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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
01/27/2016	.	
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The Committee on Transportation (Grimsley) recommended the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

Section 1. Section 316.003, Florida Statutes, is amended to
read:

316.003 Definitions.—The following words and phrases, when
used in this chapter, shall have the meanings respectively
ascribed to them in this section, except where the context
otherwise requires:



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11 (1) AUTHORIZED EMERGENCY VEHICLES.—Vehicles of the fire
12 department (fire patrol), police vehicles, and such ambulances
13 and emergency vehicles of municipal departments, public service
14 corporations operated by private corporations, the Fish and
15 Wildlife Conservation Commission, the Department of
16 Environmental Protection, the Department of Health, the
17 Department of Transportation, and the Department of Corrections
18 as are designated or authorized by their respective department
19 or the chief of police of an incorporated city or any sheriff of
20 any of the various counties.

21 ~~(3)~~ (2) BICYCLE.—Every vehicle propelled solely by human
22 power, and every motorized bicycle propelled by a combination of
23 human power and an electric helper motor capable of propelling
24 the vehicle at a speed of not more than 20 miles per hour on
25 level ground upon which any person may ride, having two tandem
26 wheels, and including any device generally recognized as a
27 bicycle though equipped with two front or two rear wheels. The
28 term does not include such a vehicle with a seat height of no
29 more than 25 inches from the ground when the seat is adjusted to
30 its highest position or a scooter or similar device. No person
31 under the age of 16 may operate or ride upon a motorized
32 bicycle.

33 ~~(8)~~ (3) BUS.—Any motor vehicle designed for carrying more
34 than 10 passengers and used for the transportation of persons
35 and any motor vehicle, other than a taxicab, designed and used
36 for the transportation of persons for compensation.

37 ~~(9)~~ (4) BUSINESS DISTRICT.—The territory contiguous to, and
38 including, a highway when 50 percent or more of the frontage
39 thereon, for a distance of 300 feet or more, is occupied by



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40 buildings in use for business.

41 (4) BICYCLE LANE.—A portion of a roadway or highway that
42 has been designated by pavement markings and signs for the
43 preferential or exclusive use by bicycles.

44 (10)-(5) CANCELLATION.—Cancellation means that a license
45 which was issued through error or fraud is declared void and
46 terminated. A new license may be obtained only as permitted in
47 this chapter.

48 (15)-(6) CROSSWALK.—

49 (a) That part of a roadway at an intersection included
50 within the connections of the lateral lines of the sidewalks on
51 opposite sides of the highway, measured from the curbs or, in
52 the absence of curbs, from the edges of the traversable roadway.

53 (b) Any portion of a roadway at an intersection or
54 elsewhere distinctly indicated for pedestrian crossing by lines
55 or other markings on the surface.

56 (6) BODILY INJURY.—Except for purposes of any statute
57 referring to the term "serious bodily injury," the term "bodily
58 injury" means an injury to a human being consisting of a broken
59 bone, a torn ligament, a concussion, a laceration requiring
60 stitches, or any other physical injury that results in
61 impairment of the function of a bodily member, organ, or mental
62 faculty, no matter how temporary.

63 (16)-(7) DAYTIME.—The period from a half hour before sunrise
64 to a half hour after sunset. Nighttime means at any other hour.

65 (17)-(8) DEPARTMENT.—The Department of Highway Safety and
66 Motor Vehicles as defined in s. 20.24. Any reference herein to
67 Department of Transportation shall be construed as referring to
68 the Department of Transportation, defined in s. 20.23, or the



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69 appropriate division thereof.

70 (18)~~(9)~~ DIRECTOR.—The Director of the Division of the
71 Florida Highway Patrol of the Department of Highway Safety and
72 Motor Vehicles.

73 (19)~~(10)~~ DRIVER.—Any person who drives or is in actual
74 physical control of a vehicle on a highway or who is exercising
75 control of a vehicle or steering a vehicle being towed by a
76 motor vehicle.

77 (21)~~(11)~~ EXPLOSIVE.—Any chemical compound or mechanical
78 mixture that is commonly used or intended for the purpose of
79 producing an explosion and which contains any oxidizing and
80 combustive units or other ingredients in such proportions,
81 quantities, or packing that an ignition by fire, friction,
82 concussion, percussion, or detonator of any part of the compound
83 or mixture may cause such a sudden generation of highly heated
84 gases that the resultant gaseous pressures are capable of
85 producing destructive effect on contiguous objects or of
86 destroying life or limb.

87 (23)~~(12)~~ FARM TRACTOR.—Any motor vehicle designed and used
88 primarily as a farm implement for drawing plows, mowing
89 machines, and other implements of husbandry.

90 (24)~~(13)~~ FLAMMABLE LIQUID.—Any liquid which has a flash
91 point of 70 degrees Fahrenheit or less, as determined by a
92 Tagliabue or equivalent closed-cup test device.

93 (26)~~(14)~~ GROSS WEIGHT.—The weight of a vehicle without load
94 plus the weight of any load thereon.

95 (28)~~(15)~~ HOUSE TRAILER.—

96 (a) A trailer or semitrailer which is designed,
97 constructed, and equipped as a dwelling place, living abode, or



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98 sleeping place (either permanently or temporarily) and is
99 equipped for use as a conveyance on streets and highways, or

100 (b) A trailer or a semitrailer the chassis and exterior
101 shell of which is designed and constructed for use as a house
102 trailer, as defined in paragraph (a), but which is used instead,
103 permanently or temporarily, for the advertising, sales, display,
104 or promotion of merchandise or services or for any other
105 commercial purpose except the transportation of property for
106 hire or the transportation of property for distribution by a
107 private carrier.

108 (29)~~(16)~~ IMPLEMENT OF HUSBANDRY.—Any vehicle designed and
109 adapted exclusively for agricultural, horticultural, or
110 livestock-raising operations or for lifting or carrying an
111 implement of husbandry and in either case not subject to
112 registration if used upon the highways.

113 (30)~~(17)~~ INTERSECTION.—

114 (a) The area embraced within the prolongation or connection
115 of the lateral curblines; or, if none, then the lateral boundary
116 lines of the roadways of two highways which join one another at,
117 or approximately at, right angles; or the area within which
118 vehicles traveling upon different highways joining at any other
119 angle may come in conflict.

120 (b) Where a highway includes two roadways 30 feet or more
121 apart, then every crossing of each roadway of such divided
122 highway by an intersecting highway shall be regarded as a
123 separate intersection. In the event such intersecting highway
124 also includes two roadways 30 feet or more apart, then every
125 crossing of two roadways of such highways shall be regarded as a
126 separate intersection.



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127 (31)~~(18)~~ LANED HIGHWAY.—A highway the roadway of which is
128 divided into two or more clearly marked lanes for vehicular
129 traffic.

130 (32)~~(19)~~ LIMITED ACCESS FACILITY.—A street or highway
131 especially designed for through traffic and over, from, or to
132 which owners or occupants of abutting land or other persons have
133 no right or easement, or only a limited right or easement, of
134 access, light, air, or view by reason of the fact that their
135 property abuts upon such limited access facility or for any
136 other reason. Such highways or streets may be parkways from
137 which trucks, buses, and other commercial vehicles are excluded;
138 or they may be freeways open to use by all customary forms of
139 street and highway traffic.

140 (33)~~(20)~~ LOCAL AUTHORITIES.—Includes all officers and
141 public officials of the several counties and municipalities of
142 this state.

143 (39)~~(21)~~ MOTOR VEHICLE.—Except when used in s. 316.1001, a
144 self-propelled vehicle not operated upon rails or guideway, but
145 not including any bicycle, motorized scooter, electric personal
146 assistive mobility device, swamp buggy, or moped. For purposes
147 of s. 316.1001, "motor vehicle" has the same meaning as in s.
148 320.01(1)(a).

149 (40)~~(22)~~ MOTORCYCLE.—Any motor vehicle having a seat or
150 saddle for the use of the rider and designed to travel on not
151 more than three wheels in contact with the ground, but excluding
152 a tractor or a moped.

153 (43)~~(23)~~ OFFICIAL TRAFFIC CONTROL DEVICES.—All signs,
154 signals, markings, and devices, not inconsistent with this
155 chapter, placed or erected by authority of a public body or



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156 official having jurisdiction for the purpose of regulating,
157 warning, or guiding traffic.

158 (44)~~(24)~~ OFFICIAL TRAFFIC CONTROL SIGNAL.—Any device,
159 whether manually, electrically, or mechanically operated, by
160 which traffic is alternately directed to stop and permitted to
161 proceed.

162 (45)~~(25)~~ OPERATOR.—Any person who is in actual physical
163 control of a motor vehicle upon the highway, or who is
164 exercising control over or steering a vehicle being towed by a
165 motor vehicle.

166 (46)~~(26)~~ OWNER.—A person who holds the legal title of a
167 vehicle, or, in the event a vehicle is the subject of an
168 agreement for the conditional sale or lease thereof with the
169 right of purchase upon performance of the conditions stated in
170 the agreement and with an immediate right of possession vested
171 in the conditional vendee or lessee, or in the event a mortgagor
172 of a vehicle is entitled to possession, then such conditional
173 vendee, or lessee, or mortgagor shall be deemed the owner, for
174 the purposes of this chapter.

175 (47)~~(27)~~ PARK OR PARKING.—The standing of a vehicle,
176 whether occupied or not, otherwise than temporarily for the
177 purpose of and while actually engaged in loading or unloading
178 merchandise or passengers as may be permitted by law under this
179 chapter.

180 (48)~~(28)~~ PEDESTRIAN.—Any person afoot.

181 (49)~~(29)~~ PERSON.—Any natural person, firm, copartnership,
182 association, or corporation.

183 (50)~~(30)~~ PNEUMATIC TIRE.—Any tire in which compressed air
184 is designed to support the load.



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185 (51)~~(31)~~ POLE TRAILER.—Any vehicle without motive power
186 designed to be drawn by another vehicle and attached to the
187 towing vehicle by means of a reach or pole, or by being boomed
188 or otherwise secured to the towing vehicle, and ordinarily used
189 for transporting long or irregularly shaped loads such as poles,
190 pipes, or structural members capable, generally, of sustaining
191 themselves as beams between the supporting connections.

192 (52)~~(32)~~ POLICE OFFICER.—Any officer authorized to direct
193 or regulate traffic or to make arrests for violations of traffic
194 regulations, including Florida highway patrol officers,
195 sheriffs, deputy sheriffs, and municipal police officers.

196 (53)~~(33)~~ PRIVATE ROAD OR DRIVEWAY.—Except as otherwise
197 provided in paragraph (75) (b) ~~(53) (b)~~, any privately owned way
198 or place used for vehicular travel by the owner and those having
199 express or implied permission from the owner, but not by other
200 persons.

201 (54)~~(34)~~ RADIOACTIVE MATERIALS.—Any materials or
202 combination of materials which emit ionizing radiation
203 spontaneously in which the radioactivity per gram of material,
204 in any form, is greater than 0.002 microcuries.

205 (55)~~(35)~~ RAILROAD.—A carrier of persons or property upon
206 cars operated upon stationary rails.

207 (56)~~(36)~~ RAILROAD SIGN OR SIGNAL.—Any sign, signal, or
208 device erected by authority of a public body or official, or by
209 a railroad, and intended to give notice of the presence of
210 railroad tracks or the approach of a railroad train.

211 (57)~~(37)~~ RAILROAD TRAIN.—A steam engine, electric or other
212 motor, with or without cars coupled thereto, operated upon
213 rails, except a streetcar.



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214 (58)~~(38)~~ RESIDENCE DISTRICT.—The territory contiguous to,
215 and including, a highway, not comprising a business district,
216 when the property on such highway, for a distance of 300 feet or
217 more, is, in the main, improved with residences or residences
218 and buildings in use for business.

219 (59)~~(39)~~ REVOCATION.—Revocation means that a licensee's
220 privilege to drive a motor vehicle is terminated. A new license
221 may be obtained only as permitted by law.

222 (60)~~(40)~~ RIGHT-OF-WAY.—The right of one vehicle or
223 pedestrian to proceed in a lawful manner in preference to
224 another vehicle or pedestrian approaching under such
225 circumstances of direction, speed, and proximity as to give rise
226 to danger of collision unless one grants precedence to the
227 other.

228 (61)~~(41)~~ ROAD TRACTOR.—Any motor vehicle designed and used
229 for drawing other vehicles and not so constructed as to carry
230 any load thereon, either independently or as any part of the
231 weight of a vehicle or load so drawn.

232 (62)~~(42)~~ ROADWAY.—That portion of a highway improved,
233 designed, or ordinarily used for vehicular travel, exclusive of
234 the berm or shoulder. In the event a highway includes two or
235 more separate roadways, the term "roadway" as used herein refers
236 to any such roadway separately, but not to all such roadways
237 collectively.

238 (63)~~(43)~~ SADDLE MOUNT; FULL MOUNT.—An arrangement whereby
239 the front wheels of one vehicle rest in a secured position upon
240 another vehicle. All of the wheels of the towing vehicle are
241 upon the ground, and only the rear wheels of the towed vehicle
242 rest upon the ground. Such combinations may include one full



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243 mount, whereby a smaller transport vehicle is placed completely
244 on the last towed vehicle.

245 ~~(64)(44)~~ SAFETY ZONE.—The area or space officially set
246 apart within a roadway for the exclusive use of pedestrians and
247 protected or so marked by adequate signs or authorized pavement
248 markings as to be plainly visible at all times while set apart
249 as a safety zone.

250 ~~(66)(45)~~ SCHOOL BUS.—Any motor vehicle that complies with
251 the color and identification requirements of chapter 1006 and is
252 used to transport children to or from public or private school
253 or in connection with school activities, but not including buses
254 operated by common carriers in urban transportation of school
255 children. The term "school" includes all preelementary,
256 elementary, secondary, and postsecondary schools.

257 ~~(67)(46)~~ SEMITRAILER.—Any vehicle with or without motive
258 power, other than a pole trailer, designed for carrying persons
259 or property and for being drawn by a motor vehicle and so
260 constructed that some part of its weight and that of its load
261 rests upon, or is carried by, another vehicle.

262 ~~(68)(47)~~ SIDEWALK.—That portion of a street between the
263 curblines, or the lateral lines, of a roadway and the adjacent
264 property lines, intended for use by pedestrians.

265 ~~(69)(48)~~ SPECIAL MOBILE EQUIPMENT.—Any vehicle not designed
266 or used primarily for the transportation of persons or property
267 and only incidentally operated or moved over a highway,
268 including, but not limited to, ditchdigging apparatus, well-
269 boring apparatus, and road construction and maintenance
270 machinery, such as asphalt spreaders, bituminous mixers, bucket
271 loaders, tractors other than truck tractors, ditchers, leveling



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272 graders, finishing machines, motor graders, road rollers,
273 scarifiers, earthmoving carryalls and scrapers, power shovels
274 and draglines, and self-propelled cranes and earthmoving
275 equipment. The term does not include house trailers, dump
276 trucks, truck-mounted transit mixers, cranes or shovels, or
277 other vehicles designed for the transportation of persons or
278 property to which machinery has been attached.

279 ~~(70)(49)~~ STAND OR STANDING.—The halting of a vehicle,
280 whether occupied or not, otherwise than temporarily, for the
281 purpose of, and while actually engaged in, receiving or
282 discharging passengers, as may be permitted by law under this
283 chapter.

284 ~~(71)(50)~~ STATE ROAD.—Any highway designated as a state-
285 maintained road by the Department of Transportation.

286 ~~(72)(51)~~ STOP.—When required, complete cessation from
287 movement.

288 ~~(73)(52)~~ STOP OR STOPPING.—When prohibited, any halting,
289 even momentarily, of a vehicle, whether occupied or not, except
290 when necessary to avoid conflict with other traffic or to comply
291 with the directions of a law enforcement officer or traffic
292 control sign or signal.

293 ~~(75)(53)~~ STREET OR HIGHWAY.—

294 (a) The entire width between the boundary lines of every
295 way or place of whatever nature when any part thereof is open to
296 the use of the public for purposes of vehicular traffic;

297 (b) The entire width between the boundary lines of any
298 privately owned way or place used for vehicular travel by the
299 owner and those having express or implied permission from the
300 owner, but not by other persons, or any limited access road



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301 owned or controlled by a special district, whenever, by written
302 agreement entered into under s. 316.006(2)(b) or (3)(b), a
303 county or municipality exercises traffic control jurisdiction
304 over said way or place;

305 (c) Any area, such as a runway, taxiway, ramp, clear zone,
306 or parking lot, within the boundary of any airport owned by the
307 state, a county, a municipality, or a political subdivision,
308 which area is used for vehicular traffic but which is not open
309 for vehicular operation by the general public; or

310 (d) Any way or place used for vehicular traffic on a
311 controlled access basis within a mobile home park recreation
312 district which has been created under s. 418.30 and the
313 recreational facilities of which district are open to the
314 general public.

315 ~~(76)(54)~~ SUSPENSION.—Temporary withdrawal of a licensee's
316 privilege to drive a motor vehicle.

317 ~~(82)(55)~~ THROUGH HIGHWAY.—Any highway or portion thereof on
318 which vehicular traffic is given the right-of-way and at the
319 entrances to which vehicular traffic from intersecting highways
320 is required to yield right-of-way to vehicles on such through
321 highway in obedience to either a stop sign or yield sign, or
322 otherwise in obedience to law.

323 ~~(83)(56)~~ TIRE WIDTH.—Tire width is that width stated on the
324 surface of the tire by the manufacturer of the tire, if the
325 width stated does not exceed 2 inches more than the width of the
326 tire contacting the surface.

327 ~~(84)(57)~~ TRAFFIC.—Pedestrians, ridden or herded animals,
328 and vehicles, streetcars, and other conveyances either singly or
329 together while using any street or highway for purposes of



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330 travel.

331 (87)~~(58)~~ TRAILER.—Any vehicle with or without motive power,
332 other than a pole trailer, designed for carrying persons or
333 property and for being drawn by a motor vehicle.

334 (90)~~(59)~~ TRUCK.—Any motor vehicle designed, used, or
335 maintained primarily for the transportation of property.

336 (91)~~(60)~~ TRUCK TRACTOR.—Any motor vehicle designed and used
337 primarily for drawing other vehicles and not so constructed as
338 to carry a load other than a part of the weight of the vehicle
339 and load so drawn.

340 (36)~~(61)~~ MIGRANT OR SEASONAL FARM WORKER.—Any person
341 employed in hand labor operations in planting, cultivation, or
342 harvesting agricultural crops.

343 (22)~~(62)~~ FARM LABOR VEHICLE.—Any vehicle equipped and used
344 for the transportation of nine or more migrant or seasonal farm
345 workers, in addition to the driver, to or from a place of
346 employment or employment-related activities. The term does not
347 include:

348 (a) Any vehicle carrying only members of the immediate
349 family of the owner or driver.

350 (b) Any vehicle being operated by a common carrier of
351 passengers.

352 (c) Any carpool as defined in s. 450.28(3).

353 (5)~~(63)~~ BICYCLE PATH.—Any road, path, or way that is open
354 to bicycle travel, which road, path, or way is physically
355 separated from motorized vehicular traffic by an open space or
356 by a barrier and is located either within the highway right-of-
357 way or within an independent right-of-way.

358 (11)~~(64)~~ CHIEF ADMINISTRATIVE OFFICER.—The head, or his or



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359 her designee, of any law enforcement agency which is authorized
360 to enforce traffic laws.

361 (12)~~(65)~~ CHILD.—A child as defined in s. 39.01, s. 984.03,
362 or s. 985.03.

363 (13)~~(66)~~ COMMERCIAL MOTOR VEHICLE.—Any self-propelled or
364 towed vehicle used on the public highways in commerce to
365 transport passengers or cargo, if such vehicle:

366 (a) Has a gross vehicle weight rating of 10,000 pounds or
367 more;

368 (b) Is designed to transport more than 15 passengers,
369 including the driver; or

370 (c) Is used in the transportation of materials found to be
371 hazardous for the purposes of the Hazardous Materials
372 Transportation Act, as amended (49 U.S.C. ss. 1801 et seq.).

373
374 A vehicle that occasionally transports personal property to and
375 from a closed-course motorsport facility, as defined in s.
376 549.09(1)(a), is not a commercial motor vehicle if it is not
377 used for profit and corporate sponsorship is not involved. As
378 used in this subsection, the term "corporate sponsorship" means
379 a payment, donation, gratuity, in-kind service, or other benefit
380 provided to or derived by a person in relation to the underlying
381 activity, other than the display of product or corporate names,
382 logos, or other graphic information on the property being
383 transported.

384 (14)~~(67)~~ COURT.—The court having jurisdiction over traffic
385 offenses.

386 (25)~~(68)~~ GOLF CART.—A motor vehicle designed and
387 manufactured for operation on a golf course for sporting or



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388 recreational purposes.

389 ~~(27)~~~~(69)~~ HAZARDOUS MATERIAL.—Any substance or material
390 which has been determined by the secretary of the United States
391 Department of Transportation to be capable of imposing an
392 unreasonable risk to health, safety, and property. This term
393 includes hazardous waste as defined in s. 403.703(13).

394 ~~(74)~~~~(70)~~ STRAIGHT TRUCK.—Any truck on which the cargo unit
395 and the motive power unit are located on the same frame so as to
396 form a single, rigid unit.

397 ~~(79)~~~~(71)~~ TANDEM TRAILER TRUCK.—Any combination of a truck
398 tractor, semitrailer, and trailer coupled together so as to
399 operate as a complete unit.

400 ~~(80)~~~~(72)~~ TANDEM TRAILER TRUCK HIGHWAY NETWORK.—A highway
401 network consisting primarily of four or more lanes, including
402 all interstate highways; highways designated by the United
403 States Department of Transportation as elements of the National
404 Network; and any street or highway designated by the Florida
405 Department of Transportation for use by tandem trailer trucks,
406 in accordance with s. 316.515, except roads on which truck
407 traffic was specifically prohibited on January 6, 1983.

408 ~~(81)~~~~(73)~~ TERMINAL.—Any location where:

409 (a) Freight either originates, terminates, or is handled in
410 the transportation process; or

411 (b) Commercial motor carriers maintain operating
412 facilities.

413 ~~(88)~~~~(74)~~ TRANSPORTATION.—The conveyance or movement of
414 goods, materials, livestock, or persons from one location to
415 another on any road, street, or highway open to travel by the
416 public.



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417 ~~(93)(75)~~ VEHICLE.—Every device, in, upon, or by which any
418 person or property is or may be transported or drawn upon a
419 highway, excepting devices used exclusively upon stationary
420 rails or tracks.

421 ~~(7)(76)~~ BRAKE HORSEPOWER.—The actual unit of torque
422 developed per unit of time at the output shaft of an engine, as
423 measured by a dynamometer.

424 ~~(37)(77)~~ MOPED.—Any vehicle with pedals to permit
425 propulsion by human power, having a seat or saddle for the use
426 of the rider and designed to travel on not more than three
427 wheels; with a motor rated not in excess of 2 brake horsepower
428 and not capable of propelling the vehicle at a speed greater
429 than 30 miles per hour on level ground; and with a power-drive
430 system that functions directly or automatically without
431 clutching or shifting gears by the operator after the drive
432 system is engaged. If an internal combustion engine is used, the
433 displacement may not exceed 50 cubic centimeters.

434 ~~(42)(78)~~ NONPUBLIC SECTOR BUS.—Any bus which is used for
435 the transportation of persons for compensation and which is not
436 owned, leased, operated, or controlled by a municipal, county,
437 or state government or a governmentally owned or managed
438 nonprofit corporation.

439 ~~(96)(79)~~ WORK ZONE AREA.—The area and its approaches on any
440 state-maintained highway, county-maintained highway, or
441 municipal street where construction, repair, maintenance, or
442 other street-related or highway-related work is being performed
443 or where one or more lanes is closed to traffic.

444 ~~(35)(80)~~ MAXI-CUBE VEHICLE.—A specialized combination
445 vehicle consisting of a truck carrying a separable cargo-



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446 carrying unit combined with a semitrailer designed so that the
447 separable cargo-carrying unit is to be loaded and unloaded
448 through the semitrailer. The entire combination may not exceed
449 65 feet in length, and a single component of that combination
450 may not exceed 34 feet in length.

451 (78)~~(81)~~ TANDEM AXLE.—Any two axles whose centers are more
452 than 40 inches but not more than 96 inches apart and are
453 individually attached to or articulated from, or both, a common
454 attachment to the vehicle, including a connecting mechanism
455 designed to equalize the load between axles.

456 (41)~~(82)~~ MOTORIZED SCOOTER.—Any vehicle not having a seat
457 or saddle for the use of the rider, designed to travel on not
458 more than three wheels, and not capable of propelling the
459 vehicle at a speed greater than 30 miles per hour on level
460 ground.

461 (20)~~(83)~~ ELECTRIC PERSONAL ASSISTIVE MOBILITY DEVICE.—Any
462 self-balancing, two-nontandem-wheeled device, designed to
463 transport only one person, with an electric propulsion system
464 with average power of 750 watts (1 horsepower), the maximum
465 speed of which, on a paved level surface when powered solely by
466 such a propulsion system while being ridden by an operator who
467 weighs 170 pounds, is less than 20 miles per hour. Electric
468 personal assistive mobility devices are not vehicles as defined
469 in this section.

470 (86)~~(84)~~ TRAFFIC SIGNAL PREEMPTION SYSTEM.—Any system or
471 device with the capability of activating a control mechanism
472 mounted on or near traffic signals which alters a traffic
473 signal's timing cycle.

474 (94)~~(85)~~ VICTIM SERVICES PROGRAMS.—Any community-based



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475 organization whose primary purpose is to act as an advocate for
476 the victims and survivors of traffic crashes and for their
477 families. The victims services offered by these programs may
478 include grief and crisis counseling, assistance with preparing
479 victim compensation claims excluding third-party legal action,
480 or connecting persons with other service providers, and
481 providing emergency financial assistance.

482 (38)~~(86)~~ MOTOR CARRIER TRANSPORTATION CONTRACT.—

483 (a) A contract, agreement, or understanding covering:

484 1. The transportation of property for compensation or hire
485 by the motor carrier;

486 2. Entrance on property by the motor carrier for the
487 purpose of loading, unloading, or transporting property for
488 compensation or hire; or

489 3. A service incidental to activity described in
490 subparagraph 1. or subparagraph 2., including, but not limited
491 to, storage of property.

492 (b) "Motor carrier transportation contract" does not
493 include the Uniform Intermodal Interchange and Facilities Access
494 Agreement administered by the Intermodal Association of North
495 America or other agreements providing for the interchange, use,
496 or possession of intermodal chassis, containers, or other
497 intermodal equipment.

498 (85)~~(87)~~ TRAFFIC INFRACTION DETECTOR.—A vehicle sensor
499 installed to work in conjunction with a traffic control signal
500 and a camera or cameras synchronized to automatically record two
501 or more sequenced photographic or electronic images or streaming
502 video of only the rear of a motor vehicle at the time the
503 vehicle fails to stop behind the stop bar or clearly marked stop



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504 line when facing a traffic control signal steady red light. Any
505 notification under s. 316.0083(1)(b) or traffic citation issued
506 by the use of a traffic infraction detector must include a
507 photograph or other recorded image showing both the license tag
508 of the offending vehicle and the traffic control device being
509 violated.

510 (89)~~(88)~~ TRI-VEHICLE.—An enclosed three-wheeled passenger
511 vehicle that:

512 (a) Is designed to operate with three wheels in contact
513 with the ground;

514 (b) Has a minimum unladen weight of 900 pounds;

515 (c) Has a single, completely enclosed, occupant
516 compartment;

517 (d) Is produced in a minimum quantity of 300 in any
518 calendar year;

519 (e) Is capable of a speed greater than 60 miles per hour on
520 level ground; and

521 (f) Is equipped with:

522 1. Seats that are certified by the vehicle manufacturer to
523 meet the requirements of Federal Motor Vehicle Safety Standard
524 No. 207, "Seating systems" (49 C.F.R. s. 571.207);

525 2. A steering wheel used to maneuver the vehicle;

526 3. A propulsion unit located forward or aft of the enclosed
527 occupant compartment;

528 4. A seat belt for each vehicle occupant certified to meet
529 the requirements of Federal Motor Vehicle Safety Standard No.
530 209, "Seat belt assemblies" (49 C.F.R. s. 571.209);

531 5. A windshield and an appropriate windshield wiper and
532 washer system that are certified by the vehicle manufacturer to



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533 meet the requirements of Federal Motor Vehicle Safety Standard
534 No. 205, "Glazing Materials" (49 C.F.R. s. 571.205) and Federal
535 Motor Vehicle Safety Standard No. 104, "Windshield Wiping and
536 Washing Systems" (49 C.F.R. s. 571.104); and

537 6. A vehicle structure certified by the vehicle
538 manufacturer to meet the requirements of Federal Motor Vehicle
539 Safety Standard No. 216, "Rollover crush resistance" (49 C.F.R.
540 s. 571.216).

541 ~~(77)-(89)~~ SWAMP BUGGY.—A motorized off-road vehicle that is
542 designed or modified to travel over swampy or varied terrain and
543 that may use large tires or tracks operated from an elevated
544 platform. The term does not include any vehicle defined in
545 chapter 261 or otherwise defined or classified in this chapter.

546 ~~(2)-(90)~~ AUTONOMOUS VEHICLE.—Any vehicle equipped with
547 autonomous technology. The term "autonomous technology" means
548 technology installed on a motor vehicle that has the capability
549 to drive the vehicle on which the technology is installed
550 without the active control or monitoring by a human operator.
551 The term excludes a motor vehicle enabled with active safety
552 systems or driver assistance systems, including, without
553 limitation, a system to provide electronic blind spot
554 assistance, crash avoidance, emergency braking, parking
555 assistance, adaptive cruise control, lane keep assistance, lane
556 departure warning, or traffic jam and queuing assistant, unless
557 any such system alone or in combination with other systems
558 enables the vehicle on which the technology is installed to
559 drive without the active control or monitoring by a human
560 operator.

561 ~~(34)-(91)~~ LOCAL HEARING OFFICER.—The person, designated by a



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562 department, county, or municipality that elects to authorize
563 traffic infraction enforcement officers to issue traffic
564 citations under s. 316.0083(1)(a), who is authorized to conduct
565 hearings related to a notice of violation issued pursuant to s.
566 316.0083. The charter county, noncharter county, or municipality
567 may use its currently appointed code enforcement board or
568 special magistrate to serve as the local hearing officer. The
569 department may enter into an interlocal agreement to use the
570 local hearing officer of a county or municipality.

571 (65)~~(92)~~ SANITATION VEHICLE.—A motor vehicle that bears an
572 emblem that is visible from the roadway and clearly identifies
573 that the vehicle belongs to or is under contract with a person,
574 entity, cooperative, board, commission, district, or unit of
575 local government that provides garbage, trash, refuse, or
576 recycling collection.

577 (92)~~(93)~~ UTILITY SERVICE VEHICLE.—A motor vehicle that
578 bears an emblem that is visible from the roadway and clearly
579 identifies that the vehicle belongs to or is under contract with
580 a person, entity, cooperative, board, commission, district, or
581 unit of local government that provides electric, natural gas,
582 water, wastewater, cable, telephone, or communications services.

583 (95) VULNERABLE USER OF A PUBLIC ROADWAY OR VULNERABLE
584 USER.—

585 (a) A pedestrian, including a person actually engaged in
586 work upon a highway, work upon utility facilities along a
587 highway, or the provision of emergency services within the
588 right-of-way;

589 (b) A person operating, or who is a passenger on, a
590 bicycle, motorcycle, scooter, or moped lawfully on the roadway;



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- 591 (c) A person riding an animal; or
592 (d) A person lawfully operating on a public roadway,
593 crosswalk, or shoulder of the roadway:
594 1. A farm tractor or similar vehicle designed primarily for
595 farm use;
596 2. A horse-drawn carriage;
597 3. An electric personal assistive mobility device; or
598 4. A wheelchair.

599 Section 2. Subsection (1) and paragraphs (e) and (f) of
600 subsection (2) of section 316.027, Florida Statutes, are amended
601 to read:

602 316.027 Crash involving death or personal injuries.—

603 (1) As used in this section, the term—

604 ~~(a) "serious bodily injury" means an injury to a person,~~
605 ~~including the driver, which consists of a physical condition~~
606 ~~that creates a substantial risk of death, serious personal~~
607 ~~disfigurement, or protracted loss or impairment of the function~~
608 ~~of a bodily member or organ.~~

609 ~~(b) "Vulnerable road user" means:~~

610 ~~1. A pedestrian, including a person actually engaged in~~
611 ~~work upon a highway, or in work upon utility facilities along a~~
612 ~~highway, or engaged in the provision of emergency services~~
613 ~~within the right-of-way;~~

614 ~~2. A person operating a bicycle, motorcycle, scooter, or~~
615 ~~moped lawfully on the roadway;~~

616 ~~3. A person riding an animal; or~~

617 ~~4. A person lawfully operating on a public right-of-way,~~
618 ~~crosswalk, or shoulder of the roadway;~~

619 ~~a. A farm tractor or similar vehicle designed primarily for~~



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620 ~~farm use;~~

621 ~~b. A skateboard, roller skates, or in-line skates;~~

622 ~~e. A horse drawn carriage;~~

623 ~~d. An electric personal assistive mobility device; or~~

624 ~~e. A wheelchair.~~

625 (2)

626 (e) A driver who violates paragraph (a), paragraph (b), or
627 paragraph (c) shall have his or her driver license revoked for
628 at least 3 years as provided in s. 322.28(4).

629 1. A person convicted of violating paragraph (a), paragraph
630 (b), or paragraph (c) shall, before his or her driving privilege
631 may be reinstated, present to the department proof of completion
632 of a victim's impact panel session in a judicial circuit if such
633 a panel exists, or if such a panel does not exist, a department-
634 approved driver improvement course relating to the rights of
635 vulnerable ~~road~~ users relative to vehicles on the roadway as
636 provided in s. 322.0261(2).

637 2. The department may reinstate an offender's driving
638 privilege after he or she satisfies the 3-year revocation period
639 as provided in s. 322.28(4) and successfully completes either a
640 victim's impact panel session or a department-approved driver
641 improvement course relating to the rights of vulnerable ~~road~~
642 users relative to vehicles on the roadway as provided in s.
643 322.0261(2).

644 3. For purposes of this paragraph, an offender's driving
645 privilege may be reinstated only after the department verifies
646 that the offender participated in and successfully completed a
647 victim's impact panel session or a department-approved driver
648 improvement course.



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649 (f) For purposes of sentencing under chapter 921 and
650 determining incentive gain-time eligibility under chapter 944,
651 an offense listed in this subsection is ranked one level above
652 the ranking specified in s. 921.0022 or s. 921.0023 for the
653 offense committed if the victim of the offense was a vulnerable
654 ~~road~~ user.

655 Section 3. Section 316.083, Florida Statutes, is amended to
656 read:

657 316.083 Overtaking and passing a vehicle.—The following
658 provisions ~~rules~~ shall govern the overtaking and passing of a
659 vehicle ~~vehicles~~ proceeding in the same direction, ~~subject to~~
660 ~~those limitations, exceptions, and special rules hereinafter~~
661 ~~stated:~~

662 (1) The driver of a vehicle overtaking another vehicle
663 proceeding in the same direction shall give an appropriate
664 signal as provided for in s. 316.156, shall pass to the left
665 thereof at a safe distance, and shall not again drive to the
666 right side of the roadway until safely clear of the overtaken
667 vehicle.

668 (2) The driver of a motor vehicle overtaking a person
669 operating a bicycle or other vulnerable user of a public roadway
670 ~~nonmotorized vehicle~~ must pass the person operating the bicycle
671 or other vulnerable user ~~nonmotorized vehicle~~ at a safe distance
672 of not less than 3 feet between any part of or attachment to the
673 motor vehicle, anything extending from the motor vehicle, or any
674 trailer or other thing being towed by the motor vehicle and the
675 bicycle, the person operating the bicycle, or other vulnerable
676 user ~~nonmotorized vehicle~~.

677 (3) ~~(2)~~ Except when overtaking and passing on the right is



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678 permitted, the driver of an overtaken vehicle shall give way to
679 the right in favor of the overtaking vehicle, on audible signal
680 or upon the visible blinking of the headlamps of the overtaking
681 vehicle if such overtaking is being attempted at nighttime, and
682 shall not increase the speed of his or her vehicle until
683 completely passed by the overtaking vehicle.

684 (4)~~(3)~~ A violation of this section is a noncriminal traffic
685 infraction, punishable as a moving violation as provided in
686 chapter 318. If a violation of this section contributed to the
687 bodily injury of a vulnerable user of a public roadway, the law
688 enforcement officer issuing the citation for the violation shall
689 note such information on the citation.

690 Section 4. Section 316.084, Florida Statutes, is amended to
691 read:

692 316.084 When overtaking on the right is permitted.—

693 (1) The driver of a vehicle may overtake and pass on the
694 right of another vehicle only under the following conditions:

695 (a) When the vehicle overtaken is making or about to make a
696 left turn;

697 (b) Upon a street or highway with unobstructed pavement not
698 occupied by parked vehicles of sufficient width for two or more
699 lines of moving traffic in each direction;

700 (c) Upon a one-way street, or upon any roadway on which
701 traffic is restricted to one direction of movement, where the
702 roadway is free from obstructions and of sufficient width for
703 two or more lines of moving vehicles.

704 (2) The driver of a vehicle may overtake and pass another
705 vehicle on the right only under conditions permitting such
706 movement in safety. In no event shall such movement be made by



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707 driving off the pavement or main-traveled portion of the
708 roadway.

709 (3) This section does not prohibit a bicycle that is in a
710 bicycle lane or on the shoulder of a roadway or highway from
711 passing another vehicle on the right.

712 (4)~~(3)~~ A violation of this section is a noncriminal traffic
713 infraction, punishable as a moving violation as provided in
714 chapter 318.

715 Section 5. Section 316.0875, Florida Statutes, is amended
716 to read:

717 316.0875 No-passing zones.—

718 (1) The Department of Transportation and local authorities
719 are authorized to determine those portions of any highway under
720 their respective jurisdiction where overtaking and passing or
721 driving to the left of the roadway would be especially hazardous
722 and may, by appropriate signs or markings on the roadway,
723 indicate the beginning and end of such zones, and, when such
724 signs or markings are in place and clearly visible to an
725 ordinarily observant person, each ~~every~~ driver of a vehicle
726 shall obey the directions thereof.

727 (2) Where signs or markings are in place to define a no-
728 passing zone as set forth in subsection (1), a ~~no~~ driver may
729 not, shall at any time, drive on the left side of the roadway
730 with such no-passing zone or on the left side of any pavement
731 striping designed to mark such no-passing zone throughout its
732 length.

733 (3) This section does not apply to a person who safely and
734 briefly drives to the left of the center of the roadway or
735 pavement striping only to the extent necessary to:



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736 (a) Avoid ~~When an obstruction; exists making it necessary~~
737 ~~to drive to the left of the center of the highway, nor~~

738 (b) Turn ~~To the driver of a vehicle turning~~ left into or
739 from an alley, private road, or driveway; or

740 (c) Comply with the requirements regarding a safe distance
741 to pass a vulnerable user, as required by s. 316.083(2).

742 (4) A violation of this section is a noncriminal traffic
743 infraction, punishable as a moving violation as provided in
744 chapter 318.

745 Section 6. Section 316.151, Florida Statutes, is amended to
746 read:

747 316.151 Required position and method of turning at
748 intersections.—

749 (1) (a) Right turn.—The driver of a vehicle intending to
750 turn right at an intersection onto a highway, public or private
751 roadway, or driveway shall do so as follows:

752 1. (a) Right turn.—Both the approach for a right turn and a
753 right turn shall be made as close as practicable to the right-
754 hand curb or edge of the roadway.

755 2. When overtaking and passing a bicycle or other
756 vulnerable user proceeding in the same direction, the driver of
757 a motor vehicle shall give an appropriate signal as provided for
758 in s. 316.155 and shall make the right turn only if it can be
759 made at a safe distance from the bicycle or other vulnerable
760 user.

761 3. When crossing a sidewalk, bicycle lane, or bicycle path
762 to turn right, the driver of a motor vehicle shall yield the
763 right-of-way to a bicycle or pedestrian.

764 (b) *Left turn.*—The driver of a vehicle intending to turn



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765 left at an any intersection onto a highway, public or private
766 roadway, or driveway shall do so as follows:

767 1. The driver shall approach the intersection in the
768 extreme left-hand lane lawfully available to traffic moving in
769 the direction of travel of such vehicle. Thereafter, and, after
770 ~~entering the intersection,~~ the left turn shall be made so as to
771 leave the intersection in a lane lawfully available to traffic
772 moving in such direction upon the roadway being entered.

773 2. A person riding a bicycle and intending to turn left in
774 accordance with this section is entitled to the full use of the
775 lane from which the turn may legally be made. Whenever
776 practicable the left turn shall be made in that portion of the
777 intersection to the left of the center of the intersection.

778 ~~(c) Left turn by bicycle.~~ In addition ~~to the method of~~
779 ~~making a left turn described in paragraph (b),~~ a person riding a
780 bicycle and intending to turn left may do so as follows ~~has the~~
781 ~~option of following the course described hereafter:~~

782 a. The rider shall approach the turn as close as
783 practicable to the right curb or edge of the roadway;

784 b. After proceeding across the intersecting roadway, the
785 turn shall be made as close as practicable to the curb or edge
786 of the roadway on the far side of the intersection; and,

787 c. Before proceeding, the bicyclist shall comply with any
788 official traffic control device or police officer regulating
789 traffic on the highway along which the bicyclist intends to
790 proceed.

791 (2) The state, county, and local authorities in their
792 respective jurisdictions may cause official traffic control
793 devices to be placed within or adjacent to intersections and



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794 thereby require and direct that a different course from that
795 specified in this section be traveled by vehicles turning at an
796 intersection. When such devices are so placed, the ~~no~~ driver of
797 a vehicle may not turn a vehicle at an intersection other than
798 as directed and required by such devices.

799 (3) A violation of this section is a noncriminal traffic
800 infraction, punishable as a moving violation as provided in
801 chapter 318. If a violation of this section contributes to the
802 bodily injury of a vulnerable user of a public roadway, the law
803 enforcement officer issuing the citation for the violation shall
804 note such information on the citation.

805 Section 7. Section 316.1925, Florida Statutes, is amended
806 to read:

807 316.1925 Careless driving.—

808 (1) A ~~Any~~ person operating a vehicle upon the streets or
809 highways within the state shall drive the same in a careful and
810 prudent manner, having regard for the width, grade, curves,
811 corners, traffic, and all other attendant circumstances, so as
812 not to endanger the life, limb, or property of any person. A
813 person who fails ~~Failure~~ to drive in such manner commits ~~shall~~
814 ~~constitute~~ careless driving and ~~a violation of this section.~~

815 ~~(2) Any person who violates this section shall be cited for~~
816 ~~a moving violation, punishable as provided in chapter 318.~~

817 (2) If a violation under subsection (1) contributed to the
818 bodily injury of a vulnerable user of a public roadway, the law
819 enforcement officer issuing the citation for the violation shall
820 note such information on the citation.

821 Section 8. Subsections (1), (5), and (6) of section
822 316.2065, Florida Statutes, are amended to read:



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823 316.2065 Bicycle regulations.-

824 (1) A bicycle is a vehicle under Florida law and shall be
825 operated in the same manner as any other vehicle and every
826 person operating a bicycle propelling a vehicle by human power
827 has all of the rights and all of the duties applicable to the
828 driver of any other vehicle under this chapter, except as to
829 special regulations in this chapter, and except as to provisions
830 of this chapter which by their nature can have no application.

831 (5) (a) Any person operating a bicycle upon a roadway at
832 less than the normal speed of traffic at the time and place and
833 under the conditions then existing shall ride in the bicycle
834 lane marked for bicycle use or, if there is no bicycle lane in
835 the roadway is marked for bicycle use, as close as practicable
836 to the right-hand curb or edge of the roadway except under any
837 of the following situations:

838 1. When overtaking and passing another bicycle or vehicle
839 proceeding in the same direction.

840 2. When preparing for a left turn at an intersection or
841 into a private road or driveway.

842 3. When reasonably necessary to avoid any condition or
843 potential conflict, including, but not limited to, a fixed or
844 moving object, parked or moving vehicle, bicycle, pedestrian,
845 animal, surface hazard, turn lane, or substandard-width lane,
846 which makes it unsafe to continue along the right-hand curb or
847 edge or within a bicycle lane. For the purposes of this
848 subsection, a "substandard-width lane" is a lane that is too
849 narrow for a bicycle and another vehicle to travel safely side
850 by side within the lane.

851 (b) Any person operating a bicycle upon a one-way highway



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852 with two or more marked traffic lanes may ride as near the left-
853 hand curb or edge of such roadway as practicable.

854 (6) (a) Persons riding bicycles upon a roadway or in a
855 bicycle lane may not ride more than two abreast except on
856 bicycle paths or parts of roadways set aside for the exclusive
857 use of bicycles. Persons riding two abreast may not impede
858 traffic when traveling at less than the normal speed of traffic
859 at the time and place and under the conditions then existing and
860 shall ride within a single lane.

861 (b) When stopping at a stop sign, persons riding bicycles
862 in groups of four or more, after coming to a full stop and
863 obeying all traffic laws, may proceed through the stop sign in a
864 group and motor vehicle operators shall allow the entire group
865 to travel through the intersection before moving forward.

866 Section 9. Section 318.142, Florida Statutes, is created to
867 read:

868 318.142 Infractions contributing to bodily injury of a
869 vulnerable user of a public roadway.—In addition to any other
870 penalty imposed for a violation under s. 316.083, s. 316.151, or
871 s. 316.1925, if the violation contributed to the bodily injury
872 of a vulnerable user of a public roadway as defined in s.
873 316.003, the law enforcement officer issuing the citation for
874 the infraction shall note such information on the citation and
875 the designated official may impose a fine of not more than
876 \$2,500.

877 Section 10. Section 318.19, Florida Statutes, is amended to
878 read:

879 318.19 Infractions requiring a mandatory hearing.—Any
880 person cited for the infractions listed in this section shall



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881 not have the provisions of s. 318.14(2), (4), and (9) available
882 to him or her but must appear before the designated official at
883 the time and location of the scheduled hearing:

884 (1) Any infraction which results in a crash that causes the
885 death of another;

886 (2) Any infraction which results in a crash that causes
887 "serious bodily injury" of another as defined in s. 316.1933(1);

888 (3) Any infraction of s. 316.172(1)(b);

889 (4) Any infraction of s. 316.520(1) or (2); ~~or~~

890 (5) Any infraction of s. 316.183(2), s. 316.187, or s.

891 316.189 of exceeding the speed limit by 30 m.p.h. or more; or

892 (6) Any infraction of s. 316.083, s. 316.151, or s.

893 316.1925 which contributes to bodily injury of a vulnerable user

894 of a public roadway as defined in s. 316.003. If an infraction

895 listed in this subsection contributes to the bodily injury of a

896 vulnerable user of a public roadway, the law enforcement officer

897 issuing the citation for the infraction shall note such

898 information on the citation.

899 Section 11. Paragraph (c) of subsection (1) of section
900 212.05, Florida Statutes, is amended to read:

901 212.05 Sales, storage, use tax.—It is hereby declared to be
902 the legislative intent that every person is exercising a taxable
903 privilege who engages in the business of selling tangible

904 personal property at retail in this state, including the

905 business of making mail order sales, or who rents or furnishes

906 any of the things or services taxable under this chapter, or who

907 stores for use or consumption in this state any item or article

908 of tangible personal property as defined herein and who leases

909 or rents such property within the state.



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910 (1) For the exercise of such privilege, a tax is levied on
911 each taxable transaction or incident, which tax is due and
912 payable as follows:

913 (c) At the rate of 6 percent of the gross proceeds derived
914 from the lease or rental of tangible personal property, as
915 defined herein; however, the following special provisions apply
916 to the lease or rental of motor vehicles:

917 1. When a motor vehicle is leased or rented for a period of
918 less than 12 months:

919 a. If the motor vehicle is rented in Florida, the entire
920 amount of such rental is taxable, even if the vehicle is dropped
921 off in another state.

922 b. If the motor vehicle is rented in another state and
923 dropped off in Florida, the rental is exempt from Florida tax.

924 2. Except as provided in subparagraph 3., for the lease or
925 rental of a motor vehicle for a period of not less than 12
926 months, sales tax is due on the lease or rental payments if the
927 vehicle is registered in this state; provided, however, that no
928 tax shall be due if the taxpayer documents use of the motor
929 vehicle outside this state and tax is being paid on the lease or
930 rental payments in another state.

931 3. The tax imposed by this chapter does not apply to the
932 lease or rental of a commercial motor vehicle as defined in s.
933 316.003(13)(a) ~~316.003(66)(a)~~ to one lessee or rentee for a
934 period of not less than 12 months when tax was paid on the
935 purchase price of such vehicle by the lessor. To the extent tax
936 was paid with respect to the purchase of such vehicle in another
937 state, territory of the United States, or the District of
938 Columbia, the Florida tax payable shall be reduced in accordance



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939 with the provisions of s. 212.06(7). This subparagraph shall
940 only be available when the lease or rental of such property is
941 an established business or part of an established business or
942 the same is incidental or germane to such business.

943 Section 12. Subsection (1) of section 316.1303, Florida
944 Statutes, is amended to read:

945 316.1303 Traffic regulations to assist mobility-impaired
946 persons.—

947 (1) Whenever a pedestrian who is mobility impaired is in
948 the process of crossing a public street or highway with the
949 assistance of a guide dog or service animal designated as such
950 with a visible means of identification, a walker, a crutch, an
951 orthopedic cane, or a wheelchair, the driver of a vehicle
952 approaching the intersection, as defined in s. 316.003
953 ~~316.003(17)~~, shall bring his or her vehicle to a full stop
954 before arriving at the intersection and, before proceeding,
955 shall take precautions necessary to avoid injuring the
956 pedestrian.

957 Section 13. Subsection (5) of section 316.235, Florida
958 Statutes, is amended to read:

959 316.235 Additional lighting equipment.—

960 (5) A bus, as defined in s. 316.003 ~~316.003(3)~~, may be
961 equipped with a deceleration lighting system which cautions
962 following vehicles that the bus is slowing, preparing to stop,
963 or is stopped. Such lighting system shall consist of amber
964 lights mounted in horizontal alignment on the rear of the
965 vehicle at or near the vertical centerline of the vehicle, not
966 higher than the lower edge of the rear window or, if the vehicle
967 has no rear window, not higher than 72 inches from the ground.



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968 Such lights shall be visible from a distance of not less than
969 300 feet to the rear in normal sunlight. Lights are permitted to
970 light and flash during deceleration, braking, or standing and
971 idling of the bus. Vehicular hazard warning flashers may be used
972 in conjunction with or in lieu of a rear-mounted deceleration
973 lighting system.

974 Section 14. Paragraph (b) of subsection (2) and paragraph
975 (a) of subsection (4) of section 316.545, Florida Statutes, are
976 amended to read:

977 316.545 Weight and load unlawful; special fuel and motor
978 fuel tax enforcement; inspection; penalty; review.—

979 (2)

980 (b) The officer or inspector shall inspect the license
981 plate or registration certificate of the commercial motor
982 vehicle, as defined in s. 316.003 ~~316.003(66)~~, to determine if
983 its gross weight is in compliance with the declared gross
984 vehicle weight. If its gross weight exceeds the declared weight,
985 the penalty shall be 5 cents per pound on the difference between
986 such weights. In those cases when the commercial motor vehicle,
987 as defined in s. 316.003 ~~316.003(66)~~, is being operated over the
988 highways of the state with an expired registration or with no
989 registration from this or any other jurisdiction or is not
990 registered under the applicable provisions of chapter 320, the
991 penalty herein shall apply on the basis of 5 cents per pound on
992 that scaled weight which exceeds 35,000 pounds on laden truck
993 tractor-semitrailer combinations or tandem trailer truck
994 combinations, 10,000 pounds on laden straight trucks or straight
995 truck-trailer combinations, or 10,000 pounds on any unladen
996 commercial motor vehicle. If the license plate or registration



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997 has not been expired for more than 90 days, the penalty imposed
998 under this paragraph may not exceed \$1,000. In the case of
999 special mobile equipment as defined in s. 316.003 ~~316.003(48)~~,
1000 which qualifies for the license tax provided for in s.
1001 320.08(5) (b), being operated on the highways of the state with
1002 an expired registration or otherwise not properly registered
1003 under the applicable provisions of chapter 320, a penalty of \$75
1004 shall apply in addition to any other penalty which may apply in
1005 accordance with this chapter. A vehicle found in violation of
1006 this section may be detained until the owner or operator
1007 produces evidence that the vehicle has been properly registered.
1008 Any costs incurred by the retention of the vehicle shall be the
1009 sole responsibility of the owner. A person who has been assessed
1010 a penalty pursuant to this paragraph for failure to have a valid
1011 vehicle registration certificate pursuant to the provisions of
1012 chapter 320 is not subject to the delinquent fee authorized in
1013 s. 320.07 if such person obtains a valid registration
1014 certificate within 10 working days after such penalty was
1015 assessed.

1016 (4) (a) No commercial motor vehicle, as defined in s.
1017 316.003 ~~316.003(66)~~, shall be operated over the highways of this
1018 state unless it has been properly registered under the
1019 provisions of s. 207.004. Whenever any law enforcement officer
1020 identified in s. 207.023(1), upon inspecting the vehicle or
1021 combination of vehicles, determines that the vehicle is in
1022 violation of s. 207.004, a penalty in the amount of \$50 shall be
1023 assessed, and the vehicle may be detained until payment is
1024 collected by the law enforcement officer.

1025 Section 15. Subsection (2) of section 316.605, Florida



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1026 Statutes, is amended to read:

1027 316.605 Licensing of vehicles.—

1028 (2) Any commercial motor vehicle, as defined in s. 316.003
1029 ~~316.003(66)~~, operating over the highways of this state with an
1030 expired registration, with no registration from this or any
1031 other jurisdiction, or with no registration under the applicable
1032 provisions of chapter 320 shall be in violation of s. 320.07(3)
1033 and shall subject the owner or operator of such vehicle to the
1034 penalty provided. In addition, a commercial motor vehicle found
1035 in violation of this section may be detained by any law
1036 enforcement officer until the owner or operator produces
1037 evidence that the vehicle has been properly registered and that
1038 any applicable delinquent penalties have been paid.

1039 Section 16. Subsection (6) of section 316.6105, Florida
1040 Statutes, is amended to read:

1041 316.6105 Violations involving operation of motor vehicle in
1042 unsafe condition or without required equipment; procedure for
1043 disposition.—

1044 (6) This section does not apply to commercial motor
1045 vehicles as defined in s. 316.003 ~~316.003(66)~~ or transit buses
1046 owned or operated by a governmental entity.

1047 Section 17. Paragraph (a) of subsection (2) of section
1048 316.613, Florida Statutes, is amended to read:

1049 316.613 Child restraint requirements.—

1050 (2) As used in this section, the term "motor vehicle" means
1051 a motor vehicle as defined in s. 316.003 that is operated on the
1052 roadways, streets, and highways of the state. The term does not
1053 include:

1054 (a) A school bus as defined in s. 316.003 ~~316.003(45)~~.



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1055 Section 18. Subsection (8) of section 316.622, Florida
1056 Statutes, is amended to read:

1057 316.622 Farm labor vehicles.—

1058 (8) The department shall provide to the Department of
1059 Business and Professional Regulation each quarter a copy of each
1060 accident report involving a farm labor vehicle, as defined in s.
1061 316.003 ~~316.003(62)~~, commencing with the first quarter of the
1062 2006-2007 fiscal year.

1063 Section 19. Paragraph (b) of subsection (1) of section
1064 316.650, Florida Statutes, is amended to read:

1065 316.650 Traffic citations.—

1066 (1)

1067 (b) The department shall prepare, and supply to every
1068 traffic enforcement agency in the state, an appropriate
1069 affidavit-of-compliance form that shall be issued along with the
1070 form traffic citation for any violation of s. 316.610 and that
1071 indicates the specific defect needing to be corrected. However,
1072 such affidavit of compliance shall not be issued in the case of
1073 a violation of s. 316.610 by a commercial motor vehicle as
1074 defined in s. 316.003 ~~316.003(66)~~. Such affidavit-of-compliance
1075 form shall be distributed in the same manner and to the same
1076 parties as is the form traffic citation.

1077 Section 20. Subsection (1) of section 316.70, Florida
1078 Statutes, is amended to read:

1079 316.70 Nonpublic sector buses; safety rules.—

1080 (1) The Department of Transportation shall establish and
1081 revise standards to assure the safe operation of nonpublic
1082 sector buses, as defined in s. 316.003 ~~316.003(78)~~, which
1083 standards shall be those contained in 49 C.F.R. parts 382, 385,



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1084 and 390-397 and which shall be directed towards assuring that:

1085 (a) Nonpublic sector buses are safely maintained, equipped,
1086 and operated.

1087 (b) Nonpublic sector buses are carrying the insurance
1088 required by law and carrying liability insurance on the checked
1089 baggage of passengers not to exceed the standard adopted by the
1090 United States Department of Transportation.

1091 (c) Florida license tags are purchased for nonpublic sector
1092 buses pursuant to s. 320.38.

1093 (d) The driving records of drivers of nonpublic sector
1094 buses are checked by their employers at least once each year to
1095 ascertain whether the driver has a suspended or revoked driver
1096 license.

1097 Section 21. Paragraph (a) of subsection (1) of section
1098 320.01, Florida Statutes, is amended to read:

1099 320.01 Definitions, general.—As used in the Florida
1100 Statutes, except as otherwise provided, the term:

1101 (1) "Motor vehicle" means:

1102 (a) An automobile, motorcycle, truck, trailer, semitrailer,
1103 truck tractor and semitrailer combination, or any other vehicle
1104 operated on the roads of this state, used to transport persons
1105 or property, and propelled by power other than muscular power,
1106 but the term does not include traction engines, road rollers,
1107 special mobile equipment as defined in s. 316.003 ~~316.003(48)~~,
1108 vehicles that run only upon a track, bicycles, swamp buggies, or
1109 mopeds.

1110 Section 22. Section 320.08, Florida Statutes, is amended to
1111 read:

1112 320.08 License taxes.—Except as otherwise provided herein,



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1113 there are hereby levied and imposed annual license taxes for the
1114 operation of motor vehicles, mopeds, motorized bicycles as
1115 defined in s. 316.003(3) ~~316.003(2)~~, tri-vehicles as defined in
1116 s. 316.003, and mobile homes, as defined in s. 320.01, which
1117 shall be paid to and collected by the department or its agent
1118 upon the registration or renewal of registration of the
1119 following:

1120 (1) MOTORCYCLES AND MOPEDS.—

1121 (a) Any motorcycle: \$10 flat.

1122 (b) Any moped: \$5 flat.

1123 (c) Upon registration of a motorcycle, motor-driven cycle,
1124 or moped, in addition to the license taxes specified in this
1125 subsection, a nonrefundable motorcycle safety education fee in
1126 the amount of \$2.50 shall be paid. The proceeds of such
1127 additional fee shall be deposited in the Highway Safety
1128 Operating Trust Fund to fund a motorcycle driver improvement
1129 program implemented pursuant to s. 322.025, the Florida
1130 Motorcycle Safety Education Program established in s. 322.0255,
1131 or the general operations of the department.

1132 (d) An ancient or antique motorcycle: \$7.50 flat, of which
1133 \$2.50 shall be deposited into the General Revenue Fund.

1134 (2) AUTOMOBILES OR TRI-VEHICLES FOR PRIVATE USE.—

1135 (a) An ancient or antique automobile, as defined in s.
1136 320.086, or a street rod, as defined in s. 320.0863: \$7.50 flat.

1137 (b) Net weight of less than 2,500 pounds: \$14.50 flat.

1138 (c) Net weight of 2,500 pounds or more, but less than 3,500
1139 pounds: \$22.50 flat.

1140 (d) Net weight of 3,500 pounds or more: \$32.50 flat.

1141 (3) TRUCKS.—



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- 1142 (a) Net weight of less than 2,000 pounds: \$14.50 flat.
1143 (b) Net weight of 2,000 pounds or more, but not more than
1144 3,000 pounds: \$22.50 flat.
1145 (c) Net weight more than 3,000 pounds, but not more than
1146 5,000 pounds: \$32.50 flat.
1147 (d) A truck defined as a "goat," or other vehicle if used
1148 in the field by a farmer or in the woods for the purpose of
1149 harvesting a crop, including naval stores, during such
1150 harvesting operations, and which is not principally operated
1151 upon the roads of the state: \$7.50 flat. The term "goat" means a
1152 motor vehicle designed, constructed, and used principally for
1153 the transportation of citrus fruit within citrus groves or for
1154 the transportation of crops on farms, and which can also be used
1155 for hauling associated equipment or supplies, including required
1156 sanitary equipment, and the towing of farm trailers.
1157 (e) An ancient or antique truck, as defined in s. 320.086:
1158 \$7.50 flat.
1159 (4) HEAVY TRUCKS, TRUCK TRACTORS, FEES ACCORDING TO GROSS
1160 VEHICLE WEIGHT.—
1161 (a) Gross vehicle weight of 5,001 pounds or more, but less
1162 than 6,000 pounds: \$60.75 flat, of which \$15.75 shall be
1163 deposited into the General Revenue Fund.
1164 (b) Gross vehicle weight of 6,000 pounds or more, but less
1165 than 8,000 pounds: \$87.75 flat, of which \$22.75 shall be
1166 deposited into the General Revenue Fund.
1167 (c) Gross vehicle weight of 8,000 pounds or more, but less
1168 than 10,000 pounds: \$103 flat, of which \$27 shall be deposited
1169 into the General Revenue Fund.
1170 (d) Gross vehicle weight of 10,000 pounds or more, but less



1171 than 15,000 pounds: \$118 flat, of which \$31 shall be deposited
1172 into the General Revenue Fund.

1173 (e) Gross vehicle weight of 15,000 pounds or more, but less
1174 than 20,000 pounds: \$177 flat, of which \$46 shall be deposited
1175 into the General Revenue Fund.

1176 (f) Gross vehicle weight of 20,000 pounds or more, but less
1177 than 26,001 pounds: \$251 flat, of which \$65 shall be deposited
1178 into the General Revenue Fund.

1179 (g) Gross vehicle weight of 26,001 pounds or more, but less
1180 than 35,000: \$324 flat, of which \$84 shall be deposited into the
1181 General Revenue Fund.

1182 (h) Gross vehicle weight of 35,000 pounds or more, but less
1183 than 44,000 pounds: \$405 flat, of which \$105 shall be deposited
1184 into the General Revenue Fund.

1185 (i) Gross vehicle weight of 44,000 pounds or more, but less
1186 than 55,000 pounds: \$773 flat, of which \$201 shall be deposited
1187 into the General Revenue Fund.

1188 (j) Gross vehicle weight of 55,000 pounds or more, but less
1189 than 62,000 pounds: \$916 flat, of which \$238 shall be deposited
1190 into the General Revenue Fund.

1191 (k) Gross vehicle weight of 62,000 pounds or more, but less
1192 than 72,000 pounds: \$1,080 flat, of which \$280 shall be
1193 deposited into the General Revenue Fund.

1194 (l) Gross vehicle weight of 72,000 pounds or more: \$1,322
1195 flat, of which \$343 shall be deposited into the General Revenue
1196 Fund.

1197 (m) Notwithstanding the declared gross vehicle weight, a
1198 truck tractor used within a 150-mile radius of its home address
1199 is eligible for a license plate for a fee of \$324 flat if:



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1200 1. The truck tractor is used exclusively for hauling
1201 forestry products; or
1202 2. The truck tractor is used primarily for the hauling of
1203 forestry products, and is also used for the hauling of
1204 associated forestry harvesting equipment used by the owner of
1205 the truck tractor.
1206
1207 Of the fee imposed by this paragraph, \$84 shall be deposited
1208 into the General Revenue Fund.
1209 (n) A truck tractor or heavy truck, not operated as a for-
1210 hire vehicle, which is engaged exclusively in transporting raw,
1211 unprocessed, and nonmanufactured agricultural or horticultural
1212 products within a 150-mile radius of its home address, is
1213 eligible for a restricted license plate for a fee of:
1214 1. If such vehicle's declared gross vehicle weight is less
1215 than 44,000 pounds, \$87.75 flat, of which \$22.75 shall be
1216 deposited into the General Revenue Fund.
1217 2. If such vehicle's declared gross vehicle weight is
1218 44,000 pounds or more and such vehicle only transports from the
1219 point of production to the point of primary manufacture; to the
1220 point of assembling the same; or to a shipping point of a rail,
1221 water, or motor transportation company, \$324 flat, of which \$84
1222 shall be deposited into the General Revenue Fund.
1223
1224 Such not-for-hire truck tractors and heavy trucks used
1225 exclusively in transporting raw, unprocessed, and
1226 nonmanufactured agricultural or horticultural products may be
1227 incidentally used to haul farm implements and fertilizers
1228 delivered direct to the growers. The department may require any



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1229 documentation deemed necessary to determine eligibility prior to
1230 issuance of this license plate. For the purpose of this
1231 paragraph, "not-for-hire" means the owner of the motor vehicle
1232 must also be the owner of the raw, unprocessed, and
1233 nonmanufactured agricultural or horticultural product, or the
1234 user of the farm implements and fertilizer being delivered.

1235 (5) SEMITRAILERS, FEES ACCORDING TO GROSS VEHICLE WEIGHT;
1236 SCHOOL BUSES; SPECIAL PURPOSE VEHICLES.—

1237 (a)1. A semitrailer drawn by a GVW truck tractor by means
1238 of a fifth-wheel arrangement: \$13.50 flat per registration year
1239 or any part thereof, of which \$3.50 shall be deposited into the
1240 General Revenue Fund.

1241 2. A semitrailer drawn by a GVW truck tractor by means of a
1242 fifth-wheel arrangement: \$68 flat per permanent registration, of
1243 which \$18 shall be deposited into the General Revenue Fund.

1244 (b) A motor vehicle equipped with machinery and designed
1245 for the exclusive purpose of well drilling, excavation,
1246 construction, spraying, or similar activity, and which is not
1247 designed or used to transport loads other than the machinery
1248 described above over public roads: \$44 flat, of which \$11.50
1249 shall be deposited into the General Revenue Fund.

1250 (c) A school bus used exclusively to transport pupils to
1251 and from school or school or church activities or functions
1252 within their own county: \$41 flat, of which \$11 shall be
1253 deposited into the General Revenue Fund.

1254 (d) A wrecker, as defined in s. 320.01, which is used to
1255 tow a vessel as defined in s. 327.02, a disabled, abandoned,
1256 stolen-recovered, or impounded motor vehicle as defined in s.
1257 320.01, or a replacement motor vehicle as defined in s. 320.01:



1258 \$41 flat, of which \$11 shall be deposited into the General
1259 Revenue Fund.

1260 (e) A wrecker that is used to tow any nondisabled motor
1261 vehicle, a vessel, or any other cargo unless used as defined in
1262 paragraph (d), as follows:

1263 1. Gross vehicle weight of 10,000 pounds or more, but less
1264 than 15,000 pounds: \$118 flat, of which \$31 shall be deposited
1265 into the General Revenue Fund.

1266 2. Gross vehicle weight of 15,000 pounds or more, but less
1267 than 20,000 pounds: \$177 flat, of which \$46 shall be deposited
1268 into the General Revenue Fund.

1269 3. Gross vehicle weight of 20,000 pounds or more, but less
1270 than 26,000 pounds: \$251 flat, of which \$65 shall be deposited
1271 into the General Revenue Fund.

1272 4. Gross vehicle weight of 26,000 pounds or more, but less
1273 than 35,000 pounds: \$324 flat, of which \$84 shall be deposited
1274 into the General Revenue Fund.

1275 5. Gross vehicle weight of 35,000 pounds or more, but less
1276 than 44,000 pounds: \$405 flat, of which \$105 shall be deposited
1277 into the General Revenue Fund.

1278 6. Gross vehicle weight of 44,000 pounds or more, but less
1279 than 55,000 pounds: \$772 flat, of which \$200 shall be deposited
1280 into the General Revenue Fund.

1281 7. Gross vehicle weight of 55,000 pounds or more, but less
1282 than 62,000 pounds: \$915 flat, of which \$237 shall be deposited
1283 into the General Revenue Fund.

1284 8. Gross vehicle weight of 62,000 pounds or more, but less
1285 than 72,000 pounds: \$1,080 flat, of which \$280 shall be
1286 deposited into the General Revenue Fund.



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1287 9. Gross vehicle weight of 72,000 pounds or more: \$1,322
1288 flat, of which \$343 shall be deposited into the General Revenue
1289 Fund.

1290 (f) A hearse or ambulance: \$40.50 flat, of which \$10.50
1291 shall be deposited into the General Revenue Fund.

1292 (6) MOTOR VEHICLES FOR HIRE.—

1293 (a) Under nine passengers: \$17 flat, of which \$4.50 shall
1294 be deposited into the General Revenue Fund; plus \$1.50 per cwt,
1295 of which 50 cents shall be deposited into the General Revenue
1296 Fund.

1297 (b) Nine passengers and over: \$17 flat, of which \$4.50
1298 shall be deposited into the General Revenue Fund; plus \$2 per
1299 cwt, of which 50 cents shall be deposited into the General
1300 Revenue Fund.

1301 (7) TRAILERS FOR PRIVATE USE.—

1302 (a) Any trailer weighing 500 pounds or less: \$6.75 flat per
1303 year or any part thereof, of which \$1.75 shall be deposited into
1304 the General Revenue Fund.

1305 (b) Net weight over 500 pounds: \$3.50 flat, of which \$1
1306 shall be deposited into the General Revenue Fund; plus \$1 per
1307 cwt, of which 25 cents shall be deposited into the General
1308 Revenue Fund.

1309 (8) TRAILERS FOR HIRE.—

1310 (a) Net weight under 2,000 pounds: \$3.50 flat, of which \$1
1311 shall be deposited into the General Revenue Fund; plus \$1.50 per
1312 cwt, of which 50 cents shall be deposited into the General
1313 Revenue Fund.

1314 (b) Net weight 2,000 pounds or more: \$13.50 flat, of which
1315 \$3.50 shall be deposited into the General Revenue Fund; plus



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1316 \$1.50 per cwt, of which 50 cents shall be deposited into the
1317 General Revenue Fund.

1318 (9) RECREATIONAL VEHICLE-TYPE UNITS.—

1319 (a) A travel trailer or fifth-wheel trailer, as defined by
1320 s. 320.01(1)(b), that does not exceed 35 feet in length: \$27
1321 flat, of which \$7 shall be deposited into the General Revenue
1322 Fund.

1323 (b) A camping trailer, as defined by s. 320.01(1)(b)2.:
1324 \$13.50 flat, of which \$3.50 shall be deposited into the General
1325 Revenue Fund.

1326 (c) A motor home, as defined by s. 320.01(1)(b)4.:

1327 1. Net weight of less than 4,500 pounds: \$27 flat, of which
1328 \$7 shall be deposited into the General Revenue Fund.

1329 2. Net weight of 4,500 pounds or more: \$47.25 flat, of
1330 which \$12.25 shall be deposited into the General Revenue Fund.

1331 (d) A truck camper as defined by s. 320.01(1)(b)3.:

1332 1. Net weight of less than 4,500 pounds: \$27 flat, of which
1333 \$7 shall be deposited into the General Revenue Fund.

1334 2. Net weight of 4,500 pounds or more: \$47.25 flat, of
1335 which \$12.25 shall be deposited into the General Revenue Fund.

1336 (e) A private motor coach as defined by s. 320.01(1)(b)5.:

1337 1. Net weight of less than 4,500 pounds: \$27 flat, of which
1338 \$7 shall be deposited into the General Revenue Fund.

1339 2. Net weight of 4,500 pounds or more: \$47.25 flat, of
1340 which \$12.25 shall be deposited into the General Revenue Fund.

1341 (10) PARK TRAILERS; TRAVEL TRAILERS; FIFTH-WHEEL TRAILERS;
1342 35 FEET TO 40 FEET.—

1343 (a) Park trailers.—Any park trailer, as defined in s.
1344 320.01(1)(b)7.: \$25 flat.



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1345 (b) A travel trailer or fifth-wheel trailer, as defined in
1346 s. 320.01(1)(b), that exceeds 35 feet: \$25 flat.
1347 (11) MOBILE HOMES.—
1348 (a) A mobile home not exceeding 35 feet in length: \$20
1349 flat.
1350 (b) A mobile home over 35 feet in length, but not exceeding
1351 40 feet: \$25 flat.
1352 (c) A mobile home over 40 feet in length, but not exceeding
1353 45 feet: \$30 flat.
1354 (d) A mobile home over 45 feet in length, but not exceeding
1355 50 feet: \$35 flat.
1356 (e) A mobile home over 50 feet in length, but not exceeding
1357 55 feet: \$40 flat.
1358 (f) A mobile home over 55 feet in length, but not exceeding
1359 60 feet: \$45 flat.
1360 (g) A mobile home over 60 feet in length, but not exceeding
1361 65 feet: \$50 flat.
1362 (h) A mobile home over 65 feet in length: \$80 flat.
1363 (12) DEALER AND MANUFACTURER LICENSE PLATES.—A franchised
1364 motor vehicle dealer, independent motor vehicle dealer, marine
1365 boat trailer dealer, or mobile home dealer and manufacturer
1366 license plate: \$17 flat, of which \$4.50 shall be deposited into
1367 the General Revenue Fund.
1368 (13) EXEMPT OR OFFICIAL LICENSE PLATES.—Any exempt or
1369 official license plate: \$4 flat, of which \$1 shall be deposited
1370 into the General Revenue Fund.
1371 (14) LOCALLY OPERATED MOTOR VEHICLES FOR HIRE.—A motor
1372 vehicle for hire operated wholly within a city or within 25
1373 miles thereof: \$17 flat, of which \$4.50 shall be deposited into



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1374 the General Revenue Fund; plus \$2 per cwt, of which 50 cents
1375 shall be deposited into the General Revenue Fund.

1376 (15) TRANSPORTER.—Any transporter license plate issued to a
1377 transporter pursuant to s. 320.133: \$101.25 flat, of which
1378 \$26.25 shall be deposited into the General Revenue Fund.

1379 Section 23. Subsection (1) of section 320.0801, Florida
1380 Statutes, is amended to read:

1381 320.0801 Additional license tax on certain vehicles.—

1382 (1) In addition to the license taxes specified in s. 320.08
1383 and in subsection (2), there is hereby levied and imposed an
1384 annual license tax of 10 cents for the operation of a motor
1385 vehicle, as defined in s. 320.01, and moped, as defined in s.
1386 316.003 ~~316.003(77)~~, which tax shall be paid to the department
1387 or its agent upon the registration or renewal of registration of
1388 the vehicle. Notwithstanding the provisions of s. 320.20,
1389 revenues collected from the tax imposed in this subsection shall
1390 be deposited in the Emergency Medical Services Trust Fund and
1391 used solely for the purpose of carrying out the provisions of
1392 ss. 395.401, 395.4015, 395.404, and 395.4045 and s. 11, chapter
1393 87-399, Laws of Florida.

1394 Section 24. Section 320.38, Florida Statutes, is amended to
1395 read:

1396 320.38 When nonresident exemption not allowed.—The
1397 provisions of s. 320.37 authorizing the operation of motor
1398 vehicles over the roads of this state by nonresidents of this
1399 state when such vehicles are duly registered or licensed under
1400 the laws of some other state or foreign country do not apply to
1401 any nonresident who accepts employment or engages in any trade,
1402 profession, or occupation in this state, except a nonresident



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1403 migrant or seasonal farm worker as defined in s. 316.003
1404 ~~316.003(61)~~. In every case in which a nonresident, except a
1405 nonresident migrant or seasonal farm worker as defined in s.
1406 316.003 ~~316.003(61)~~, accepts employment or engages in any trade,
1407 profession, or occupation in this state or enters his or her
1408 children to be educated in the public schools of this state,
1409 such nonresident shall, within 10 days after the commencement of
1410 such employment or education, register his or her motor vehicles
1411 in this state if such motor vehicles are proposed to be operated
1412 on the roads of this state. Any person who is enrolled as a
1413 student in a college or university and who is a nonresident but
1414 who is in this state for a period of up to 6 months engaged in a
1415 work-study program for which academic credits are earned from a
1416 college whose credits or degrees are accepted for credit by at
1417 least three accredited institutions of higher learning, as
1418 defined in s. 1005.02, is not required to have a Florida
1419 registration for the duration of the work-study program if the
1420 person's vehicle is properly registered in another jurisdiction.
1421 Any nonresident who is enrolled as a full-time student in such
1422 institution of higher learning is also exempt for the duration
1423 of such enrollment.

1424 Section 25. Subsection (2) of section 322.0261, Florida
1425 Statutes, is amended to read:

1426 322.0261 Driver improvement course; requirement to maintain
1427 driving privileges; failure to complete; department approval of
1428 course.—

1429 (2) With respect to an operator convicted of, or who
1430 pleaded nolo contendere to, a traffic offense giving rise to a
1431 crash identified in paragraph (1)(a) or paragraph (1)(b), the



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1432 department shall require that the operator, in addition to other
1433 applicable penalties, attend a department-approved driver
1434 improvement course in order to maintain his or her driving
1435 privileges. The department shall include in the course
1436 curriculum instruction specifically addressing the rights of
1437 vulnerable ~~road~~ users as defined in s. 316.003 ~~316.027~~ relative
1438 to vehicles on the roadway. If the operator fails to complete
1439 the course within 90 days after receiving notice from the
1440 department, the operator's driver license shall be canceled by
1441 the department until the course is successfully completed.

1442 Section 26. Subsection (1) of section 322.031, Florida
1443 Statutes, is amended to read:

1444 322.031 Nonresident; when license required.—

1445 (1) In each case in which a nonresident, except a
1446 nonresident migrant or seasonal farm worker as defined in s.
1447 316.003 ~~316.003(61)~~, accepts employment or engages in a trade,
1448 profession, or occupation in this state or enters his or her
1449 children to be educated in the public schools of this state,
1450 such nonresident shall, within 30 days after beginning such
1451 employment or education, be required to obtain a Florida driver
1452 license if such nonresident operates a motor vehicle on the
1453 highways of this state. The spouse or dependent child of such
1454 nonresident shall also be required to obtain a Florida driver
1455 license within that 30-day period before operating a motor
1456 vehicle on the highways of this state.

1457 Section 27. Subsection (3) of section 450.181, Florida
1458 Statutes, is amended to read:

1459 450.181 Definitions.—As used in part II, unless the context
1460 clearly requires a different meaning:



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1461 (3) The term "migrant laborer" has the same meaning as
1462 migrant or seasonal farm workers as defined in s. 316.003
1463 ~~316.003(61)~~.

1464 Section 28. Subsection (5) of section 559.903, Florida
1465 Statutes, is amended to read:

1466 559.903 Definitions.—As used in this act:

1467 (5) "Motor vehicle" means any automobile, truck, bus,
1468 recreational vehicle, motorcycle, motor scooter, or other motor
1469 powered vehicle, but does not include trailers, mobile homes,
1470 travel trailers, trailer coaches without independent motive
1471 power, watercraft or aircraft, or special mobile equipment as
1472 defined in s. 316.003 ~~316.003(48)~~.

1473 Section 29. Subsection (1) of section 655.960, Florida
1474 Statutes, is amended to read:

1475 655.960 Definitions; ss. 655.960-655.965.—As used in this
1476 section and ss. 655.961-655.965, unless the context otherwise
1477 requires:

1478 (1) "Access area" means any paved walkway or sidewalk which
1479 is within 50 feet of any automated teller machine. The term does
1480 not include any street or highway open to the use of the public,
1481 as defined in s. 316.003(75)(a) or (b) ~~316.003(53)(a) or (b)~~,
1482 including any adjacent sidewalk, as defined in s. 316.003
1483 ~~316.003(47)~~.

1484 Section 30. Paragraph (b) of subsection (2) of section
1485 732.402, Florida Statutes, is amended to read:

1486 732.402 Exempt property.—

1487 (2) Exempt property shall consist of:

1488 (b) Two motor vehicles as defined in s. 316.003
1489 ~~316.003(21)~~, which do not, individually as to either such motor



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1490 vehicle, have a gross vehicle weight in excess of 15,000 pounds,
1491 held in the decedent's name and regularly used by the decedent
1492 or members of the decedent's immediate family as their personal
1493 motor vehicles.

1494 Section 31. Subsection (1) of section 860.065, Florida
1495 Statutes, is amended to read:

1496 860.065 Commercial transportation; penalty for use in
1497 commission of a felony.—

1498 (1) It is unlawful for any person to attempt to obtain,
1499 solicit to obtain, or obtain any means of public or commercial
1500 transportation or conveyance, including vessels, aircraft,
1501 railroad trains, or commercial motor vehicles as defined in s.
1502 316.003 ~~316.003(66)~~, with the intent to use such public or
1503 commercial transportation or conveyance to commit any felony or
1504 to facilitate the commission of any felony.

1505 Section 32. For the purpose of incorporating the amendment
1506 made by this act to section 316.1925, Florida Statutes, in a
1507 reference thereto, paragraph (b) of subsection (4) of section
1508 316.072, Florida Statutes, is reenacted to read:

1509 316.072 Obedience to and effect of traffic laws.—

1510 (4) PUBLIC OFFICERS AND EMPLOYEES TO OBEY CHAPTER;
1511 EXCEPTIONS.—

1512 (b) Unless specifically made applicable, the provisions of
1513 this chapter, except those contained in ss. 316.192, 316.1925,
1514 and 316.193, shall not apply to persons, teams, or motor
1515 vehicles and other equipment while actually engaged in work upon
1516 the surface of a highway, but shall apply to such persons and
1517 vehicles when traveling to or from such work.

1518 Section 33. For the purpose of incorporating the amendment



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1519 made by this act to sections 316.083 and 316.084, Florida
1520 Statutes, in references thereto, subsection (5) of section
1521 316.1923, Florida Statutes, is reenacted to read:

1522 316.1923 Aggressive careless driving.—“Aggressive careless
1523 driving” means committing two or more of the following acts
1524 simultaneously or in succession:

1525 (5) Improperly passing as defined in s. 316.083, s.
1526 316.084, or s. 316.085.

1527 Section 34. For the purpose of incorporating the amendment
1528 made by this act to section 318.19, Florida Statutes, in a
1529 reference thereto, subsection (2) of section 318.14, Florida
1530 Statutes, is reenacted to read:

1531 318.14 Noncriminal traffic infractions; exception;
1532 procedures.—

1533 (2) Except as provided in ss. 316.1001(2) and 316.0083, any
1534 person cited for a violation requiring a mandatory hearing
1535 listed in s. 318.19 or any other criminal traffic violation
1536 listed in chapter 316 must sign and accept a citation indicating
1537 a promise to appear. The officer may indicate on the traffic
1538 citation the time and location of the scheduled hearing and must
1539 indicate the applicable civil penalty established in s. 318.18.
1540 For all other infractions under this section, except for
1541 infractions under s. 316.1001, the officer must certify by
1542 electronic, electronic facsimile, or written signature that the
1543 citation was delivered to the person cited. This certification
1544 is prima facie evidence that the person cited was served with
1545 the citation.

1546 Section 35. For the purpose of incorporating the amendment
1547 made by this act to section 316.2065, Florida Statutes, in a



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1548 reference thereto, paragraph (b) of subsection (1) of section
1549 318.18, Florida Statutes, is reenacted to read:

1550 318.18 Amount of penalties.—The penalties required for a
1551 noncriminal disposition pursuant to s. 318.14 or a criminal
1552 offense listed in s. 318.17 are as follows:

1553 (1) Fifteen dollars for:

1554 (b) All infractions of s. 316.2065, unless otherwise
1555 specified.

1556 Section 36. This act shall take effect October 1, 2016.

1557
1558 ===== T I T L E A M E N D M E N T =====

1559 And the title is amended as follows:

1560 Delete everything before the enacting clause
1561 and insert:

1562 A bill to be entitled
1563 An act relating to highway safety; amending s.
1564 316.003, F.S.; providing definitions; amending s.
1565 316.027, F.S.; deleting the definition of the term
1566 “vulnerable road user”; conforming provisions to
1567 changes made by the act; amending s. 316.083, F.S.;
1568 revising provisions relating to the passing of a
1569 vehicle; directing a law enforcement officer issuing a
1570 citation for specified violations to note certain
1571 information on the citation; amending s. 316.084,
1572 F.S.; exempting bicycles from provisions for passing a
1573 vehicle on the right under certain circumstances;
1574 amending s. 316.0875, F.S.; revising exceptions to
1575 provisions for designated no-passing zones; amending
1576 s. 316.151, F.S.; revising provisions for turning at



1577 intersections; directing a law enforcement officer
1578 issuing a citation for specified violations to note
1579 certain information on the citation; amending s.
1580 316.1925, F.S.; revising provisions relating to
1581 careless driving; directing a law enforcement officer
1582 issuing a citation for specified violations to note
1583 certain information on the citation; amending s.
1584 316.2065, F.S.; revising provisions for operation of a
1585 bicycle; requiring motor vehicle operators to allow a
1586 group of bicycles to travel through an intersection
1587 under certain circumstances; creating s. 318.142,
1588 F.S.; providing penalties for specified infractions
1589 contributing to bodily injury of a vulnerable user;
1590 amending s. 318.19, F.S.; requiring a hearing for
1591 specified offenses; directing a law enforcement
1592 officer issuing a citation for specified violations to
1593 note certain information on the citation; amending s.
1594 322.0261, F.S., relating to driver improvement
1595 courses; revising the definition of "vulnerable road
1596 users"; amending ss. 212.05, 316.1303, 316.235,
1597 316.545, 316.605, 316.6105, 316.613, 316.622, 316.650,
1598 316.70, 320.01, 320.08, 320.0801, 320.38, 322.031,
1599 450.181, 559.903, 655.960, 732.402, and 860.065, F.S.;
1600 conforming cross-references; reenacting ss.
1601 316.072(4)(b), 316.1923(5), 318.14(2), and
1602 318.18(1)(b), F.S., relating to obedience to and
1603 effect of traffic laws, aggressive careless driving,
1604 noncriminal traffic infractions, and amount of
1605 penalties, respectively, to incorporate amendments



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1606 made by the act in references thereto; providing an
1607 effective date.

1608
1609 WHEREAS, the Legislature recognizes that everyone must
1610 share the road, and

1611 WHEREAS, there are laws in place, such as ss. 316.2065 and
1612 316.2068, Florida Statutes, that require certain vulnerable road
1613 users to follow safe practices when operating on the roadways of
1614 the state, and

1615 WHEREAS, there are laws in place that similarly require
1616 persons who operate a vehicle on the highways of the state to
1617 operate the vehicle in a safe manner, and

1618 WHEREAS, it is the intent of the Legislature to amend the
1619 Florida Uniform Traffic Control laws to protect vulnerable road
1620 users while balancing their rights against the rights of those
1621 who choose to travel by motor vehicle, NOW, THEREFORE,