

1 A bill to be entitled
 2 An act relating to off-highway vehicles; amending ss.
 3 261.03, 316.2074, and 317.0003, F.S.; revising the
 4 definitions of the terms "ATV" and "ROV" for purposes
 5 of provisions relating to registration and use of off-
 6 highway vehicles; amending s. 261.20, F.S.;
 7 prohibiting an off-highway vehicle from carrying more
 8 persons than it is designed to carry; 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. Subsections (2) and (8) of section 261.03,
 14 Florida Statutes, are amended to read:

15 261.03 Definitions.—As used in this chapter, the term:

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

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

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

31 Section 2. Paragraph (a) of subsection (5) and subsection
 32 (6) of section 261.20, Florida Statutes, are amended to read:

33 261.20 Operations of off-highway vehicles on public lands;
 34 restrictions; safety courses; required equipment; prohibited
 35 acts; penalties.—

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

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

40 (6) Any person who violates this section commits a
 41 noncriminal infraction and is subject to a fine of not less than
 42 \$100 and may have his or her privilege to operate an off-highway
 43 vehicle ~~ATV~~ on public lands revoked. However, a person who
 44 commits such acts with intent to defraud, or who commits a
 45 second or subsequent violation, is subject to a fine of not less
 46 than \$500 and may have his or her privilege to operate an off-
 47 highway vehicle ~~ATV~~ on public lands revoked.

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

50 316.2074 All-terrain vehicles.—

51 (2) As used in this section, the term "all-terrain
 52 vehicle" means any motorized off-highway vehicle 50 inches or

53 less in width, which has ~~having~~ a dry weight of 1,200 pounds or
54 less, is designed to travel on three or more nonhighway tires,
55 and is manufactured for recreational use by one or more persons
56 ~~having a seat designed to be straddled by the operator and~~
57 ~~handlebars for steering control, and intended for use by a~~
58 ~~single operator with no passenger.~~ For the purposes of this
59 section, "all-terrain vehicle" also includes a ~~any~~ "two-rider
60 ATV" as defined in s. 317.0003.

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

63 317.0003 Definitions.—As used in this chapter, the term:

64 (1) "ATV" means any motorized off-highway or all-terrain
65 vehicle 50 inches or less in width, which has ~~having~~ a dry
66 weight of 1,200 pounds or less, is designed to travel on three
67 or more nonhighway tires, and is manufactured for recreational
68 use by one or more persons ~~having a seat designed to be~~
69 ~~straddled by the operator and handlebars for steering control,~~
70 ~~and intended for use by a single operator and with no passenger.~~

71 (9) "ROV" means any motorized recreational off-highway
72 vehicle 65 ~~64~~ inches or less in width, which has ~~having~~ a dry
73 weight of 2,000 pounds or less, is designed to travel on four or
74 more nonhighway tires, ~~having nonstraddle seating and a steering~~
75 ~~wheel,~~ and is manufactured for recreational use by one or more
76 persons. The term "ROV" does not include a golf cart as defined
77 in ss. 320.01 and 316.003(68) or a low-speed vehicle as defined
78 in s. 320.01.

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