



780262

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
03/29/2013	.	
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Appropriations Subcommittee on Transportation, Tourism, and Economic Development (Sobel) recommended the following:

**Senate Amendment (with title amendment)**

Between lines 491 and 492  
insert:

Section 8. Section 316.2015, Florida Statutes, is amended  
to read:

316.2015 Unlawful for person to ride on exterior of  
vehicle.-

(1) It is unlawful for any operator of a passenger vehicle  
to permit any person to ride on the bumper, radiator, fender,  
hood, top, trunk, or running board of such vehicle when operated  
upon any street or highway which is maintained by the state,



780262

13 county, or municipality. Any person who violates this subsection  
14 shall be cited for a moving violation, punishable as provided in  
15 chapter 318.

16 (2) (a) No person shall ride on any vehicle upon any portion  
17 thereof not designed or intended for the use of passengers. This  
18 paragraph does not apply to an employee of a fire department, an  
19 employee of a governmentally operated solid waste disposal  
20 department or a waste disposal service operating pursuant to a  
21 contract with a governmental entity, or to a volunteer  
22 firefighter when the employee or firefighter is engaged in the  
23 necessary discharge of a duty, and does not apply to a person  
24 who is being transported in response to an emergency by a public  
25 agency or pursuant to the direction or authority of a public  
26 agency. This paragraph does not apply to an employee engaged in  
27 the necessary discharge of a duty or to a person or persons  
28 riding within truck bodies in space intended for merchandise.

29 (b) It is unlawful for any operator of a pickup truck or  
30 flatbed truck to permit a minor child who has not attained 18  
31 years of age to ride upon limited access facilities of the state  
32 within the open body of a pickup truck or flatbed truck unless  
33 the minor is restrained within the open body in the back of a  
34 truck that has been modified to include secure seating and  
35 safety restraints to prevent the passenger from being thrown,  
36 falling, or jumping from the truck. This paragraph does not  
37 apply in a medical emergency if the child is accompanied within  
38 the truck by an adult. A county is exempt from this paragraph if  
39 the governing body of the county, by majority vote, following a  
40 noticed public hearing, votes to exempt the county from this  
41 paragraph.



780262

42       (c) It is unlawful for any operator of a pickup truck or  
43 flatbed truck to permit a minor child who has not attained 6  
44 years of age to ride upon any street or highway with a posted  
45 speed limit of greater than forty five miles per hour which is  
46 maintained by the state, county, or municipality within the open  
47 body of a pickup truck or flatbed truck unless the minor is  
48 restrained within the open body in the back of a truck that has  
49 been modified to include secure seating and safety restraints to  
50 prevent the minor from being thrown, falling, or jumping from  
51 the truck. This paragraph does not apply in a medical emergency  
52 if the child is accompanied within the truck by an adult, or on  
53 an unpaved road. A county is exempt from this paragraph if the  
54 governing body of the county, by majority vote, following a  
55 noticed public hearing, votes to exempt the county from this  
56 paragraph. An operator of a pickup truck is exempt from this  
57 paragraph if the pickup truck is the only vehicle owned by the  
58 operator or his or her immediate family.

59       (d)~~(e)~~ Any person who violates this subsection shall be  
60 cited for a nonmoving violation, punishable as provided in  
61 chapter 318.

62       (3) This section does ~~shall~~ not apply to a performer  
63 engaged in a professional exhibition or person participating in  
64 an exhibition or parade, or any such person preparing to  
65 participate in such exhibitions or parades.

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

68 And the title is amended as follows:

69       Delete line 22

70 and insert:



780262

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amending s. 316.2015, F.S.; prohibiting the operator  
of a pickup truck or flatbed truck from permitting a  
child who is younger than 6 years of age from riding  
within the open body of the truck under certain  
circumstances; amending s. 316.302, F.S.; revising  
provisions for