

Amendment No.

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	<u> </u>	(Y/N)
ADOPTED AS AMENDED	<u> </u>	(Y/N)
ADOPTED W/O OBJECTION	<u> </u>	(Y/N)
FAILED TO ADOPT	<u> </u>	(Y/N)
WITHDRAWN	<u> </u>	(Y/N)
OTHER	<u> </u>	

1 Committee/Subcommittee hearing bill: Transportation & Highway
 2 Safety Subcommittee
 3 Representative Rader offered the following:

Amendment (with title amendment)

Remove lines 17-51 and insert:

Section 1. Section 316.3045, Florida Statutes, is amended to read:

316.3045 Operation of radios or other mechanical soundmaking devices or instruments in vehicles; exemptions.—

(1) A ~~It is unlawful for any person who operates or occupies operating or occupying~~ a motor vehicle on a street or highway may not ~~to~~ operate or amplify the sound produced by a radio, tape player, or other mechanical soundmaking device or instrument from within the motor vehicle so that the sound is:

(a) ~~plainly~~ audible at a distance of 25 feet or more from the motor vehicle; ~~or~~

(b) ~~Louder than necessary for the convenient hearing by persons inside the vehicle in areas adjoining churches, schools, or hospitals.~~

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21 (2) ~~The provisions of~~ This section does ~~shall~~ not apply to
22 any law enforcement motor vehicle equipped with any
23 communication device necessary in the performance of law
24 enforcement duties or to any emergency vehicle equipped with any
25 communication device necessary in the performance of any
26 emergency procedures.

27 (3) ~~The provisions of this section do not apply to motor~~
28 ~~vehicles used for business or political purposes, which in the~~
29 ~~normal course of conducting such business use soundmaking~~
30 ~~devices. The provisions of~~ This subsection does ~~shall~~ not be
31 ~~deemed to~~ prevent local authorities, with respect to streets and
32 highways under their jurisdiction and within the reasonable
33 exercise of the police power, from regulating the time, place,
34 and manner in which a device or instrument described in
35 subsection (1) ~~such business~~ may be operated.

36 (4) ~~The provisions of~~ This section does ~~do~~ not apply to
37 the noise made by a horn or other warning device required or
38 permitted by s. 316.271. The Department of Highway Safety and
39 Motor Vehicles shall adopt ~~promulgate~~ rules defining "plainly
40 audible" and shall establish standards regarding how sound
41 should be measured by law enforcement personnel who enforce the
42 provisions of this section.

43 (5) A violation of this section is a noncriminal traffic
44 infraction, punishable as a nonmoving violation as provided in
45 chapter 318.

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T I T L E A M E N D M E N T

Remove line 2 and insert:

An act relating to motor vehicles; amending s. 316.3045, F.S.;
revising provisions relating to the operation of radios or other
soundmaking devices in vehicles; deleting a standard for
determining prohibited sound levels; deleting an exception for
vehicles operated for business or political purposes;
authorizing local authorities to regulate the place where such
soundmaking devices may be operated; providing an effective
date.