allowed.

49 (2) The operation of a swamp buggy on land managed, owned,  
50 or leased by a state or federal agency is authorized if the  
51 state or federal agency allows the operation of swamp buggies on  
52 such land, including any public road, street, or highway running  
53 through or located within the state or federal land. Upon  
54 determining that swamp buggies may safely operate on or cross a  
55 public road, street, or highway running through or located  
56 within such land, the state or federal agency shall post  
57 appropriate signs or otherwise inform the public that the  
58 operation of swamp buggies is allowed.

59 Section 8. Subsection (7) of section 316.2397, Florida  
60 Statutes, is amended to read:

61 316.2397 Certain lights prohibited; exceptions.—

62 (7) Flashing lights are prohibited on vehicles except:

63 (a) As a means of indicating a right or left turn, to  
64 change lanes, or to indicate that the vehicle is lawfully  
65 stopped or disabled upon the highway;

66 (b) When a motorist intermittently flashes his or her  
67 vehicle's headlamps at an oncoming vehicle notwithstanding the  
68 motorist's intent for doing so; and ~~or except that~~

69 (c) For the lamps authorized under ~~in~~ subsections (1), (2),  
70 (3), (4), and (9), s. 316.2065, or ~~and~~ s. 316.235(5) which may



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71 ~~are permitted to flash.~~

72 Section 9. Subsection (1) of section 316.3026, Florida  
73 Statutes, is amended to read:

74 316.3026 Unlawful operation of motor carriers.—

75 (1) The Office of Commercial Vehicle Enforcement ~~Motor~~  
76 ~~Carrier Compliance~~ may issue out-of-service orders to motor  
77 carriers, as defined in s. 320.01(33), who, after proper notice,  
78 have failed to pay any penalty or fine assessed by the  
79 department, or its agent, against any owner or motor carrier for  
80 violations of state law, refused to submit to a compliance  
81 review and provide records pursuant to s. 316.302(5) or s.  
82 316.70, or violated safety regulations pursuant to s. 316.302 or  
83 insurance requirements in s. 627.7415. Such out-of-service  
84 orders have the effect of prohibiting the operations of any  
85 motor vehicles owned, leased, or otherwise operated by the motor  
86 carrier upon the roadways of this state, until the violations  
87 have been corrected or penalties have been paid. Out-of-service  
88 orders must be approved by the director of the Division of the  
89 Florida Highway Patrol or his or her designee. An administrative  
90 hearing pursuant to s. 120.569 shall be afforded to motor  
91 carriers subject to such orders.

92  
93 ===== T I T L E A M E N D M E N T =====

94 And the title is amended as follows:

95 Delete lines 28 - 38

96 and insert:

97 be affixed perpendicularly to the ground; amending s.  
98 316.2126, F.S.; authorizing municipalities to use golf  
99 carts and utility vehicles to cross the State Highway



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100 System and operate on sidewalks adjacent to state  
101 highways under certain circumstances; creating s.  
102 316.2129, F.S.; authorizing the operation of swamp  
103 buggies on a public road, highway, or street if a  
104 local governmental entity has designated the public  
105 road, highway, or street for such use; authorizing the  
106 operation of swamp buggies on land managed, owned, or  
107 leased by a state or federal agency; amending s.  
108 316.2397, F.S.; providing an exception to the  
109 prohibition against flashing vehicle lights for  
110 motorists who intermittently flash their vehicle's  
111 headlamps at an oncoming vehicle, regardless of their  
112 intent in doing so, and for persons operating bicycles  
113 equipped with lamps; amending s. 316.3026, F.S.;