

Amendment No. 3

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WITHDRAWN	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 & Economic  
 2 Development Appropriations Subcommittee  
 3 Representative Torres offered the following:

**Amendment (with title amendment)**

Between lines 517 and 518, insert:

Section 1. Subsection (2) of section 316.2015, Florida Statutes, is amended to read:

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

(2) (a) No person shall ride on any vehicle upon any portion thereof not designed or intended for the use of passengers. This paragraph does not apply to an employee of a fire department, an employee of a governmentally operated solid waste disposal department or a waste disposal service operating pursuant to a contract with a governmental entity, or to a volunteer firefighter when the employee or firefighter is engaged in the necessary discharge of a duty, and does not apply to a person who is being transported in response to an emergency by a public agency or pursuant to the direction or authority of

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21 a public agency. This paragraph does not apply to an employee  
22 engaged in the necessary discharge of a duty or to a person or  
23 persons riding within truck bodies in space intended for  
24 merchandise.

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

38 (c) It is unlawful for any operator of a pickup truck or  
39 flatbed truck to permit a minor child who has not attained 6  
40 years of age to ride within the open body of a pickup truck or  
41 flatbed truck unless the minor is restrained within the open  
42 body in the back of a truck that has been modified to include  
43 secure seating and safety restraints to prevent the minor from  
44 being thrown, falling, or jumping from the truck. This paragraph  
45 does not apply in a medical emergency if the child is  
46 accompanied within the truck by an adult, or on an unpaved road,  
47 or upon any street or highway with a posted speed limit of less  
48 than fifty five miles per hour which is maintained by the state,

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49 county, or municipality. A county is exempt from this paragraph  
50 if the governing body of the county, by majority vote, following  
51 a noticed public hearing, votes to exempt the county from this  
52 paragraph. An operator of a pickup truck is exempt from this  
53 paragraph if the pickup truck is the only vehicle owned by the  
54 operator or his or her immediate family.

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

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**T I T L E   A M E N D M E N T**

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Remove line 17 and insert:  
devices; 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. 316.2397, F.S.;

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