

By the Committees on Fiscal Policy; and Transportation; and
Senator Altman

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1 A bill to be entitled
2 An act relating to highway safety; amending s.
3 316.003, F.S.; providing definitions; amending s.
4 316.027, F.S.; deleting the definition of the term
5 “vulnerable road user”; conforming provisions to
6 changes made by the act; amending s. 316.083, F.S.;
7 revising provisions relating to the passing of a
8 vehicle; directing a law enforcement officer issuing a
9 citation for specified violations to note certain
10 information on the citation; amending s. 316.084,
11 F.S.; exempting bicycles from provisions for passing a
12 vehicle on the right under certain circumstances;
13 amending s. 316.0875, F.S.; revising exceptions to
14 provisions for designated no-passing zones; amending
15 s. 316.151, F.S.; revising provisions for turning at
16 intersections; directing a law enforcement officer
17 issuing a citation for specified violations to note
18 certain information on the citation; amending s.
19 316.1925, F.S.; revising provisions relating to
20 careless driving; directing a law enforcement officer
21 issuing a citation for specified violations to note
22 certain information on the citation; amending s.
23 316.2065, F.S.; revising provisions for operation of a
24 bicycle; requiring motor vehicle operators to allow a
25 group of bicycles to travel through an intersection
26 under certain circumstances; creating s. 318.142,
27 F.S.; providing penalties for specified infractions
28 contributing to bodily injury of a vulnerable user;
29 amending s. 318.19, F.S.; requiring a hearing for
30 specified offenses; directing a law enforcement
31 officer issuing a citation for specified violations to

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32 note certain information on the citation; amending s.
33 322.0261, F.S., relating to driver improvement
34 courses; revising the definition of "vulnerable road
35 users"; amending ss. 212.05, 316.1303, 316.235,
36 316.545, 316.605, 316.6105, 316.613, 316.622, 316.650,
37 316.70, 320.01, 320.08, 320.0801, 320.38, 322.031,
38 450.181, 559.903, 655.960, 732.402, and 860.065, F.S.;
39 conforming cross-references; reenacting ss.
40 316.072(4)(b), 316.1923(5), 318.14(2), and
41 318.18(1)(b), F.S., relating to obedience to and
42 effect of traffic laws, aggressive careless driving,
43 noncriminal traffic infractions, and amount of
44 penalties, respectively, to incorporate amendments
45 made by the act in references thereto; providing an
46 effective date.

47
48 WHEREAS, the Legislature recognizes that everyone must
49 share the road, and

50 WHEREAS, there are laws in place, such as ss. 316.2065 and
51 316.2068, Florida Statutes, that require certain vulnerable road
52 users to follow safe practices when operating on the roadways of
53 the state, and

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

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

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

Section 1. Section 316.003, Florida Statutes, is reordered and 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:

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

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

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90 under the age of 16 may operate or ride upon a motorized
91 bicycle.

92 (7)~~(3)~~ BUS.—Any motor vehicle designed for carrying more
93 than 10 passengers and used for the transportation of persons
94 and any motor vehicle, other than a taxicab, designed and used
95 for the transportation of persons for compensation.

96 (8)~~(4)~~ BUSINESS DISTRICT.—The territory contiguous to, and
97 including, a highway when 50 percent or more of the frontage
98 thereon, for a distance of 300 feet or more, is occupied by
99 buildings in use for business.

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

103 (9)~~(5)~~ CANCELLATION.—Cancellation means that a license
104 which was issued through error or fraud is declared void and
105 terminated. A new license may be obtained only as permitted in
106 this chapter.

107 (14)~~(6)~~ CROSSWALK.—

108 (a) That part of a roadway at an intersection included
109 within the connections of the lateral lines of the sidewalks on
110 opposite sides of the highway, measured from the curbs or, in
111 the absence of curbs, from the edges of the traversable roadway.

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

115 (15)~~(7)~~ DAYTIME.—The period from a half hour before sunrise
116 to a half hour after sunset. Nighttime means at any other hour.

117 (16)~~(8)~~ DEPARTMENT.—The Department of Highway Safety and
118 Motor Vehicles as defined in s. 20.24. Any reference herein to

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119 Department of Transportation shall be construed as referring to
120 the Department of Transportation, defined in s. 20.23, or the
121 appropriate division thereof.

122 (17)~~(9)~~ DIRECTOR.—The Director of the Division of the
123 Florida Highway Patrol of the Department of Highway Safety and
124 Motor Vehicles.

125 (18)~~(10)~~ DRIVER.—Any person who drives or is in actual
126 physical control of a vehicle on a highway or who is exercising
127 control of a vehicle or steering a vehicle being towed by a
128 motor vehicle.

129 (20)~~(11)~~ EXPLOSIVE.—Any chemical compound or mechanical
130 mixture that is commonly used or intended for the purpose of
131 producing an explosion and which contains any oxidizing and
132 combustive units or other ingredients in such proportions,
133 quantities, or packing that an ignition by fire, friction,
134 concussion, percussion, or detonator of any part of the compound
135 or mixture may cause such a sudden generation of highly heated
136 gases that the resultant gaseous pressures are capable of
137 producing destructive effect on contiguous objects or of
138 destroying life or limb.

139 (22)~~(12)~~ FARM TRACTOR.—Any motor vehicle designed and used
140 primarily as a farm implement for drawing plows, mowing
141 machines, and other implements of husbandry.

142 (23)~~(13)~~ FLAMMABLE LIQUID.—Any liquid which has a flash
143 point of 70 degrees Fahrenheit or less, as determined by a
144 Tagliabue or equivalent closed-cup test device.

145 (25)~~(14)~~ GROSS WEIGHT.—The weight of a vehicle without load
146 plus the weight of any load thereon.

147 (27)~~(15)~~ HOUSE TRAILER.—

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148 (a) A trailer or semitrailer which is designed,
149 constructed, and equipped as a dwelling place, living abode, or
150 sleeping place (either permanently or temporarily) and is
151 equipped for use as a conveyance on streets and highways, or

152 (b) A trailer or a semitrailer the chassis and exterior
153 shell of which is designed and constructed for use as a house
154 trailer, as defined in paragraph (a), but which is used instead,
155 permanently or temporarily, for the advertising, sales, display,
156 or promotion of merchandise or services or for any other
157 commercial purpose except the transportation of property for
158 hire or the transportation of property for distribution by a
159 private carrier.

160 (28)~~(16)~~ IMPLEMENT OF HUSBANDRY.—Any vehicle designed and
161 adapted exclusively for agricultural, horticultural, or
162 livestock-raising operations or for lifting or carrying an
163 implement of husbandry and in either case not subject to
164 registration if used upon the highways.

165 (29)~~(17)~~ INTERSECTION.—

166 (a) The area embraced within the prolongation or connection
167 of the lateral curblines; or, if none, then the lateral boundary
168 lines of the roadways of two highways which join one another at,
169 or approximately at, right angles; or the area within which
170 vehicles traveling upon different highways joining at any other
171 angle may come in conflict.

172 (b) Where a highway includes two roadways 30 feet or more
173 apart, then every crossing of each roadway of such divided
174 highway by an intersecting highway shall be regarded as a
175 separate intersection. In the event such intersecting highway
176 also includes two roadways 30 feet or more apart, then every

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177 crossing of two roadways of such highways shall be regarded as a
178 separate intersection.

179 (30)~~(18)~~ LANED HIGHWAY.—A highway the roadway of which is
180 divided into two or more clearly marked lanes for vehicular
181 traffic.

182 (31)~~(19)~~ LIMITED ACCESS FACILITY.—A street or highway
183 especially designed for through traffic and over, from, or to
184 which owners or occupants of abutting land or other persons have
185 no right or easement, or only a limited right or easement, of
186 access, light, air, or view by reason of the fact that their
187 property abuts upon such limited access facility or for any
188 other reason. Such highways or streets may be parkways from
189 which trucks, buses, and other commercial vehicles are excluded;
190 or they may be freeways open to use by all customary forms of
191 street and highway traffic.

192 (32)~~(20)~~ LOCAL AUTHORITIES.—Includes all officers and
193 public officials of the several counties and municipalities of
194 this state.

195 (38)~~(21)~~ MOTOR VEHICLE.—Except when used in s. 316.1001, a
196 self-propelled vehicle not operated upon rails or guideway, but
197 not including any bicycle, motorized scooter, electric personal
198 assistive mobility device, swamp buggy, or moped. For purposes
199 of s. 316.1001, "motor vehicle" has the same meaning as in s.
200 320.01(1)(a).

201 (39)~~(22)~~ MOTORCYCLE.—Any motor vehicle having a seat or
202 saddle for the use of the rider and designed to travel on not
203 more than three wheels in contact with the ground, but excluding
204 a tractor or a moped.

205 (42)~~(23)~~ OFFICIAL TRAFFIC CONTROL DEVICES.—All signs,

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206 signals, markings, and devices, not inconsistent with this
207 chapter, placed or erected by authority of a public body or
208 official having jurisdiction for the purpose of regulating,
209 warning, or guiding traffic.

210 (43)~~(24)~~ OFFICIAL TRAFFIC CONTROL SIGNAL.—Any device,
211 whether manually, electrically, or mechanically operated, by
212 which traffic is alternately directed to stop and permitted to
213 proceed.

214 (44)~~(25)~~ OPERATOR.—Any person who is in actual physical
215 control of a motor vehicle upon the highway, or who is
216 exercising control over or steering a vehicle being towed by a
217 motor vehicle.

218 (45)~~(26)~~ OWNER.—A person who holds the legal title of a
219 vehicle, or, in the event a vehicle is the subject of an
220 agreement for the conditional sale or lease thereof with the
221 right of purchase upon performance of the conditions stated in
222 the agreement and with an immediate right of possession vested
223 in the conditional vendee or lessee, or in the event a mortgagor
224 of a vehicle is entitled to possession, then such conditional
225 vendee, or lessee, or mortgagor shall be deemed the owner, for
226 the purposes of this chapter.

227 (46)~~(27)~~ PARK OR PARKING.—The standing of a vehicle,
228 whether occupied or not, otherwise than temporarily for the
229 purpose of and while actually engaged in loading or unloading
230 merchandise or passengers as may be permitted by law under this
231 chapter.

232 (47)~~(28)~~ PEDESTRIAN.—Any person afoot.

233 (48)~~(29)~~ PERSON.—Any natural person, firm, copartnership,
234 association, or corporation.

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235 (49)~~(30)~~ PNEUMATIC TIRE.—Any tire in which compressed air
236 is designed to support the load.

237 (50)~~(31)~~ POLE TRAILER.—Any vehicle without motive power
238 designed to be drawn by another vehicle and attached to the
239 towing vehicle by means of a reach or pole, or by being boomed
240 or otherwise secured to the towing vehicle, and ordinarily used
241 for transporting long or irregularly shaped loads such as poles,
242 pipes, or structural members capable, generally, of sustaining
243 themselves as beams between the supporting connections.

244 (51)~~(32)~~ POLICE OFFICER.—Any officer authorized to direct
245 or regulate traffic or to make arrests for violations of traffic
246 regulations, including Florida highway patrol officers,
247 sheriffs, deputy sheriffs, and municipal police officers.

248 (52)~~(33)~~ PRIVATE ROAD OR DRIVEWAY.—Except as otherwise
249 provided in paragraph (74) (b) ~~(53) (b)~~, any privately owned way
250 or place used for vehicular travel by the owner and those having
251 express or implied permission from the owner, but not by other
252 persons.

253 (53)~~(34)~~ RADIOACTIVE MATERIALS.—Any materials or
254 combination of materials which emit ionizing radiation
255 spontaneously in which the radioactivity per gram of material,
256 in any form, is greater than 0.002 microcuries.

257 (54)~~(35)~~ RAILROAD.—A carrier of persons or property upon
258 cars operated upon stationary rails.

259 (55)~~(36)~~ RAILROAD SIGN OR SIGNAL.—Any sign, signal, or
260 device erected by authority of a public body or official, or by
261 a railroad, and intended to give notice of the presence of
262 railroad tracks or the approach of a railroad train.

263 (56)~~(37)~~ RAILROAD TRAIN.—A steam engine, electric or other

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264 motor, with or without cars coupled thereto, operated upon
265 rails, except a streetcar.

266 (57)~~(38)~~ RESIDENCE DISTRICT.—The territory contiguous to,
267 and including, a highway, not comprising a business district,
268 when the property on such highway, for a distance of 300 feet or
269 more, is, in the main, improved with residences or residences
270 and buildings in use for business.

271 (58)~~(39)~~ REVOCATION.—Revocation means that a licensee's
272 privilege to drive a motor vehicle is terminated. A new license
273 may be obtained only as permitted by law.

274 (59)~~(40)~~ RIGHT-OF-WAY.—The right of one vehicle or
275 pedestrian to proceed in a lawful manner in preference to
276 another vehicle or pedestrian approaching under such
277 circumstances of direction, speed, and proximity as to give rise
278 to danger of collision unless one grants precedence to the
279 other.

280 (60)~~(41)~~ ROAD TRACTOR.—Any motor vehicle designed and used
281 for drawing other vehicles and not so constructed as to carry
282 any load thereon, either independently or as any part of the
283 weight of a vehicle or load so drawn.

284 (61)~~(42)~~ ROADWAY.—That portion of a highway improved,
285 designed, or ordinarily used for vehicular travel, exclusive of
286 the berm or shoulder. In the event a highway includes two or
287 more separate roadways, the term "roadway" as used herein refers
288 to any such roadway separately, but not to all such roadways
289 collectively.

290 (62)~~(43)~~ SADDLE MOUNT; FULL MOUNT.—An arrangement whereby
291 the front wheels of one vehicle rest in a secured position upon
292 another vehicle. All of the wheels of the towing vehicle are

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293 upon the ground, and only the rear wheels of the towed vehicle
294 rest upon the ground. Such combinations may include one full
295 mount, whereby a smaller transport vehicle is placed completely
296 on the last towed vehicle.

297 (63)~~(44)~~ SAFETY ZONE.—The area or space officially set
298 apart within a roadway for the exclusive use of pedestrians and
299 protected or so marked by adequate signs or authorized pavement
300 markings as to be plainly visible at all times while set apart
301 as a safety zone.

302 (65)~~(45)~~ SCHOOL BUS.—Any motor vehicle that complies with
303 the color and identification requirements of chapter 1006 and is
304 used to transport children to or from public or private school
305 or in connection with school activities, but not including buses
306 operated by common carriers in urban transportation of school
307 children. The term "school" includes all preelementary,
308 elementary, secondary, and postsecondary schools.

309 (66)~~(46)~~ SEMITRAILER.—Any vehicle with or without motive
310 power, other than a pole trailer, designed for carrying persons
311 or property and for being drawn by a motor vehicle and so
312 constructed that some part of its weight and that of its load
313 rests upon, or is carried by, another vehicle.

314 (67)~~(47)~~ SIDEWALK.—That portion of a street between the
315 curblines, or the lateral line, of a roadway and the adjacent
316 property lines, intended for use by pedestrians.

317 (68)~~(48)~~ SPECIAL MOBILE EQUIPMENT.—Any vehicle not designed
318 or used primarily for the transportation of persons or property
319 and only incidentally operated or moved over a highway,
320 including, but not limited to, ditchdigging apparatus, well-
321 boring apparatus, and road construction and maintenance

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322 machinery, such as asphalt spreaders, bituminous mixers, bucket
323 loaders, tractors other than truck tractors, ditchers, leveling
324 graders, finishing machines, motor graders, road rollers,
325 scarifiers, earthmoving carryalls and scrapers, power shovels
326 and draglines, and self-propelled cranes and earthmoving
327 equipment. The term does not include house trailers, dump
328 trucks, truck-mounted transit mixers, cranes or shovels, or
329 other vehicles designed for the transportation of persons or
330 property to which machinery has been attached.

331 (69)~~(49)~~ STAND OR STANDING.—The halting of a vehicle,
332 whether occupied or not, otherwise than temporarily, for the
333 purpose of, and while actually engaged in, receiving or
334 discharging passengers, as may be permitted by law under this
335 chapter.

336 (70)~~(50)~~ STATE ROAD.—Any highway designated as a state-
337 maintained road by the Department of Transportation.

338 (71)~~(51)~~ STOP.—When required, complete cessation from
339 movement.

340 (72)~~(52)~~ STOP OR STOPPING.—When prohibited, any halting,
341 even momentarily, of a vehicle, whether occupied or not, except
342 when necessary to avoid conflict with other traffic or to comply
343 with the directions of a law enforcement officer or traffic
344 control sign or signal.

345 (74)~~(53)~~ STREET OR HIGHWAY.—

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

349 (b) The entire width between the boundary lines of any
350 privately owned way or place used for vehicular travel by the

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351 owner and those having express or implied permission from the
352 owner, but not by other persons, or any limited access road
353 owned or controlled by a special district, whenever, by written
354 agreement entered into under s. 316.006(2)(b) or (3)(b), a
355 county or municipality exercises traffic control jurisdiction
356 over said way or place;

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

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

367 (75)~~(54)~~ SUSPENSION.—Temporary withdrawal of a licensee's
368 privilege to drive a motor vehicle.

369 (81)~~(55)~~ THROUGH HIGHWAY.—Any highway or portion thereof on
370 which vehicular traffic is given the right-of-way and at the
371 entrances to which vehicular traffic from intersecting highways
372 is required to yield right-of-way to vehicles on such through
373 highway in obedience to either a stop sign or yield sign, or
374 otherwise in obedience to law.

375 (82)~~(56)~~ TIRE WIDTH.—Tire width is that width stated on the
376 surface of the tire by the manufacturer of the tire, if the
377 width stated does not exceed 2 inches more than the width of the
378 tire contacting the surface.

379 (83)~~(57)~~ TRAFFIC.—Pedestrians, ridden or herded animals,

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380 and vehicles, streetcars, and other conveyances either singly or
381 together while using any street or highway for purposes of
382 travel.

383 (86)~~(58)~~ TRAILER.—Any vehicle with or without motive power,
384 other than a pole trailer, designed for carrying persons or
385 property and for being drawn by a motor vehicle.

386 (89)~~(59)~~ TRUCK.—Any motor vehicle designed, used, or
387 maintained primarily for the transportation of property.

388 (90)~~(60)~~ TRUCK TRACTOR.—Any motor vehicle designed and used
389 primarily for drawing other vehicles and not so constructed as
390 to carry a load other than a part of the weight of the vehicle
391 and load so drawn.

392 (35)~~(61)~~ MIGRANT OR SEASONAL FARM WORKER.—Any person
393 employed in hand labor operations in planting, cultivation, or
394 harvesting agricultural crops.

395 (21)~~(62)~~ FARM LABOR VEHICLE.—Any vehicle equipped and used
396 for the transportation of nine or more migrant or seasonal farm
397 workers, in addition to the driver, to or from a place of
398 employment or employment-related activities. The term does not
399 include:

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

402 (b) Any vehicle being operated by a common carrier of
403 passengers.

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

405 (5)~~(63)~~ BICYCLE PATH.—Any road, path, or way that is open
406 to bicycle travel, which road, path, or way is physically
407 separated from motorized vehicular traffic by an open space or
408 by a barrier and is located either within the highway right-of-

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409 way or within an independent right-of-way.

410 (10)~~(64)~~ CHIEF ADMINISTRATIVE OFFICER.—The head, or his or
411 her designee, of any law enforcement agency which is authorized
412 to enforce traffic laws.

413 (11)~~(65)~~ CHILD.—A child as defined in s. 39.01, s. 984.03,
414 or s. 985.03.

415 (12)~~(66)~~ COMMERCIAL MOTOR VEHICLE.—Any self-propelled or
416 towed vehicle used on the public highways in commerce to
417 transport passengers or cargo, if such vehicle:

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

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

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

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426 A vehicle that occasionally transports personal property to and
427 from a closed-course motorsport facility, as defined in s.
428 549.09(1)(a), is not a commercial motor vehicle if it is not
429 used for profit and corporate sponsorship is not involved. As
430 used in this subsection, the term "corporate sponsorship" means
431 a payment, donation, gratuity, in-kind service, or other benefit
432 provided to or derived by a person in relation to the underlying
433 activity, other than the display of product or corporate names,
434 logos, or other graphic information on the property being
435 transported.

436 (13)~~(67)~~ COURT.—The court having jurisdiction over traffic
437 offenses.

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438 (24)~~(68)~~ GOLF CART.—A motor vehicle designed and
439 manufactured for operation on a golf course for sporting or
440 recreational purposes.

441 (26)~~(69)~~ HAZARDOUS MATERIAL.—Any substance or material
442 which has been determined by the secretary of the United States
443 Department of Transportation to be capable of imposing an
444 unreasonable risk to health, safety, and property. This term
445 includes hazardous waste as defined in s. 403.703(13).

446 (73)~~(70)~~ STRAIGHT TRUCK.—Any truck on which the cargo unit
447 and the motive power unit are located on the same frame so as to
448 form a single, rigid unit.

449 (78)~~(71)~~ TANDEM TRAILER TRUCK.—Any combination of a truck
450 tractor, semitrailer, and trailer coupled together so as to
451 operate as a complete unit.

452 (79)~~(72)~~ TANDEM TRAILER TRUCK HIGHWAY NETWORK.—A highway
453 network consisting primarily of four or more lanes, including
454 all interstate highways; highways designated by the United
455 States Department of Transportation as elements of the National
456 Network; and any street or highway designated by the Florida
457 Department of Transportation for use by tandem trailer trucks,
458 in accordance with s. 316.515, except roads on which truck
459 traffic was specifically prohibited on January 6, 1983.

460 (80)~~(73)~~ TERMINAL.—Any location where:

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

463 (b) Commercial motor carriers maintain operating
464 facilities.

465 (87)~~(74)~~ TRANSPORTATION.—The conveyance or movement of
466 goods, materials, livestock, or persons from one location to

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467 another on any road, street, or highway open to travel by the
468 public.

469 (92)~~(75)~~ VEHICLE.—Every device, in, upon, or by which any
470 person or property is or may be transported or drawn upon a
471 highway, excepting devices used exclusively upon stationary
472 rails or tracks.

473 (6)~~(76)~~ BRAKE HORSEPOWER.—The actual unit of torque
474 developed per unit of time at the output shaft of an engine, as
475 measured by a dynamometer.

476 (36)~~(77)~~ MOPED.—Any vehicle with pedals to permit
477 propulsion by human power, having a seat or saddle for the use
478 of the rider and designed to travel on not more than three
479 wheels; with a motor rated not in excess of 2 brake horsepower
480 and not capable of propelling the vehicle at a speed greater
481 than 30 miles per hour on level ground; and with a power-drive
482 system that functions directly or automatically without
483 clutching or shifting gears by the operator after the drive
484 system is engaged. If an internal combustion engine is used, the
485 displacement may not exceed 50 cubic centimeters.

486 (41)~~(78)~~ NONPUBLIC SECTOR BUS.—Any bus which is used for
487 the transportation of persons for compensation and which is not
488 owned, leased, operated, or controlled by a municipal, county,
489 or state government or a governmentally owned or managed
490 nonprofit corporation.

491 (95)~~(79)~~ WORK ZONE AREA.—The area and its approaches on any
492 state-maintained highway, county-maintained highway, or
493 municipal street where construction, repair, maintenance, or
494 other street-related or highway-related work is being performed
495 or where one or more lanes is closed to traffic.

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496 (34)~~(80)~~ MAXI-CUBE VEHICLE.—A specialized combination
497 vehicle consisting of a truck carrying a separable cargo-
498 carrying unit combined with a semitrailer designed so that the
499 separable cargo-carrying unit is to be loaded and unloaded
500 through the semitrailer. The entire combination may not exceed
501 65 feet in length, and a single component of that combination
502 may not exceed 34 feet in length.

503 (77)~~(81)~~ TANDEM AXLE.—Any two axles whose centers are more
504 than 40 inches but not more than 96 inches apart and are
505 individually attached to or articulated from, or both, a common
506 attachment to the vehicle, including a connecting mechanism
507 designed to equalize the load between axles.

508 (40)~~(82)~~ MOTORIZED SCOOTER.—Any vehicle not having a seat
509 or saddle for the use of the rider, designed to travel on not
510 more than three wheels, and not capable of propelling the
511 vehicle at a speed greater than 30 miles per hour on level
512 ground.

513 (19)~~(83)~~ ELECTRIC PERSONAL ASSISTIVE MOBILITY DEVICE.—Any
514 self-balancing, two-nontandem-wheeled device, designed to
515 transport only one person, with an electric propulsion system
516 with average power of 750 watts (1 horsepower), the maximum
517 speed of which, on a paved level surface when powered solely by
518 such a propulsion system while being ridden by an operator who
519 weighs 170 pounds, is less than 20 miles per hour. Electric
520 personal assistive mobility devices are not vehicles as defined
521 in this section.

522 (85)~~(84)~~ TRAFFIC SIGNAL PREEMPTION SYSTEM.—Any system or
523 device with the capability of activating a control mechanism
524 mounted on or near traffic signals which alters a traffic

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525 signal's timing cycle.

526 (93)~~(85)~~ VICTIM SERVICES PROGRAMS.—Any community-based
527 organization whose primary purpose is to act as an advocate for
528 the victims and survivors of traffic crashes and for their
529 families. The victims services offered by these programs may
530 include grief and crisis counseling, assistance with preparing
531 victim compensation claims excluding third-party legal action,
532 or connecting persons with other service providers, and
533 providing emergency financial assistance.

534 (37)~~(86)~~ MOTOR CARRIER TRANSPORTATION CONTRACT.—

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

536 1. The transportation of property for compensation or hire
537 by the motor carrier;

538 2. Entrance on property by the motor carrier for the
539 purpose of loading, unloading, or transporting property for
540 compensation or hire; or

541 3. A service incidental to activity described in
542 subparagraph 1. or subparagraph 2., including, but not limited
543 to, storage of property.

544 (b) "Motor carrier transportation contract" does not
545 include the Uniform Intermodal Interchange and Facilities Access
546 Agreement administered by the Intermodal Association of North
547 America or other agreements providing for the interchange, use,
548 or possession of intermodal chassis, containers, or other
549 intermodal equipment.

550 (84)~~(87)~~ TRAFFIC INFRACTION DETECTOR.—A vehicle sensor
551 installed to work in conjunction with a traffic control signal
552 and a camera or cameras synchronized to automatically record two
553 or more sequenced photographic or electronic images or streaming

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554 video of only the rear of a motor vehicle at the time the
555 vehicle fails to stop behind the stop bar or clearly marked stop
556 line when facing a traffic control signal steady red light. Any
557 notification under s. 316.0083(1)(b) or traffic citation issued
558 by the use of a traffic infraction detector must include a
559 photograph or other recorded image showing both the license tag
560 of the offending vehicle and the traffic control device being
561 violated.

562 (88) TRI-VEHICLE.—An enclosed three-wheeled passenger
563 vehicle that:

564 (a) Is designed to operate with three wheels in contact
565 with the ground;

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

567 (c) Has a single, completely enclosed, occupant
568 compartment;

569 (d) Is produced in a minimum quantity of 300 in any
570 calendar year;

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

573 (f) Is equipped with:

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

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

578 3. A propulsion unit located forward or aft of the enclosed
579 occupant compartment;

580 4. A seat belt for each vehicle occupant certified to meet
581 the requirements of Federal Motor Vehicle Safety Standard No.
582 209, "Seat belt assemblies" (49 C.F.R. s. 571.209);

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583 5. A windshield and an appropriate windshield wiper and
584 washer system that are certified by the vehicle manufacturer to
585 meet the requirements of Federal Motor Vehicle Safety Standard
586 No. 205, "Glazing Materials" (49 C.F.R. s. 571.205) and Federal
587 Motor Vehicle Safety Standard No. 104, "Windshield Wiping and
588 Washing Systems" (49 C.F.R. s. 571.104); and

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

593 (76)~~(89)~~ SWAMP BUGGY.—A motorized off-road vehicle that is
594 designed or modified to travel over swampy or varied terrain and
595 that may use large tires or tracks operated from an elevated
596 platform. The term does not include any vehicle defined in
597 chapter 261 or otherwise defined or classified in this chapter.

598 (2)~~(90)~~ AUTONOMOUS VEHICLE.—Any vehicle equipped with
599 autonomous technology. The term "autonomous technology" means
600 technology installed on a motor vehicle that has the capability
601 to drive the vehicle on which the technology is installed
602 without the active control or monitoring by a human operator.
603 The term excludes a motor vehicle enabled with active safety
604 systems or driver assistance systems, including, without
605 limitation, a system to provide electronic blind spot
606 assistance, crash avoidance, emergency braking, parking
607 assistance, adaptive cruise control, lane keep assistance, lane
608 departure warning, or traffic jam and queuing assistant, unless
609 any such system alone or in combination with other systems
610 enables the vehicle on which the technology is installed to
611 drive without the active control or monitoring by a human

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612 operator.

613 (33)~~(91)~~ LOCAL HEARING OFFICER.—The person, designated by a
614 department, county, or municipality that elects to authorize
615 traffic infraction enforcement officers to issue traffic
616 citations under s. 316.0083(1)(a), who is authorized to conduct
617 hearings related to a notice of violation issued pursuant to s.
618 316.0083. The charter county, noncharter county, or municipality
619 may use its currently appointed code enforcement board or
620 special magistrate to serve as the local hearing officer. The
621 department may enter into an interlocal agreement to use the
622 local hearing officer of a county or municipality.

623 (64)~~(92)~~ SANITATION VEHICLE.—A motor vehicle that bears an
624 emblem that is visible from the roadway and clearly identifies
625 that the vehicle belongs to or is under contract with a person,
626 entity, cooperative, board, commission, district, or unit of
627 local government that provides garbage, trash, refuse, or
628 recycling collection.

629 (91)~~(93)~~ UTILITY SERVICE VEHICLE.—A motor vehicle that
630 bears an emblem that is visible from the roadway and clearly
631 identifies that the vehicle belongs to or is under contract with
632 a person, entity, cooperative, board, commission, district, or
633 unit of local government that provides electric, natural gas,
634 water, wastewater, cable, telephone, or communications services.

635 (94) VULNERABLE USER OF A PUBLIC ROADWAY OR VULNERABLE
636 USER.—

637 (a) A pedestrian, including a person actually engaged in
638 work upon a highway, work upon utility facilities along a
639 highway, or the provision of emergency services within the
640 right-of-way;

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

643 (c) A person riding an animal; or

644 (d) A person lawfully operating on a public roadway,
 645 crosswalk, or shoulder of the roadway;

646 1. A farm tractor or similar vehicle designed primarily for
 647 farm use;

648 2. A horse-drawn carriage;

649 3. An electric personal assistive mobility device; or

650 4. A wheelchair.

651 Section 2. Subsection (1) and paragraphs (e) and (f) of
 652 subsection (2) of section 316.027, Florida Statutes, are amended
 653 to read:

654 316.027 Crash involving death or personal injuries.—

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

656 ~~(a)~~ "serious bodily injury" means an injury to a person,
 657 including the driver, which consists of a physical condition
 658 that creates a substantial risk of death, serious personal
 659 disfigurement, or protracted loss or impairment of the function
 660 of a bodily member or organ.

661 ~~(b) "Vulnerable road user" means—~~

662 ~~1. A pedestrian, including a person actually engaged in~~
 663 ~~work upon a highway, or in work upon utility facilities along a~~
 664 ~~highway, or engaged in the provision of emergency services~~
 665 ~~within the right-of-way;~~

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

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

669 ~~4. A person lawfully operating on a public right-of-way,~~

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670 ~~crosswalk, or shoulder of the roadway:~~

671 ~~a. A farm tractor or similar vehicle designed primarily for~~
672 ~~farm use;~~

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

674 ~~c. A horse drawn carriage;~~

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

676 ~~e. A wheelchair.~~

677 (2)

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

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

689 2. The department may reinstate an offender's driving
690 privilege after he or she satisfies the 3-year revocation period
691 as provided in s. 322.28(4) and successfully completes either a
692 victim's impact panel session or a department-approved driver
693 improvement course relating to the rights of vulnerable ~~road~~
694 users relative to vehicles on the roadway as provided in s.
695 322.0261(2).

696 3. For purposes of this paragraph, an offender's driving
697 privilege may be reinstated only after the department verifies
698 that the offender participated in and successfully completed a

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699 victim's impact panel session or a department-approved driver
700 improvement course.

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

707 Section 3. Section 316.083, Florida Statutes, is amended to
708 read:

709 316.083 Overtaking and passing a vehicle.—The following
710 provisions ~~rules shall~~ govern the overtaking and passing of a
711 vehicle ~~vehicles~~ proceeding in the same direction, ~~subject to~~
712 ~~those limitations, exceptions, and special rules hereinafter~~
713 ~~stated:~~

714 (1) The driver of a vehicle overtaking another vehicle
715 proceeding in the same direction shall give an appropriate
716 signal as provided for in s. 316.156, shall pass to the left
717 thereof at a safe distance, and shall not again drive to the
718 right side of the roadway until safely clear of the overtaken
719 vehicle.

720 (2) The driver of a motor vehicle overtaking a person
721 operating a bicycle or other vulnerable user of a public roadway
722 ~~nonmotorized vehicle~~ must pass the person operating the bicycle
723 or other vulnerable user nonmotorized vehicle at a safe distance
724 of not less than 3 feet between any part of or attachment to the
725 motor vehicle, anything extending from the motor vehicle, or any
726 trailer or other thing being towed by the motor vehicle and the
727 bicycle, the person operating the bicycle, or other vulnerable

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728 user nonmotorized vehicle.

729 (3)~~(2)~~ Except when overtaking and passing on the right is
730 permitted, the driver of an overtaken vehicle shall give way to
731 the right in favor of the overtaking vehicle, on audible signal
732 or upon the visible blinking of the headlamps of the overtaking
733 vehicle if such overtaking is being attempted at nighttime, and
734 shall not increase the speed of his or her vehicle until
735 completely passed by the overtaking vehicle.

736 (4)~~(3)~~ A violation of this section is a noncriminal traffic
737 infraction, punishable as a moving violation as provided in
738 chapter 318. If a violation of this section contributed to the
739 bodily injury of a vulnerable user of a public roadway, the law
740 enforcement officer issuing the citation for the violation shall
741 note such information on the citation.

742 Section 4. Section 316.084, Florida Statutes, is amended to
743 read:

744 316.084 When overtaking on the right is permitted.—

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

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

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

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

756 (2) The driver of a vehicle may overtake and pass another

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757 vehicle on the right only under conditions permitting such
758 movement in safety. In no event shall such movement be made by
759 driving off the pavement or main-traveled portion of the
760 roadway.

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

764 (4)~~(3)~~ A violation of this section is a noncriminal traffic
765 infraction, punishable as a moving violation as provided in
766 chapter 318.

767 Section 5. Section 316.0875, Florida Statutes, is amended
768 to read:

769 316.0875 No-passing zones.—

770 (1) The Department of Transportation and local authorities
771 are authorized to determine those portions of any highway under
772 their respective jurisdiction where overtaking and passing or
773 driving to the left of the roadway would be especially hazardous
774 and may, by appropriate signs or markings on the roadway,
775 indicate the beginning and end of such zones, and, when such
776 signs or markings are in place and clearly visible to an
777 ordinarily observant person, each ~~every~~ driver of a vehicle
778 shall obey the directions thereof.

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

785 (3) This section does not apply to a person who safely and

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786 briefly drives to the left of the center of the roadway or
787 pavement striping only to the extent necessary to:

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

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

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

794 (4) A violation of this section is a noncriminal traffic
795 infraction, punishable as a moving violation as provided in
796 chapter 318.

797 Section 6. Section 316.151, Florida Statutes, is amended to
798 read:

799 316.151 Required position and method of turning at
800 intersections.—

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

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

807 2. When overtaking and passing a bicycle or other
808 vulnerable user proceeding in the same direction, the driver of
809 a motor vehicle shall give an appropriate signal as provided for
810 in s. 316.155 and shall make the right turn only if it can be
811 made at a safe distance from the bicycle or other vulnerable
812 user.

813 3. When crossing a sidewalk, bicycle lane, or bicycle path
814 to turn right, the driver of a motor vehicle shall yield the

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815 right-of-way to a bicycle or pedestrian.

816 (b) *Left turn.*—The driver of a vehicle intending to turn
817 left at an any intersection onto a highway, public or private
818 roadway, or driveway shall do so as follows:

819 1. The driver shall approach the intersection in the
820 extreme left-hand lane lawfully available to traffic moving in
821 the direction of travel of such vehicle. Thereafter, and, after
822 entering the intersection, the left turn shall be made so as to
823 leave the intersection in a lane lawfully available to traffic
824 moving in such direction upon the roadway being entered.

825 2. A person riding a bicycle and intending to turn left in
826 accordance with this section is entitled to the full use of the
827 lane from which the turn may legally be made. Whenever
828 practicable the left turn shall be made in that portion of the
829 intersection to the left of the center of the intersection.

830 ~~(c) *Left turn by bicycle.*—In addition to the method of~~
831 ~~making a left turn described in paragraph (b), a person riding a~~
832 ~~bicycle and intending to turn left may do so as follows has the~~
833 ~~option of following the course described hereafter:~~

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

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

839 c. Before proceeding, the bicyclist shall comply with any
840 official traffic control device or police officer regulating
841 traffic on the highway along which the bicyclist intends to
842 proceed.

843 (2) The state, county, and local authorities in their

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844 respective jurisdictions may cause official traffic control
845 devices to be placed within or adjacent to intersections and
846 thereby require and direct that a different course from that
847 specified in this section be traveled by vehicles turning at an
848 intersection. When such devices are so placed, the ~~no~~ driver of
849 a vehicle may not turn a vehicle at an intersection other than
850 as directed and required by such devices.

851 (3) A violation of this section is a noncriminal traffic
852 infraction, punishable as a moving violation as provided in
853 chapter 318. If a violation of this section contributes to the
854 bodily injury of a vulnerable user of a public roadway, the law
855 enforcement officer issuing the citation for the violation shall
856 note such information on the citation.

857 Section 7. Section 316.1925, Florida Statutes, is amended
858 to read:

859 316.1925 Careless driving.—

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

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

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

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873 Section 8. Subsections (1), (5), and (6) of section
874 316.2065, Florida Statutes, are amended to read:

875 316.2065 Bicycle regulations.—

876 (1) A bicycle is a vehicle under Florida law and shall be
877 operated in the same manner as any other vehicle and every
878 person operating a bicycle ~~propelling a vehicle by human power~~
879 has all of the rights and all of the duties applicable to the
880 driver of any other vehicle under this chapter, except as to
881 special regulations in this chapter, and except as to provisions
882 of this chapter which by their nature can have no application.

883 (5) (a) Any person operating a bicycle upon a roadway at
884 less than the normal speed of traffic at the time and place and
885 under the conditions then existing shall ride in the bicycle
886 ~~lane marked for bicycle use~~ or, if there is no bicycle lane in
887 the roadway is marked for bicyele use, as close as practicable
888 to the right-hand curb or edge of the roadway except under any
889 of the following situations:

890 1. When overtaking and passing another bicycle or vehicle
891 proceeding in the same direction.

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

894 3. When reasonably necessary to avoid any condition or
895 potential conflict, including, but not limited to, a fixed or
896 moving object, parked or moving vehicle, bicycle, pedestrian,
897 animal, surface hazard, turn lane, or substandard-width lane,
898 which makes it unsafe to continue along the right-hand curb or
899 edge or within a bicycle lane. For the purposes of this
900 subsection, a "substandard-width lane" is a lane that is too
901 narrow for a bicycle and another vehicle to travel safely side

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902 by side within the lane.

903 (b) Any person operating a bicycle upon a one-way highway
904 with two or more marked traffic lanes may ride as near the left-
905 hand curb or edge of such roadway as practicable.

906 (6) (a) Persons riding bicycles upon a roadway or in a
907 bicycle lane may not ride more than two abreast except on
908 bicycle paths or parts of roadways set aside for the exclusive
909 use of bicycles. Persons riding two abreast may not impede
910 traffic when traveling at less than the normal speed of traffic
911 at the time and place and under the conditions then existing and
912 shall ride within a single lane.

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

918 Section 9. Section 318.142, Florida Statutes, is created to
919 read:

920 318.142 Infractions contributing to bodily injury of a
921 vulnerable user of a public roadway.—In addition to any other
922 penalty imposed for a violation under s. 316.192, if the
923 violation contributed to the bodily injury of a vulnerable user
924 of a public roadway as defined in s. 316.003, the law
925 enforcement officer issuing the citation for the infraction
926 shall note such information on the citation and the designated
927 official may impose a fine of not more than \$2,500.

928 Section 10. Section 318.19, Florida Statutes, is amended to
929 read:

930 318.19 Infractions requiring a mandatory hearing.—Any

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931 person cited for the infractions listed in this section shall
932 not have the provisions of s. 318.14(2), (4), and (9) available
933 to him or her but must appear before the designated official at
934 the time and location of the scheduled hearing:

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

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

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

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

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

942 316.189 of exceeding the speed limit by 30 m.p.h. or more; or

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

944 316.1925 which contributes to bodily injury of a vulnerable user

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

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

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

948 issuing the citation for the infraction shall note such

949 information on the citation.

950 Section 11. Paragraph (c) of subsection (1) of section

951 212.05, Florida Statutes, is amended to read:

952 212.05 Sales, storage, use tax.—It is hereby declared to be

953 the legislative intent that every person is exercising a taxable

954 privilege who engages in the business of selling tangible

955 personal property at retail in this state, including the

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

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

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

959 of tangible personal property as defined herein and who leases

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960 or rents such property within the state.

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

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

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

970 a. If the motor vehicle is rented in Florida, the entire
971 amount of such rental is taxable, even if the vehicle is dropped
972 off in another state.

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

975 2. Except as provided in subparagraph 3., for the lease or
976 rental of a motor vehicle for a period of not less than 12
977 months, sales tax is due on the lease or rental payments if the
978 vehicle is registered in this state; provided, however, that no
979 tax shall be due if the taxpayer documents use of the motor
980 vehicle outside this state and tax is being paid on the lease or
981 rental payments in another state.

982 3. The tax imposed by this chapter does not apply to the
983 lease or rental of a commercial motor vehicle as defined in s.
984 316.003(12)(a) ~~316.003(66)(a)~~ to one lessee or rentee for a
985 period of not less than 12 months when tax was paid on the
986 purchase price of such vehicle by the lessor. To the extent tax
987 was paid with respect to the purchase of such vehicle in another
988 state, territory of the United States, or the District of

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989 Columbia, the Florida tax payable shall be reduced in accordance
990 with the provisions of s. 212.06(7). This subparagraph shall
991 only be available when the lease or rental of such property is
992 an established business or part of an established business or
993 the same is incidental or germane to such business.

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

996 316.1303 Traffic regulations to assist mobility-impaired
997 persons.—

998 (1) Whenever a pedestrian who is mobility impaired is in
999 the process of crossing a public street or highway with the
1000 assistance of a guide dog or service animal designated as such
1001 with a visible means of identification, a walker, a crutch, an
1002 orthopedic cane, or a wheelchair, the driver of a vehicle
1003 approaching the intersection, as defined in s. 316.003
1004 ~~316.003(17)~~, shall bring his or her vehicle to a full stop
1005 before arriving at the intersection and, before proceeding,
1006 shall take precautions necessary to avoid injuring the
1007 pedestrian.

1008 Section 13. Subsection (5) of section 316.235, Florida
1009 Statutes, is amended to read:

1010 316.235 Additional lighting equipment.—

1011 (5) A bus, as defined in s. 316.003 ~~316.003(3)~~, may be
1012 equipped with a deceleration lighting system which cautions
1013 following vehicles that the bus is slowing, preparing to stop,
1014 or is stopped. Such lighting system shall consist of amber
1015 lights mounted in horizontal alignment on the rear of the
1016 vehicle at or near the vertical centerline of the vehicle, not
1017 higher than the lower edge of the rear window or, if the vehicle

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1018 has no rear window, not higher than 72 inches from the ground.
1019 Such lights shall be visible from a distance of not less than
1020 300 feet to the rear in normal sunlight. Lights are permitted to
1021 light and flash during deceleration, braking, or standing and
1022 idling of the bus. Vehicular hazard warning flashers may be used
1023 in conjunction with or in lieu of a rear-mounted deceleration
1024 lighting system.

1025 Section 14. Paragraph (b) of subsection (2) and paragraph
1026 (a) of subsection (4) of section 316.545, Florida Statutes, are
1027 amended to read:

1028 316.545 Weight and load unlawful; special fuel and motor
1029 fuel tax enforcement; inspection; penalty; review.—

1030 (2)

1031 (b) The officer or inspector shall inspect the license
1032 plate or registration certificate of the commercial motor
1033 vehicle, as defined in s. 316.003 ~~316.003(66)~~, to determine if
1034 its gross weight is in compliance with the declared gross
1035 vehicle weight. If its gross weight exceeds the declared weight,
1036 the penalty shall be 5 cents per pound on the difference between
1037 such weights. In those cases when the commercial motor vehicle,
1038 as defined in s. 316.003 ~~316.003(66)~~, is being operated over the
1039 highways of the state with an expired registration or with no
1040 registration from this or any other jurisdiction or is not
1041 registered under the applicable provisions of chapter 320, the
1042 penalty herein shall apply on the basis of 5 cents per pound on
1043 that scaled weight which exceeds 35,000 pounds on laden truck
1044 tractor-semitrailer combinations or tandem trailer truck
1045 combinations, 10,000 pounds on laden straight trucks or straight
1046 truck-trailer combinations, or 10,000 pounds on any unladen

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1047 commercial motor vehicle. If the license plate or registration
1048 has not been expired for more than 90 days, the penalty imposed
1049 under this paragraph may not exceed \$1,000. In the case of
1050 special mobile equipment as defined in s. 316.003 ~~316.003(48)~~,
1051 which qualifies for the license tax provided for in s.
1052 320.08(5)(b), being operated on the highways of the state with
1053 an expired registration or otherwise not properly registered
1054 under the applicable provisions of chapter 320, a penalty of \$75
1055 shall apply in addition to any other penalty which may apply in
1056 accordance with this chapter. A vehicle found in violation of
1057 this section may be detained until the owner or operator
1058 produces evidence that the vehicle has been properly registered.
1059 Any costs incurred by the retention of the vehicle shall be the
1060 sole responsibility of the owner. A person who has been assessed
1061 a penalty pursuant to this paragraph for failure to have a valid
1062 vehicle registration certificate pursuant to the provisions of
1063 chapter 320 is not subject to the delinquent fee authorized in
1064 s. 320.07 if such person obtains a valid registration
1065 certificate within 10 working days after such penalty was
1066 assessed.

1067 (4)(a) No commercial motor vehicle, as defined in s.
1068 316.003 ~~316.003(66)~~, shall be operated over the highways of this
1069 state unless it has been properly registered under the
1070 provisions of s. 207.004. Whenever any law enforcement officer
1071 identified in s. 207.023(1), upon inspecting the vehicle or
1072 combination of vehicles, determines that the vehicle is in
1073 violation of s. 207.004, a penalty in the amount of \$50 shall be
1074 assessed, and the vehicle may be detained until payment is
1075 collected by the law enforcement officer.

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1076 Section 15. Subsection (2) of section 316.605, Florida
1077 Statutes, is amended to read:

1078 316.605 Licensing of vehicles.—

1079 (2) Any commercial motor vehicle, as defined in s. 316.003
1080 ~~316.003(66)~~, operating over the highways of this state with an
1081 expired registration, with no registration from this or any
1082 other jurisdiction, or with no registration under the applicable
1083 provisions of chapter 320 shall be in violation of s. 320.07(3)
1084 and shall subject the owner or operator of such vehicle to the
1085 penalty provided. In addition, a commercial motor vehicle found
1086 in violation of this section may be detained by any law
1087 enforcement officer until the owner or operator produces
1088 evidence that the vehicle has been properly registered and that
1089 any applicable delinquent penalties have been paid.

1090 Section 16. Subsection (6) of section 316.6105, Florida
1091 Statutes, is amended to read:

1092 316.6105 Violations involving operation of motor vehicle in
1093 unsafe condition or without required equipment; procedure for
1094 disposition.—

1095 (6) This section does not apply to commercial motor
1096 vehicles as defined in s. 316.003 ~~316.003(66)~~ or transit buses
1097 owned or operated by a governmental entity.

1098 Section 17. Paragraph (a) of subsection (2) of section
1099 316.613, Florida Statutes, is amended to read:

1100 316.613 Child restraint requirements.—

1101 (2) As used in this section, the term "motor vehicle" means
1102 a motor vehicle as defined in s. 316.003 that is operated on the
1103 roadways, streets, and highways of the state. The term does not
1104 include:

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1105 (a) A school bus as defined in s. 316.003 ~~316.003(45)~~.

1106 Section 18. Subsection (8) of section 316.622, Florida
1107 Statutes, is amended to read:

1108 316.622 Farm labor vehicles.—

1109 (8) The department shall provide to the Department of
1110 Business and Professional Regulation each quarter a copy of each
1111 accident report involving a farm labor vehicle, as defined in s.
1112 316.003 ~~316.003(62)~~, commencing with the first quarter of the
1113 2006-2007 fiscal year.

1114 Section 19. Paragraph (b) of subsection (1) of section
1115 316.650, Florida Statutes, is amended to read:

1116 316.650 Traffic citations.—

1117 (1)

1118 (b) The department shall prepare, and supply to every
1119 traffic enforcement agency in the state, an appropriate
1120 affidavit-of-compliance form that shall be issued along with the
1121 form traffic citation for any violation of s. 316.610 and that
1122 indicates the specific defect needing to be corrected. However,
1123 such affidavit of compliance shall not be issued in the case of
1124 a violation of s. 316.610 by a commercial motor vehicle as
1125 defined in s. 316.003 ~~316.003(66)~~. Such affidavit-of-compliance
1126 form shall be distributed in the same manner and to the same
1127 parties as is the form traffic citation.

1128 Section 20. Subsection (1) of section 316.70, Florida
1129 Statutes, is amended to read:

1130 316.70 Nonpublic sector buses; safety rules.—

1131 (1) The Department of Transportation shall establish and
1132 revise standards to assure the safe operation of nonpublic
1133 sector buses, as defined in s. 316.003 ~~316.003(78)~~, which

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1134 standards shall be those contained in 49 C.F.R. parts 382, 385,
1135 and 390-397 and which shall be directed towards assuring that:

1136 (a) Nonpublic sector buses are safely maintained, equipped,
1137 and operated.

1138 (b) Nonpublic sector buses are carrying the insurance
1139 required by law and carrying liability insurance on the checked
1140 baggage of passengers not to exceed the standard adopted by the
1141 United States Department of Transportation.

1142 (c) Florida license tags are purchased for nonpublic sector
1143 buses pursuant to s. 320.38.

1144 (d) The driving records of drivers of nonpublic sector
1145 buses are checked by their employers at least once each year to
1146 ascertain whether the driver has a suspended or revoked driver
1147 license.

1148 Section 21. Paragraph (a) of subsection (1) of section
1149 320.01, Florida Statutes, is amended to read:

1150 320.01 Definitions, general.—As used in the Florida
1151 Statutes, except as otherwise provided, the term:

1152 (1) "Motor vehicle" means:

1153 (a) An automobile, motorcycle, truck, trailer, semitrailer,
1154 truck tractor and semitrailer combination, or any other vehicle
1155 operated on the roads of this state, used to transport persons
1156 or property, and propelled by power other than muscular power,
1157 but the term does not include traction engines, road rollers,
1158 special mobile equipment as defined in s. 316.003 ~~316.003(48)~~,
1159 vehicles that run only upon a track, bicycles, swamp buggies, or
1160 mopeds.

1161 Section 22. Section 320.08, Florida Statutes, is amended to
1162 read:

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1163 320.08 License taxes.—Except as otherwise provided herein,
1164 there are hereby levied and imposed annual license taxes for the
1165 operation of motor vehicles, mopeds, motorized bicycles as
1166 defined in s. 316.003 ~~316.003(2)~~, tri-vehicles as defined in s.
1167 316.003, and mobile homes, as defined in s. 320.01, which shall
1168 be paid to and collected by the department or its agent upon the
1169 registration or renewal of registration of the following:

1170 (1) MOTORCYCLES AND MOPEDS.—

1171 (a) Any motorcycle: \$10 flat.

1172 (b) Any moped: \$5 flat.

1173 (c) Upon registration of a motorcycle, motor-driven cycle,
1174 or moped, in addition to the license taxes specified in this
1175 subsection, a nonrefundable motorcycle safety education fee in
1176 the amount of \$2.50 shall be paid. The proceeds of such
1177 additional fee shall be deposited in the Highway Safety
1178 Operating Trust Fund to fund a motorcycle driver improvement
1179 program implemented pursuant to s. 322.025, the Florida
1180 Motorcycle Safety Education Program established in s. 322.0255,
1181 or the general operations of the department.

1182 (d) An ancient or antique motorcycle: \$7.50 flat, of which
1183 \$2.50 shall be deposited into the General Revenue Fund.

1184 (2) AUTOMOBILES OR TRI-VEHICLES FOR PRIVATE USE.—

1185 (a) An ancient or antique automobile, as defined in s.
1186 320.086, or a street rod, as defined in s. 320.0863: \$7.50 flat.

1187 (b) Net weight of less than 2,500 pounds: \$14.50 flat.

1188 (c) Net weight of 2,500 pounds or more, but less than 3,500
1189 pounds: \$22.50 flat.

1190 (d) Net weight of 3,500 pounds or more: \$32.50 flat.

1191 (3) TRUCKS.—

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- 1192 (a) Net weight of less than 2,000 pounds: \$14.50 flat.
- 1193 (b) Net weight of 2,000 pounds or more, but not more than
1194 3,000 pounds: \$22.50 flat.
- 1195 (c) Net weight more than 3,000 pounds, but not more than
1196 5,000 pounds: \$32.50 flat.
- 1197 (d) A truck defined as a "goat," or other vehicle if used
1198 in the field by a farmer or in the woods for the purpose of
1199 harvesting a crop, including naval stores, during such
1200 harvesting operations, and which is not principally operated
1201 upon the roads of the state: \$7.50 flat. The term "goat" means a
1202 motor vehicle designed, constructed, and used principally for
1203 the transportation of citrus fruit within citrus groves or for
1204 the transportation of crops on farms, and which can also be used
1205 for hauling associated equipment or supplies, including required
1206 sanitary equipment, and the towing of farm trailers.
- 1207 (e) An ancient or antique truck, as defined in s. 320.086:
1208 \$7.50 flat.
- 1209 (4) HEAVY TRUCKS, TRUCK TRACTORS, FEES ACCORDING TO GROSS
1210 VEHICLE WEIGHT.—
- 1211 (a) Gross vehicle weight of 5,001 pounds or more, but less
1212 than 6,000 pounds: \$60.75 flat, of which \$15.75 shall be
1213 deposited into the General Revenue Fund.
- 1214 (b) Gross vehicle weight of 6,000 pounds or more, but less
1215 than 8,000 pounds: \$87.75 flat, of which \$22.75 shall be
1216 deposited into the General Revenue Fund.
- 1217 (c) Gross vehicle weight of 8,000 pounds or more, but less
1218 than 10,000 pounds: \$103 flat, of which \$27 shall be deposited
1219 into the General Revenue Fund.
- 1220 (d) Gross vehicle weight of 10,000 pounds or more, but less

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1221 than 15,000 pounds: \$118 flat, of which \$31 shall be deposited
1222 into the General Revenue Fund.

1223 (e) Gross vehicle weight of 15,000 pounds or more, but less
1224 than 20,000 pounds: \$177 flat, of which \$46 shall be deposited
1225 into the General Revenue Fund.

1226 (f) Gross vehicle weight of 20,000 pounds or more, but less
1227 than 26,001 pounds: \$251 flat, of which \$65 shall be deposited
1228 into the General Revenue Fund.

1229 (g) Gross vehicle weight of 26,001 pounds or more, but less
1230 than 35,000: \$324 flat, of which \$84 shall be deposited into the
1231 General Revenue Fund.

1232 (h) Gross vehicle weight of 35,000 pounds or more, but less
1233 than 44,000 pounds: \$405 flat, of which \$105 shall be deposited
1234 into the General Revenue Fund.

1235 (i) Gross vehicle weight of 44,000 pounds or more, but less
1236 than 55,000 pounds: \$773 flat, of which \$201 shall be deposited
1237 into the General Revenue Fund.

1238 (j) Gross vehicle weight of 55,000 pounds or more, but less
1239 than 62,000 pounds: \$916 flat, of which \$238 shall be deposited
1240 into the General Revenue Fund.

1241 (k) Gross vehicle weight of 62,000 pounds or more, but less
1242 than 72,000 pounds: \$1,080 flat, of which \$280 shall be
1243 deposited into the General Revenue Fund.

1244 (l) Gross vehicle weight of 72,000 pounds or more: \$1,322
1245 flat, of which \$343 shall be deposited into the General Revenue
1246 Fund.

1247 (m) Notwithstanding the declared gross vehicle weight, a
1248 truck tractor used within a 150-mile radius of its home address
1249 is eligible for a license plate for a fee of \$324 flat if:

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1250 1. The truck tractor is used exclusively for hauling
1251 forestry products; or

1252 2. The truck tractor is used primarily for the hauling of
1253 forestry products, and is also used for the hauling of
1254 associated forestry harvesting equipment used by the owner of
1255 the truck tractor.

1256

1257 Of the fee imposed by this paragraph, \$84 shall be deposited
1258 into the General Revenue Fund.

1259 (n) A truck tractor or heavy truck, not operated as a for-
1260 hire vehicle, which is engaged exclusively in transporting raw,
1261 unprocessed, and nonmanufactured agricultural or horticultural
1262 products within a 150-mile radius of its home address, is
1263 eligible for a restricted license plate for a fee of:

1264 1. If such vehicle's declared gross vehicle weight is less
1265 than 44,000 pounds, \$87.75 flat, of which \$22.75 shall be
1266 deposited into the General Revenue Fund.

1267 2. If such vehicle's declared gross vehicle weight is
1268 44,000 pounds or more and such vehicle only transports from the
1269 point of production to the point of primary manufacture; to the
1270 point of assembling the same; or to a shipping point of a rail,
1271 water, or motor transportation company, \$324 flat, of which \$84
1272 shall be deposited into the General Revenue Fund.

1273

1274 Such not-for-hire truck tractors and heavy trucks used
1275 exclusively in transporting raw, unprocessed, and
1276 nonmanufactured agricultural or horticultural products may be
1277 incidentally used to haul farm implements and fertilizers
1278 delivered direct to the growers. The department may require any

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1279 documentation deemed necessary to determine eligibility prior to
1280 issuance of this license plate. For the purpose of this
1281 paragraph, "not-for-hire" means the owner of the motor vehicle
1282 must also be the owner of the raw, unprocessed, and
1283 nonmanufactured agricultural or horticultural product, or the
1284 user of the farm implements and fertilizer being delivered.

1285 (5) SEMITRAILERS, FEES ACCORDING TO GROSS VEHICLE WEIGHT;
1286 SCHOOL BUSES; SPECIAL PURPOSE VEHICLES.—

1287 (a)1. A semitrailer drawn by a GVW truck tractor by means
1288 of a fifth-wheel arrangement: \$13.50 flat per registration year
1289 or any part thereof, of which \$3.50 shall be deposited into the
1290 General Revenue Fund.

1291 2. A semitrailer drawn by a GVW truck tractor by means of a
1292 fifth-wheel arrangement: \$68 flat per permanent registration, of
1293 which \$18 shall be deposited into the General Revenue Fund.

1294 (b) A motor vehicle equipped with machinery and designed
1295 for the exclusive purpose of well drilling, excavation,
1296 construction, spraying, or similar activity, and which is not
1297 designed or used to transport loads other than the machinery
1298 described above over public roads: \$44 flat, of which \$11.50
1299 shall be deposited into the General Revenue Fund.

1300 (c) A school bus used exclusively to transport pupils to
1301 and from school or school or church activities or functions
1302 within their own county: \$41 flat, of which \$11 shall be
1303 deposited into the General Revenue Fund.

1304 (d) A wrecker, as defined in s. 320.01, which is used to
1305 tow a vessel as defined in s. 327.02, a disabled, abandoned,
1306 stolen-recovered, or impounded motor vehicle as defined in s.
1307 320.01, or a replacement motor vehicle as defined in s. 320.01:

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1308 \$41 flat, of which \$11 shall be deposited into the General
1309 Revenue Fund.

1310 (e) A wrecker that is used to tow any nondisabled motor
1311 vehicle, a vessel, or any other cargo unless used as defined in
1312 paragraph (d), as follows:

1313 1. Gross vehicle weight of 10,000 pounds or more, but less
1314 than 15,000 pounds: \$118 flat, of which \$31 shall be deposited
1315 into the General Revenue Fund.

1316 2. Gross vehicle weight of 15,000 pounds or more, but less
1317 than 20,000 pounds: \$177 flat, of which \$46 shall be deposited
1318 into the General Revenue Fund.

1319 3. Gross vehicle weight of 20,000 pounds or more, but less
1320 than 26,000 pounds: \$251 flat, of which \$65 shall be deposited
1321 into the General Revenue Fund.

1322 4. Gross vehicle weight of 26,000 pounds or more, but less
1323 than 35,000 pounds: \$324 flat, of which \$84 shall be deposited
1324 into the General Revenue Fund.

1325 5. Gross vehicle weight of 35,000 pounds or more, but less
1326 than 44,000 pounds: \$405 flat, of which \$105 shall be deposited
1327 into the General Revenue Fund.

1328 6. Gross vehicle weight of 44,000 pounds or more, but less
1329 than 55,000 pounds: \$772 flat, of which \$200 shall be deposited
1330 into the General Revenue Fund.

1331 7. Gross vehicle weight of 55,000 pounds or more, but less
1332 than 62,000 pounds: \$915 flat, of which \$237 shall be deposited
1333 into the General Revenue Fund.

1334 8. Gross vehicle weight of 62,000 pounds or more, but less
1335 than 72,000 pounds: \$1,080 flat, of which \$280 shall be
1336 deposited into the General Revenue Fund.

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1337 9. Gross vehicle weight of 72,000 pounds or more: \$1,322
1338 flat, of which \$343 shall be deposited into the General Revenue
1339 Fund.

1340 (f) A hearse or ambulance: \$40.50 flat, of which \$10.50
1341 shall be deposited into the General Revenue Fund.

1342 (6) MOTOR VEHICLES FOR HIRE.—

1343 (a) Under nine passengers: \$17 flat, of which \$4.50 shall
1344 be deposited into the General Revenue Fund; plus \$1.50 per cwt,
1345 of which 50 cents shall be deposited into the General Revenue
1346 Fund.

1347 (b) Nine passengers and over: \$17 flat, of which \$4.50
1348 shall be deposited into the General Revenue Fund; plus \$2 per
1349 cwt, of which 50 cents shall be deposited into the General
1350 Revenue Fund.

1351 (7) TRAILERS FOR PRIVATE USE.—

1352 (a) Any trailer weighing 500 pounds or less: \$6.75 flat per
1353 year or any part thereof, of which \$1.75 shall be deposited into
1354 the General Revenue Fund.

1355 (b) Net weight over 500 pounds: \$3.50 flat, of which \$1
1356 shall be deposited into the General Revenue Fund; plus \$1 per
1357 cwt, of which 25 cents shall be deposited into the General
1358 Revenue Fund.

1359 (8) TRAILERS FOR HIRE.—

1360 (a) Net weight under 2,000 pounds: \$3.50 flat, of which \$1
1361 shall be deposited into the General Revenue Fund; plus \$1.50 per
1362 cwt, of which 50 cents shall be deposited into the General
1363 Revenue Fund.

1364 (b) Net weight 2,000 pounds or more: \$13.50 flat, of which
1365 \$3.50 shall be deposited into the General Revenue Fund; plus

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1366 \$1.50 per cwt, of which 50 cents shall be deposited into the
1367 General Revenue Fund.

1368 (9) RECREATIONAL VEHICLE-TYPE UNITS.—

1369 (a) A travel trailer or fifth-wheel trailer, as defined by
1370 s. 320.01(1)(b), that does not exceed 35 feet in length: \$27
1371 flat, of which \$7 shall be deposited into the General Revenue
1372 Fund.

1373 (b) A camping trailer, as defined by s. 320.01(1)(b)2.:
1374 \$13.50 flat, of which \$3.50 shall be deposited into the General
1375 Revenue Fund.

1376 (c) A motor home, as defined by s. 320.01(1)(b)4.:

1377 1. Net weight of less than 4,500 pounds: \$27 flat, of which
1378 \$7 shall be deposited into the General Revenue Fund.

1379 2. Net weight of 4,500 pounds or more: \$47.25 flat, of
1380 which \$12.25 shall be deposited into the General Revenue Fund.

1381 (d) A truck camper as defined by s. 320.01(1)(b)3.:

1382 1. Net weight of less than 4,500 pounds: \$27 flat, of which
1383 \$7 shall be deposited into the General Revenue Fund.

1384 2. Net weight of 4,500 pounds or more: \$47.25 flat, of
1385 which \$12.25 shall be deposited into the General Revenue Fund.

1386 (e) A private motor coach as defined by s. 320.01(1)(b)5.:

1387 1. Net weight of less than 4,500 pounds: \$27 flat, of which
1388 \$7 shall be deposited into the General Revenue Fund.

1389 2. Net weight of 4,500 pounds or more: \$47.25 flat, of
1390 which \$12.25 shall be deposited into the General Revenue Fund.

1391 (10) PARK TRAILERS; TRAVEL TRAILERS; FIFTH-WHEEL TRAILERS;
1392 35 FEET TO 40 FEET.—

1393 (a) Park trailers.—Any park trailer, as defined in s.
1394 320.01(1)(b)7.: \$25 flat.

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- 1395 (b) A travel trailer or fifth-wheel trailer, as defined in
1396 s. 320.01(1)(b), that exceeds 35 feet: \$25 flat.
- 1397 (11) MOBILE HOMES.—
- 1398 (a) A mobile home not exceeding 35 feet in length: \$20
1399 flat.
- 1400 (b) A mobile home over 35 feet in length, but not exceeding
1401 40 feet: \$25 flat.
- 1402 (c) A mobile home over 40 feet in length, but not exceeding
1403 45 feet: \$30 flat.
- 1404 (d) A mobile home over 45 feet in length, but not exceeding
1405 50 feet: \$35 flat.
- 1406 (e) A mobile home over 50 feet in length, but not exceeding
1407 55 feet: \$40 flat.
- 1408 (f) A mobile home over 55 feet in length, but not exceeding
1409 60 feet: \$45 flat.
- 1410 (g) A mobile home over 60 feet in length, but not exceeding
1411 65 feet: \$50 flat.
- 1412 (h) A mobile home over 65 feet in length: \$80 flat.
- 1413 (12) DEALER AND MANUFACTURER LICENSE PLATES.—A franchised
1414 motor vehicle dealer, independent motor vehicle dealer, marine
1415 boat trailer dealer, or mobile home dealer and manufacturer
1416 license plate: \$17 flat, of which \$4.50 shall be deposited into
1417 the General Revenue Fund.
- 1418 (13) EXEMPT OR OFFICIAL LICENSE PLATES.—Any exempt or
1419 official license plate: \$4 flat, of which \$1 shall be deposited
1420 into the General Revenue Fund.
- 1421 (14) LOCALLY OPERATED MOTOR VEHICLES FOR HIRE.—A motor
1422 vehicle for hire operated wholly within a city or within 25
1423 miles thereof: \$17 flat, of which \$4.50 shall be deposited into

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1424 the General Revenue Fund; plus \$2 per cwt, of which 50 cents
1425 shall be deposited into the General Revenue Fund.

1426 (15) TRANSPORTER.—Any transporter license plate issued to a
1427 transporter pursuant to s. 320.133: \$101.25 flat, of which
1428 \$26.25 shall be deposited into the General Revenue Fund.

1429 Section 23. Subsection (1) of section 320.0801, Florida
1430 Statutes, is amended to read:

1431 320.0801 Additional license tax on certain vehicles.—

1432 (1) In addition to the license taxes specified in s. 320.08
1433 and in subsection (2), there is hereby levied and imposed an
1434 annual license tax of 10 cents for the operation of a motor
1435 vehicle, as defined in s. 320.01, and moped, as defined in s.
1436 316.003 ~~316.003(77)~~, which tax shall be paid to the department
1437 or its agent upon the registration or renewal of registration of
1438 the vehicle. Notwithstanding the provisions of s. 320.20,
1439 revenues collected from the tax imposed in this subsection shall
1440 be deposited in the Emergency Medical Services Trust Fund and
1441 used solely for the purpose of carrying out the provisions of
1442 ss. 395.401, 395.4015, 395.404, and 395.4045 and s. 11, chapter
1443 87-399, Laws of Florida.

1444 Section 24. Section 320.38, Florida Statutes, is amended to
1445 read:

1446 320.38 When nonresident exemption not allowed.—The
1447 provisions of s. 320.37 authorizing the operation of motor
1448 vehicles over the roads of this state by nonresidents of this
1449 state when such vehicles are duly registered or licensed under
1450 the laws of some other state or foreign country do not apply to
1451 any nonresident who accepts employment or engages in any trade,
1452 profession, or occupation in this state, except a nonresident

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1453 migrant or seasonal farm worker as defined in s. 316.003
1454 ~~316.003(61)~~. In every case in which a nonresident, except a
1455 nonresident migrant or seasonal farm worker as defined in s.
1456 316.003 ~~316.003(61)~~, accepts employment or engages in any trade,
1457 profession, or occupation in this state or enters his or her
1458 children to be educated in the public schools of this state,
1459 such nonresident shall, within 10 days after the commencement of
1460 such employment or education, register his or her motor vehicles
1461 in this state if such motor vehicles are proposed to be operated
1462 on the roads of this state. Any person who is enrolled as a
1463 student in a college or university and who is a nonresident but
1464 who is in this state for a period of up to 6 months engaged in a
1465 work-study program for which academic credits are earned from a
1466 college whose credits or degrees are accepted for credit by at
1467 least three accredited institutions of higher learning, as
1468 defined in s. 1005.02, is not required to have a Florida
1469 registration for the duration of the work-study program if the
1470 person's vehicle is properly registered in another jurisdiction.
1471 Any nonresident who is enrolled as a full-time student in such
1472 institution of higher learning is also exempt for the duration
1473 of such enrollment.

1474 Section 25. Subsection (2) of section 322.0261, Florida
1475 Statutes, is amended to read:

1476 322.0261 Driver improvement course; requirement to maintain
1477 driving privileges; failure to complete; department approval of
1478 course.—

1479 (2) With respect to an operator convicted of, or who
1480 pleaded nolo contendere to, a traffic offense giving rise to a
1481 crash identified in paragraph (1) (a) or paragraph (1) (b), the

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1482 department shall require that the operator, in addition to other
1483 applicable penalties, attend a department-approved driver
1484 improvement course in order to maintain his or her driving
1485 privileges. The department shall include in the course
1486 curriculum instruction specifically addressing the rights of
1487 vulnerable ~~road~~ users as defined in s. 316.003 ~~316.027~~ relative
1488 to vehicles on the roadway. If the operator fails to complete
1489 the course within 90 days after receiving notice from the
1490 department, the operator's driver license shall be canceled by
1491 the department until the course is successfully completed.

1492 Section 26. Subsection (1) of section 322.031, Florida
1493 Statutes, is amended to read:

1494 322.031 Nonresident; when license required.—

1495 (1) In each case in which a nonresident, except a
1496 nonresident migrant or seasonal farm worker as defined in s.
1497 316.003 ~~316.003(61)~~, accepts employment or engages in a trade,
1498 profession, or occupation in this state or enters his or her
1499 children to be educated in the public schools of this state,
1500 such nonresident shall, within 30 days after beginning such
1501 employment or education, be required to obtain a Florida driver
1502 license if such nonresident operates a motor vehicle on the
1503 highways of this state. The spouse or dependent child of such
1504 nonresident shall also be required to obtain a Florida driver
1505 license within that 30-day period before operating a motor
1506 vehicle on the highways of this state.

1507 Section 27. Subsection (3) of section 450.181, Florida
1508 Statutes, is amended to read:

1509 450.181 Definitions.—As used in part II, unless the context
1510 clearly requires a different meaning:

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1511 (3) The term "migrant laborer" has the same meaning as
1512 migrant or seasonal farm workers as defined in s. 316.003
1513 ~~316.003(61)~~.

1514 Section 28. Subsection (5) of section 559.903, Florida
1515 Statutes, is amended to read:

1516 559.903 Definitions.—As used in this act:

1517 (5) "Motor vehicle" means any automobile, truck, bus,
1518 recreational vehicle, motorcycle, motor scooter, or other motor
1519 powered vehicle, but does not include trailers, mobile homes,
1520 travel trailers, trailer coaches without independent motive
1521 power, watercraft or aircraft, or special mobile equipment as
1522 defined in s. 316.003 ~~316.003(48)~~.

1523 Section 29. Subsection (1) of section 655.960, Florida
1524 Statutes, is amended to read:

1525 655.960 Definitions; ss. 655.960-655.965.—As used in this
1526 section and ss. 655.961-655.965, unless the context otherwise
1527 requires:

1528 (1) "Access area" means any paved walkway or sidewalk which
1529 is within 50 feet of any automated teller machine. The term does
1530 not include any street or highway open to the use of the public,
1531 as defined in s. 316.003(74) (a) or (b) ~~316.003(53) (a) or (b)~~,
1532 including any adjacent sidewalk, as defined in s. 316.003
1533 ~~316.003(47)~~.

1534 Section 30. Paragraph (b) of subsection (2) of section
1535 732.402, Florida Statutes, is amended to read:

1536 732.402 Exempt property.—

1537 (2) Exempt property shall consist of:

1538 (b) Two motor vehicles as defined in s. 316.003
1539 ~~316.003(21)~~, which do not, individually as to either such motor

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1540 vehicle, have a gross vehicle weight in excess of 15,000 pounds,
1541 held in the decedent's name and regularly used by the decedent
1542 or members of the decedent's immediate family as their personal
1543 motor vehicles.

1544 Section 31. Subsection (1) of section 860.065, Florida
1545 Statutes, is amended to read:

1546 860.065 Commercial transportation; penalty for use in
1547 commission of a felony.—

1548 (1) It is unlawful for any person to attempt to obtain,
1549 solicit to obtain, or obtain any means of public or commercial
1550 transportation or conveyance, including vessels, aircraft,
1551 railroad trains, or commercial motor vehicles as defined in s.
1552 316.003 ~~316.003(66)~~, with the intent to use such public or
1553 commercial transportation or conveyance to commit any felony or
1554 to facilitate the commission of any felony.

1555 Section 32. For the purpose of incorporating the amendment
1556 made by this act to section 316.1925, Florida Statutes, in a
1557 reference thereto, paragraph (b) of subsection (4) of section
1558 316.072, Florida Statutes, is reenacted to read:

1559 316.072 Obedience to and effect of traffic laws.—

1560 (4) PUBLIC OFFICERS AND EMPLOYEES TO OBEY CHAPTER;
1561 EXCEPTIONS.—

1562 (b) Unless specifically made applicable, the provisions of
1563 this chapter, except those contained in ss. 316.192, 316.1925,
1564 and 316.193, shall not apply to persons, teams, or motor
1565 vehicles and other equipment while actually engaged in work upon
1566 the surface of a highway, but shall apply to such persons and
1567 vehicles when traveling to or from such work.

1568 Section 33. For the purpose of incorporating the amendment

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1569 made by this act to sections 316.083 and 316.084, Florida
1570 Statutes, in references thereto, subsection (5) of section
1571 316.1923, Florida Statutes, is reenacted to read:

1572 316.1923 Aggressive careless driving.—“Aggressive careless
1573 driving” means committing two or more of the following acts
1574 simultaneously or in succession:

1575 (5) Improperly passing as defined in s. 316.083, s.
1576 316.084, or s. 316.085.

1577 Section 34. For the purpose of incorporating the amendment
1578 made by this act to section 318.19, Florida Statutes, in a
1579 reference thereto, subsection (2) of section 318.14, Florida
1580 Statutes, is reenacted to read:

1581 318.14 Noncriminal traffic infractions; exception;
1582 procedures.—

1583 (2) Except as provided in ss. 316.1001(2) and 316.0083, any
1584 person cited for a violation requiring a mandatory hearing
1585 listed in s. 318.19 or any other criminal traffic violation
1586 listed in chapter 316 must sign and accept a citation indicating
1587 a promise to appear. The officer may indicate on the traffic
1588 citation the time and location of the scheduled hearing and must
1589 indicate the applicable civil penalty established in s. 318.18.
1590 For all other infractions under this section, except for
1591 infractions under s. 316.1001, the officer must certify by
1592 electronic, electronic facsimile, or written signature that the
1593 citation was delivered to the person cited. This certification
1594 is prima facie evidence that the person cited was served with
1595 the citation.

1596 Section 35. For the purpose of incorporating the amendment
1597 made by this act to section 316.2065, Florida Statutes, in a

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1598 reference thereto, paragraph (b) of subsection (1) of section
1599 318.18, Florida Statutes, is reenacted to read:

1600 318.18 Amount of penalties.—The penalties required for a
1601 noncriminal disposition pursuant to s. 318.14 or a criminal
1602 offense listed in s. 318.17 are as follows:

1603 (1) Fifteen dollars for:

1604 (b) All infractions of s. 316.2065, unless otherwise
1605 specified.

1606 Section 36. This act shall take effect October 1, 2016.