

HB 797

2012

1 A bill to be entitled
2 An act relating to bicycle safety; amending s.
3 316.2065, F.S.; revising safety standard requirements
4 for bicycle helmets that must be worn by certain
5 riders and passengers; providing for enforcement of
6 requirements for bicycle lighting equipment; providing
7 penalties for violations; providing for dismissal of
8 the charge following a first offense under certain
9 circumstances; providing an effective date.

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11 Be It Enacted by the Legislature of the State of Florida:

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13 Section 1. Paragraph (d) of subsection (3) and subsection
14 (8) of section 316.2065, Florida Statutes, are amended to read:
15 316.2065 Bicycle regulations.—

16 (3)

17 (d) A bicycle rider or passenger who is under 16 years of
18 age must wear a bicycle helmet that is properly fitted and is
19 fastened securely upon the passenger's head by a strap, and that
20 meets the federal safety standard for bicycle helmets, final
21 rule, 16 C.F.R. part 1203. Helmets purchased before October 1,
22 2012, and meeting standards of the American National Standards
23 Institute (ANSI Z 90.4 Bicycle Helmet Standards), the standards
24 of the Snell Memorial Foundation (1984 Standard for Protective
25 Headgear for Use in Bicycling), or any other nationally
26 recognized standards for bicycle helmets adopted by the
27 department may continue to be worn by riders or passengers until
28 January 1, 2016. As used in this subsection, the term

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29 "passenger" includes a child who is riding in a trailer or
30 semitrailer attached to a bicycle.

31 (8) Every bicycle in use between sunset and sunrise shall
32 be equipped with a lamp on the front exhibiting a white light
33 visible from a distance of at least 500 feet to the front and a
34 lamp and reflector on the rear each exhibiting a red light
35 visible from a distance of 600 feet to the rear. A bicycle or
36 its rider may be equipped with lights or reflectors in addition
37 to those required by this section. A law enforcement officer may
38 issue a bicycle safety brochure and a verbal warning to a
39 bicycle rider who violates this subsection. A bicycle rider who
40 violates this subsection may be issued a citation by a law
41 enforcement officer and assessed a fine for a pedestrian
42 violation, as provided in s. 318.18. The court shall dismiss the
43 charge against a bicycle rider for a first violation of this
44 subsection upon proof of purchase and installation of the proper
45 lighting equipment.

46 Section 2. This act shall take effect October 1, 2012.