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2 An act relating to off-highway vehicles; amending s.
3 261.03, F.S.; revising the terms "ATV" and "ROV";
4 amending s. 261.20, F.S.; revising a violation for
5 carrying an operator and more than a single passenger
6 on certain off-highway vehicles to prohibit carrying
7 more passengers than the vehicle is designed to carry;
8 amending a penalty provision to apply to off-highway
9 vehicles; amending s. 316.2074, F.S.; revising the
10 term "all-terrain vehicle"; amending s. 317.0003,
11 F.S.; revising the terms "ATV" and "ROV"; providing an
12 effective date.

13
14 Be It Enacted by the Legislature of the State of Florida:

15
16 Section 1. Subsections (2) and (8) of section 261.03,
17 Florida Statutes, are amended to read:

18 261.03 Definitions.—As used in this chapter, the term:

19 (2) "ATV" means any motorized off-highway or all-terrain
20 vehicle 50 inches or less in width, having a dry weight of 1,200
21 pounds or less, designed to travel on three or more nonhighway
22 tires, and manufactured for recreational use by one or more
23 persons having a seat designed to be straddled by the operator
24 and handlebars for steering control, and intended for use by a
25 single operator with no passenger.

26 (8) "ROV" means any motorized recreational off-highway
27 vehicle 65 ~~64~~ inches or less in width, having a dry weight of
28 2,000 pounds or less, designed to travel on four or more
29 nonhighway tires, ~~having nonstraddle seating and a steering~~

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30 ~~wheel~~, and manufactured for recreational use by one or more
31 persons. The term "ROV" does not include a golf cart as defined
32 in ss. 320.01 and 316.003~~(68)~~ or a low-speed vehicle as defined
33 in s. 320.01.

34 Section 2. Subsections (5) and (6) of section 261.20,
35 Florida Statutes, are amended to read:

36 261.20 Operations of off-highway vehicles on public lands;
37 restrictions; safety courses; required equipment; prohibited
38 acts; penalties.—

39 (5) It is a violation of this section:

40 (a) To carry more passengers ~~a passenger~~ on an off-highway
41 vehicle than, ~~unless~~ the machine is specifically designed by the
42 manufacturer to carry ~~an operator and a single passenger~~.

43 (b) To operate an off-highway vehicle while under the
44 influence of alcohol, a controlled substance, or any
45 prescription or over-the-counter drug that impairs vision or
46 motor condition.

47 (c) For a person who has not attained 16 years of age, to
48 operate an off-highway vehicle without wearing eye protection,
49 over-the-ankle boots, and a safety helmet that is approved by
50 the United States Department of Transportation or Snell Memorial
51 Foundation.

52 (d) To operate an off-highway vehicle in a careless or
53 reckless manner that endangers or causes injury or damage to
54 another person or property.

55 (6) Any person who violates this section commits a
56 noncriminal infraction and is subject to a fine of not less than
57 \$100 and may have his or her privilege to operate an off-highway
58 vehicle ~~ATV~~ on public lands revoked. However, a person who

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59 commits such acts with intent to defraud, or who commits a
60 second or subsequent violation, is subject to a fine of not less
61 than \$500 and may have his or her privilege to operate an off-
62 highway vehicle ~~ATV~~ on public lands revoked.

63 Section 3. Subsection (2) of section 316.2074, Florida
64 Statutes, is amended to read:

65 316.2074 All-terrain vehicles.—

66 (2) As used in this section, the term "all-terrain vehicle"
67 means any motorized off-highway vehicle 50 inches or less in
68 width, having a dry weight of 1,200 pounds or less, designed to
69 travel on three or more nonhighway tires, and manufactured for
70 recreational use by one or more persons ~~having a seat designed~~
71 ~~to be straddled by the operator and handlebars for steering~~
72 ~~control, and intended for use by a single operator with no~~
73 ~~passenger~~. For the purposes of this section, "all-terrain
74 vehicle" also includes a ~~any~~ "two-rider ATV" as defined in s.
75 317.0003.

76 Section 4. Subsections (1) and (9) of section 317.0003,
77 Florida Statutes, are amended to read:

78 317.0003 Definitions.—As used in this chapter, the term:

79 (1) "ATV" means any motorized off-highway or all-terrain
80 vehicle 50 inches or less in width, having a dry weight of 1,200
81 pounds or less, designed to travel on three or more nonhighway
82 tires, and manufactured for recreational use by one or more
83 persons ~~having a seat designed to be straddled by the operator~~
84 ~~and handlebars for steering control, and intended for use by a~~
85 ~~single operator and with no passenger~~.

86 (9) "ROV" means any motorized recreational off-highway
87 vehicle 65 ~~64~~ inches or less in width, having a dry weight of

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88 2,000 pounds or less, designed to travel on four or more
89 nonhighway tires, ~~having nonstraddle seating and a steering~~
90 ~~wheel,~~ and manufactured for recreational use by one or more
91 persons. The term "ROV" does not include a golf cart as defined
92 in ss. 320.01 and 316.003~~(68)~~ or a low-speed vehicle as defined
93 in s. 320.01.

94 Section 5. This act shall take effect July 1, 2014.