

1 A bill to be entitled
 2 An act relating to motor vehicles; amending s.
 3 316.3045, F.S.; revising provisions relating to the
 4 operation of radios or other soundmaking devices in
 5 vehicles; deleting a standard for determining
 6 prohibited sound levels; deleting an exception for
 7 vehicles operated for business or political purposes;
 8 authorizing local authorities to regulate the place
 9 where such soundmaking devices may be operated;
 10 providing an effective date.

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

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

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

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

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

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

28 (2) ~~The provisions of~~ This section does ~~shall~~ not apply to

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

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

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

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

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