

1 A bill to be entitled
 2 An act relating to sound devices in motor vehicles;
 3 amending s. 316.3045, F.S.; revising restrictions on
 4 operation of devices that produce or amplify sound
 5 within a motor vehicle; providing exceptions;
 6 specifying that local authorities may regulate the
 7 time, place, and manner in which such devices may be
 8 used within their respective jurisdictions; providing
 9 penalties; 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. Section 316.3045, Florida Statutes, is amended
 14 to read:

15 316.3045 Operation of radios or other mechanical
 16 soundmaking devices or instruments in vehicles; exemptions.—

17 (1) It is unlawful for any person operating or occupying a
 18 motor vehicle on a street or highway to operate or amplify the
 19 sound produced by a radio, tape player, or other mechanical
 20 soundmaking device or instrument from within the motor vehicle
 21 so that the sound is:

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

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

27 (2) ~~The provisions of~~ This section does ~~shall~~ not apply to
 28 any law enforcement motor vehicle equipped with any

29 | communication device necessary in the performance of law
 30 | enforcement duties or to any emergency vehicle equipped with any
 31 | communication device necessary in the performance of any
 32 | emergency procedures.

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

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

49 | (5) A violation of this section is a noncriminal traffic
 50 | infraction, punishable as a nonmoving violation as provided in
 51 | chapter 318.

52 | Section 2. This act shall take effect July 1, 2013.