

By the Committee on Infrastructure and Security; and Senator Brandes

596-03054-20

20201148c1

1                                   A bill to be entitled  
2       An act relating to electric bicycles; amending s.  
3       261.03, F.S.; revising the definition of the term  
4       "OHM" or "off-highway motorcycle"; amending s.  
5       316.003, F.S.; revising definitions relating to the  
6       Florida Uniform Traffic Control Law; defining the term  
7       "electric bicycle"; amending s. 316.008, F.S.;  
8       authorizing a county or municipality to enact an  
9       ordinance regulating the operation of electric  
10      bicycles on sidewalks or sidewalk areas when such use  
11      is permissible under federal law; restricting the  
12      speed of electric bicycles in such areas; amending s.  
13      316.027, F.S.; revising the definition of the term  
14      "vulnerable road user"; amending s. 316.083, F.S.;  
15      requiring the driver of a vehicle overtaking an  
16      electric bicycle to pass the electric bicycle at a  
17      certain distance; amending s. 316.1995, F.S.;  
18      expanding exceptions to a prohibition on persons  
19      driving certain vehicles on sidewalks and bicycle  
20      paths; amending s. 316.2065, F.S.; deleting obsolete  
21      language; creating s. 316.20655, F.S.; providing  
22      electric bicycle regulations; providing for rights and  
23      privileges of electric bicycles and operators of  
24      electric bicycles; providing that electric bicycles  
25      are vehicles to the same extent as bicycles; providing  
26      construction; providing that electric bicycles and  
27      operators of electric bicycles are not subject to  
28      specified provisions; requiring manufacturers and  
29      distributers, beginning on a specified date, to apply

596-03054-20

20201148c1

30 a label containing certain information to each  
31 electric bicycle; prohibiting persons from tampering  
32 with or modifying electric bicycles for certain  
33 purposes; providing an exception; requiring electric  
34 bicycles to comply with specified provisions of law;  
35 requiring electric bicycles to operate in a manner  
36 that meets certain requirements; authorizing operators  
37 to ride electric bicycles where bicycles are allowed;  
38 amending ss. 316.613, 316.614, and 320.01, F.S.;  
39 revising the definition of the term "motor vehicle";  
40 amending s. 322.01, F.S.; revising the definitions of  
41 the terms "motor vehicle" and "vehicle"; amending ss.  
42 324.021, 403.717, and 681.102, F.S.; revising the  
43 definition of the term "motor vehicle"; amending s.  
44 320.08, F.S.; conforming a provision to changes made  
45 by the act; amending ss. 316.306 and 655.960, F.S.;  
46 conforming cross-references; providing an effective  
47 date.

48  
49 Be It Enacted by the Legislature of the State of Florida:

50  
51 Section 1. Subsection (4) of section 261.03, Florida  
52 Statutes, is amended to read:

53 261.03 Definitions.—As used in this chapter, the term:

54 (4) "OHM" or "off-highway motorcycle" means any motor  
55 vehicle used off the roads or highways of this state that has a  
56 seat or saddle for the use of the rider and is designed to  
57 travel with not more than two wheels in contact with the ground,  
58 but excludes a tractor, an electric bicycle, or a moped.

596-03054-20

20201148c1

59 Section 2. Present subsections (22) through (104) of  
60 section 316.003, Florida Statutes, are redesignated as  
61 subsections (23) through (105), respectively, a new subsection  
62 (22) is added to that section, and subsection (4) and present  
63 subsections (41), (43), (44), (45), and (61) of that section are  
64 amended, to read:

65 316.003 Definitions.—The following words and phrases, when  
66 used in this chapter, shall have the meanings respectively  
67 ascribed to them in this section, except where the context  
68 otherwise requires:

69 (4) BICYCLE.—Every vehicle propelled solely by human power,  
70 ~~and every motorized bicycle propelled by a combination of human~~  
71 ~~power and an electric helper motor capable of propelling the~~  
72 ~~vehicle at a speed of not more than 20 miles per hour on level~~  
73 ~~ground upon which any person may ride, having two tandem wheels,~~  
74 and including any device generally recognized as a bicycle  
75 though equipped with two front or two rear wheels. The term does  
76 not include ~~such a vehicle with a seat height of no more than 25~~  
77 ~~inches from the ground when the seat is adjusted to its highest~~  
78 ~~position or a scooter or similar device. A person under the age~~  
79 ~~of 16 may not operate or ride upon a motorized bicycle.~~

80 (22) ELECTRIC BICYCLE.—A bicycle or tricycle equipped with  
81 fully operable pedals, a seat or saddle for the use of the  
82 rider, and an electric motor of less than 750 watts which meets  
83 the requirements of one of the following three classifications:

84 (a) "Class 1 electric bicycle" means an electric bicycle  
85 equipped with a motor that provides assistance only when the  
86 rider is pedaling and that ceases to provide assistance when the  
87 electric bicycle reaches the speed of 20 miles per hour.

596-03054-20

20201148c1

88        (b) "Class 2 electric bicycle" means an electric bicycle  
89 equipped with a motor that may be used exclusively to propel the  
90 electric bicycle and that ceases to provide assistance when the  
91 electric bicycle reaches the speed of 20 miles per hour.

92        (c) "Class 3 electric bicycle" means an electric bicycle  
93 equipped with a motor that provides assistance only when the  
94 rider is pedaling and that ceases to provide assistance when the  
95 electric bicycle reaches the speed of 28 miles per hour.

96        (42)-(41) MOPED.—Any vehicle with pedals to permit  
97 propulsion by human power, having a seat or saddle for the use  
98 of the rider and designed to travel on not more than three  
99 wheels, with a motor rated not in excess of 2 brake horsepower  
100 and not capable of propelling the vehicle at a speed greater  
101 than 30 miles per hour on level ground and with a power-drive  
102 system that functions directly or automatically without  
103 clutching or shifting gears by the operator after the drive  
104 system is engaged. If an internal combustion engine is used, the  
105 displacement may not exceed 50 cubic centimeters. The term does  
106 not include an electric bicycle.

107        (44)-(43) MOTOR VEHICLE.—Except when used in s. 316.1001, a  
108 self-propelled vehicle not operated upon rails or guideway, but  
109 not including any bicycle, electric bicycle, motorized scooter,  
110 electric personal assistive mobility device, mobile carrier,  
111 personal delivery device, swamp buggy, or moped. For purposes of  
112 s. 316.1001, "motor vehicle" has the same meaning as provided in  
113 s. 320.01(1)(a).

114        (45)-(44) MOTORCYCLE.—Any motor vehicle having a seat or  
115 saddle for the use of the rider and designed to travel on not  
116 more than three wheels in contact with the ground. The term

596-03054-20

20201148c1

117 includes an autocycle, but does not include a tractor, a moped,  
118 an electric bicycle, or any vehicle in which the operator is  
119 enclosed by a cabin unless it meets the requirements set forth  
120 by the National Highway Traffic Safety Administration for a  
121 motorcycle.

122 ~~(46)~~~~(45)~~ MOTORIZED SCOOTER.—Any vehicle or micromobility  
123 device that is powered by a motor with or without a seat or  
124 saddle for the use of the rider, which is designed to travel on  
125 not more than three wheels, and which is not capable of  
126 propelling the vehicle at a speed greater than 20 miles per hour  
127 on level ground. The term does not include an electric bicycle.

128 ~~(62)~~~~(61)~~ PRIVATE ROAD OR DRIVEWAY.—Except as otherwise  
129 provided in paragraph (84) (b) ~~(83) (b)~~, any privately owned way  
130 or place used for vehicular travel by the owner and those having  
131 express or implied permission from the owner, but not by other  
132 persons.

133 Section 3. Paragraph (a) of subsection (7) of section  
134 316.008, Florida Statutes, is amended to read:

135 316.008 Powers of local authorities.—

136 (7) (a) A county or municipality may enact an ordinance to  
137 permit, control, or regulate the operation of vehicles, golf  
138 carts, mopeds, motorized scooters, electric bicycles, and  
139 electric personal assistive mobility devices on sidewalks or  
140 sidewalk areas when such use is permissible under federal law.  
141 The ordinance must restrict such vehicles or devices to a  
142 maximum speed of 15 miles per hour in such areas.

143 Section 4. Paragraph (b) of subsection (1) of section  
144 316.027, Florida Statutes, is amended to read:

145 316.027 Crash involving death or personal injuries.—

596-03054-20

20201148c1

- 146 (1) As used in this section, the term:
- 147 (b) "Vulnerable road user" means:
- 148 1. A pedestrian, including a person actually engaged in
- 149 work upon a highway, or in work upon utility facilities along a
- 150 highway, or engaged in the provision of emergency services
- 151 within the right-of-way;
- 152 2. A person operating a bicycle, an electric bicycle, a
- 153 motorcycle, a scooter, or a moped lawfully on the roadway;
- 154 3. A person riding an animal; or
- 155 4. A person lawfully operating on a public right-of-way,
- 156 crosswalk, or shoulder of the roadway:
- 157 a. A farm tractor or similar vehicle designed primarily for
- 158 farm use;
- 159 b. A skateboard, roller skates, or in-line skates;
- 160 c. A horse-drawn carriage;
- 161 d. An electric personal assistive mobility device; or
- 162 e. A wheelchair.

163 Section 5. Subsection (1) of section 316.083, Florida

164 Statutes, is amended to read:

165 316.083 Overtaking and passing a vehicle.—The following

166 rules shall govern the overtaking and passing of vehicles

167 proceeding in the same direction, subject to those limitations,

168 exceptions, and special rules hereinafter stated:

169 (1) The driver of a vehicle overtaking another vehicle

170 proceeding in the same direction shall give an appropriate

171 signal as provided for in s. 316.156, shall pass to the left

172 thereof at a safe distance, and shall not again drive to the

173 right side of the roadway until safely clear of the overtaken

174 vehicle. The driver of a vehicle overtaking a bicycle or other

596-03054-20

20201148c1

175 nonmotorized vehicle, or an electric bicycle, must pass the  
176 bicycle, ~~or~~ other nonmotorized vehicle, or electric bicycle at a  
177 safe distance of not less than 3 feet between the vehicle and  
178 the bicycle, ~~or~~ other nonmotorized vehicle, or electric bicycle.

179 Section 6. Section 316.1995, Florida Statutes, is amended  
180 to read:

181 316.1995 Driving upon sidewalk or bicycle path.—

182 (1) Except as provided in s. 316.008, s. 316.20655, s.  
183 316.212(8), or s. 316.2128, a person may not drive any vehicle  
184 other than by human power upon a bicycle path, sidewalk, or  
185 sidewalk area, except upon a permanent or duly authorized  
186 temporary driveway.

187 (2) A violation of this section is a noncriminal traffic  
188 infraction, punishable as a moving violation as provided in  
189 chapter 318.

190 (3) This section does not apply to motorized wheelchairs.

191 Section 7. Paragraph (d) of subsection (3) of section  
192 316.2065, Florida Statutes, is amended to read:

193 316.2065 Bicycle regulations.—

194 (3)

195 (d) A bicycle rider or passenger who is under 16 years of  
196 age must wear a bicycle helmet that is properly fitted and is  
197 fastened securely upon the passenger's head by a strap and that  
198 meets the federal safety standard for bicycle helmets, final  
199 rule, 16 C.F.R. part 1203. ~~A helmet purchased before October 1,~~  
200 ~~2012, which meets the standards of the American National~~  
201 ~~Standards Institute (ANSI Z 90.4 Bicycle Helmet Standards), the~~  
202 ~~standards of the Snell Memorial Foundation (1984 Standard for~~  
203 ~~Protective Headgear for Use in Bicycling), or any other~~

596-03054-20

20201148c1

204 ~~nationally recognized standards for bicycle helmets adopted by~~  
205 ~~the department may continue to be worn by a bicycle rider or~~  
206 ~~passenger until January 1, 2016.~~ As used in this subsection, the  
207 term "passenger" includes a child who is riding in a trailer or  
208 semitrailer attached to a bicycle.

209 Section 8. Section 316.20655, Florida Statutes, is created  
210 to read:

211 316.20655 Electric bicycle regulations.-

212 (1) Except as otherwise provided in this section, an  
213 electric bicycle or an operator of an electric bicycle shall be  
214 afforded all the rights and privileges, and be subject to all of  
215 the duties, of a bicycle or the operator of a bicycle, including  
216 those identified in s. 316.2065. An electric bicycle is a  
217 vehicle to the same extent as a bicycle. However, this section  
218 may not be construed to prevent a local government, through the  
219 exercise of its powers under s. 316.008, from adopting an  
220 ordinance governing the operation of electric bicycles on  
221 streets, highways, sidewalks, and sidewalk areas that are under  
222 the local government's jurisdiction; or to prevent a  
223 municipality, county, or agency of the state having jurisdiction  
224 over a bicycle lane, bicycle path, multiuse path, or trail  
225 network from restricting or prohibiting the operation of an  
226 electric bicycle on a bicycle lane, bicycle path, multiuse path,  
227 or trail network.

228 (2) An electric bicycle or an operator of an electric  
229 bicycle is not subject to the provisions of law relating to  
230 financial responsibility, driver or motor vehicle licenses,  
231 vehicle registration, title certificates, off-highway  
232 motorcycles, or off-highway vehicles.



596-03054-20

20201148c1

233 (3) Beginning on January 1, 2021, manufacturers and  
234 distributors of electric bicycles shall apply a label that is  
235 permanently affixed in a prominent location to each electric  
236 bicycle. The label must contain the classification number, top  
237 assisted speed, and motor wattage of the electric bicycle.

238 (4) A person may not tamper with or modify an electric  
239 bicycle so as to change the motor-powered speed capability or  
240 engagement of an electric bicycle, unless the label indicating  
241 the classification number required in subsection (3) is replaced  
242 after such modification.

243 (5) An electric bicycle must comply with the equipment and  
244 manufacturing requirements for bicycles adopted by the United  
245 States Consumer Product Safety Commission under 16 C.F.R. part  
246 1512.

247 (6) An electric bicycle must operate in a manner so that  
248 the electric motor is disengaged or ceases to function when the  
249 rider stops pedaling or when the brakes are applied.

250 (7) An operator may ride an electric bicycle where bicycles  
251 are allowed, including, but not limited to, streets, highways,  
252 roadways, shoulders, bicycle lanes, and bicycle or multiuse  
253 paths.

254 Section 9. Paragraph (e) of subsection (2) of section  
255 316.613, Florida Statutes, is amended to read:

256 316.613 Child restraint requirements.—

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

261 (e) A motorcycle, a moped, a ~~or~~ bicycle, or an electric

596-03054-20

20201148c1

262 bicycle.

263 Section 10. Paragraph (a) of subsection (3) of section  
264 316.614, Florida Statutes, is amended to read:

265 316.614 Safety belt usage.—

266 (3) As used in this section:

267 (a) "Motor vehicle" means a motor vehicle as defined in s.  
268 316.003 which is operated on the roadways, streets, and highways  
269 of this state. The term does not include:

270 1. A school bus.

271 2. A bus used for the transportation of persons for  
272 compensation.

273 3. A farm tractor or implement of husbandry.

274 4. A truck having a gross vehicle weight rating of more  
275 than 26,000 pounds.

276 5. A motorcycle, a moped, a ~~or~~ bicycle, or an electric  
277 bicycle.

278 Section 11. Paragraph (a) of subsection (1) of section  
279 320.01, Florida Statutes, is amended to read:

280 320.01 Definitions, general.—As used in the Florida  
281 Statutes, except as otherwise provided, the term:

282 (1) "Motor vehicle" means:

283 (a) An automobile, motorcycle, truck, trailer, semitrailer,  
284 truck tractor and semitrailer combination, or any other vehicle  
285 operated on the roads of this state, used to transport persons  
286 or property, and propelled by power other than muscular power,  
287 but the term does not include traction engines, road rollers,  
288 motorized scooters, micromobility devices, personal delivery  
289 devices and mobile carriers as defined in s. 316.003, special  
290 mobile equipment as defined in s. 316.003, vehicles that run

596-03054-20

20201148c1

291 only upon a track, bicycles, electric bicycles, swamp buggies,  
292 or mopeds.

293 Section 12. Subsections (27) and (44) of section 322.01,  
294 Florida Statutes, are amended to read:

295 322.01 Definitions.—As used in this chapter:

296 (27) "Motor vehicle" means any self-propelled vehicle,  
297 including a motor vehicle combination, not operated upon rails  
298 or guideway, excluding vehicles moved solely by human power,  
299 motorized wheelchairs, and electric ~~motorized~~ bicycles as  
300 defined in s. 316.003.

301 (44) "Vehicle" means every device in, upon, or by which any  
302 person or property is or may be transported or drawn upon a  
303 public highway or operated upon rails or guideway, except a  
304 bicycle, motorized wheelchair, or electric ~~motorized~~ bicycle.

305 Section 13. Subsection (1) of section 324.021, Florida  
306 Statutes, is amended to read:

307 324.021 Definitions; minimum insurance required.—The  
308 following words and phrases when used in this chapter shall, for  
309 the purpose of this chapter, have the meanings respectively  
310 ascribed to them in this section, except in those instances  
311 where the context clearly indicates a different meaning:

312 (1) MOTOR VEHICLE.—Every self-propelled vehicle that is  
313 designed and required to be licensed for use upon a highway,  
314 including trailers and semitrailers designed for use with such  
315 vehicles, except traction engines, road rollers, farm tractors,  
316 power shovels, and well drillers, and every vehicle that is  
317 propelled by electric power obtained from overhead wires but not  
318 operated upon rails, but not including any personal delivery  
319 device or mobile carrier as defined in s. 316.003, bicycle,

596-03054-20

20201148c1

320 electric bicycle, or moped. However, the term "motor vehicle"  
321 does not include a motor vehicle as defined in s. 627.732(3)  
322 when the owner of such vehicle has complied with the  
323 requirements of ss. 627.730-627.7405, inclusive, unless the  
324 provisions of s. 324.051 apply; and, in such case, the  
325 applicable proof of insurance provisions of s. 320.02 apply.

326 Section 14. Paragraph (b) of subsection (1) of section  
327 403.717, Florida Statutes, is amended to read:

328 403.717 Waste tire and lead-acid battery requirements.—

329 (1) For purposes of this section and ss. 403.718 and  
330 403.7185:

331 (b) "Motor vehicle" means an automobile, motorcycle, truck,  
332 trailer, semitrailer, truck tractor and semitrailer combination,  
333 or any other vehicle operated in this state, used to transport  
334 persons or property and propelled by power other than muscular  
335 power. The term does not include traction engines, road rollers,  
336 vehicles that run only upon a track, bicycles, electric  
337 bicycles, mopeds, or farm tractors and trailers.

338 Section 15. Subsection (14) of section 681.102, Florida  
339 Statutes, is amended to read:

340 681.102 Definitions.—As used in this chapter, the term:

341 (14) "Motor vehicle" means a new vehicle, propelled by  
342 power other than muscular power, which is sold in this state to  
343 transport persons or property, and includes a recreational  
344 vehicle or a vehicle used as a demonstrator or leased vehicle if  
345 a manufacturer's warranty was issued as a condition of sale, or  
346 the lessee is responsible for repairs, but does not include  
347 vehicles run only upon tracks, off-road vehicles, trucks over  
348 10,000 pounds gross vehicle weight, motorcycles, mopeds,

596-03054-20

20201148c1

349 electric bicycles, or the living facilities of recreational  
350 vehicles. "Living facilities of recreational vehicles" are those  
351 portions designed, used, or maintained primarily as living  
352 quarters and include, but are not limited to, the flooring,  
353 plumbing system and fixtures, roof air conditioner, furnace,  
354 generator, electrical systems other than automotive circuits,  
355 the side entrance door, exterior compartments, and windows other  
356 than the windshield and driver and front passenger windows.

357 Section 16. Section 320.08, Florida Statutes, is amended to  
358 read:

359 320.08 License taxes.—Except as otherwise provided herein,  
360 there are hereby levied and imposed annual license taxes for the  
361 operation of motor vehicles, mopeds, ~~motorized bicycles as~~  
362 ~~defined in s. 316.003(4)~~, tri-vehicles as defined in s. 316.003,  
363 and mobile homes as defined in s. 320.01, which shall be paid to  
364 and collected by the department or its agent upon the  
365 registration or renewal of registration of the following:

366 (1) MOTORCYCLES AND MOPEDS.—

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

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

369 (c) Upon registration of a motorcycle, motor-driven cycle,  
370 or moped, in addition to the license taxes specified in this  
371 subsection, a nonrefundable motorcycle safety education fee in  
372 the amount of \$2.50 shall be paid. The proceeds of such  
373 additional fee shall be deposited in the Highway Safety  
374 Operating Trust Fund to fund a motorcycle driver improvement  
375 program implemented pursuant to s. 322.025, the Florida  
376 Motorcycle Safety Education Program established in s. 322.0255,  
377 or the general operations of the department.

596-03054-20

20201148c1

- 378 (d) An ancient or antique motorcycle: \$7.50 flat.
- 379 (2) AUTOMOBILES OR TRI-VEHICLES FOR PRIVATE USE.—
- 380 (a) An ancient or antique automobile, as defined in s.
- 381 320.086, or a street rod, as defined in s. 320.0863: \$7.50 flat.
- 382 (b) Net weight of less than 2,500 pounds: \$14.50 flat.
- 383 (c) Net weight of 2,500 pounds or more, but less than 3,500
- 384 pounds: \$22.50 flat.
- 385 (d) Net weight of 3,500 pounds or more: \$32.50 flat.
- 386 (3) TRUCKS.—
- 387 (a) Net weight of less than 2,000 pounds: \$14.50 flat.
- 388 (b) Net weight of 2,000 pounds or more, but not more than
- 389 3,000 pounds: \$22.50 flat.
- 390 (c) Net weight more than 3,000 pounds, but not more than
- 391 5,000 pounds: \$32.50 flat.
- 392 (d) A truck defined as a "goat," or other vehicle if used
- 393 in the field by a farmer or in the woods for the purpose of
- 394 harvesting a crop, including naval stores, during such
- 395 harvesting operations, and which is not principally operated
- 396 upon the roads of the state: \$7.50 flat. The term "goat" means a
- 397 motor vehicle designed, constructed, and used principally for
- 398 the transportation of citrus fruit within citrus groves or for
- 399 the transportation of crops on farms, and which can also be used
- 400 for hauling associated equipment or supplies, including required
- 401 sanitary equipment, and the towing of farm trailers.
- 402 (e) An ancient or antique truck, as defined in s. 320.086:
- 403 \$7.50 flat.
- 404 (4) HEAVY TRUCKS, TRUCK TRACTORS, FEES ACCORDING TO GROSS
- 405 VEHICLE WEIGHT.—
- 406 (a) Gross vehicle weight of 5,001 pounds or more, but less

596-03054-20

20201148c1

407 than 6,000 pounds: \$60.75 flat.

408 (b) Gross vehicle weight of 6,000 pounds or more, but less  
409 than 8,000 pounds: \$87.75 flat.

410 (c) Gross vehicle weight of 8,000 pounds or more, but less  
411 than 10,000 pounds: \$103 flat.

412 (d) Gross vehicle weight of 10,000 pounds or more, but less  
413 than 15,000 pounds: \$118 flat.

414 (e) Gross vehicle weight of 15,000 pounds or more, but less  
415 than 20,000 pounds: \$177 flat.

416 (f) Gross vehicle weight of 20,000 pounds or more, but less  
417 than 26,001 pounds: \$251 flat.

418 (g) Gross vehicle weight of 26,001 pounds or more, but less  
419 than 35,000: \$324 flat.

420 (h) Gross vehicle weight of 35,000 pounds or more, but less  
421 than 44,000 pounds: \$405 flat.

422 (i) Gross vehicle weight of 44,000 pounds or more, but less  
423 than 55,000 pounds: \$773 flat.

424 (j) Gross vehicle weight of 55,000 pounds or more, but less  
425 than 62,000 pounds: \$916 flat.

426 (k) Gross vehicle weight of 62,000 pounds or more, but less  
427 than 72,000 pounds: \$1,080 flat.

428 (l) Gross vehicle weight of 72,000 pounds or more: \$1,322  
429 flat.

430 (m) Notwithstanding the declared gross vehicle weight, a  
431 truck tractor used within the state or within a 150-mile radius  
432 of its home address is eligible for a license plate for a fee of  
433 \$324 flat if:

434 1. The truck tractor is used exclusively for hauling  
435 forestry products; or

596-03054-20

20201148c1

436           2. The truck tractor is used primarily for the hauling of  
437 forestry products, and is also used for the hauling of  
438 associated forestry harvesting equipment used by the owner of  
439 the truck tractor.

440           (n) A truck tractor or heavy truck, not operated as a for-  
441 hire vehicle and which is engaged exclusively in transporting  
442 raw, unprocessed, and nonmanufactured agricultural or  
443 horticultural products within the state or within a 150-mile  
444 radius of its home address is eligible for a restricted license  
445 plate for a fee of:

446           1. If such vehicle's declared gross vehicle weight is less  
447 than 44,000 pounds, \$87.75 flat.

448           2. If such vehicle's declared gross vehicle weight is  
449 44,000 pounds or more and such vehicle only transports from the  
450 point of production to the point of primary manufacture; to the  
451 point of assembling the same; or to a shipping point of a rail,  
452 water, or motor transportation company, \$324 flat.

453  
454 Such not-for-hire truck tractors and heavy trucks used  
455 exclusively in transporting raw, unprocessed, and  
456 nonmanufactured agricultural or horticultural products may be  
457 incidentally used to haul farm implements and fertilizers  
458 delivered direct to the growers. The department may require any  
459 documentation deemed necessary to determine eligibility before  
460 issuance of this license plate. For the purpose of this  
461 paragraph, "not-for-hire" means the owner of the motor vehicle  
462 must also be the owner of the raw, unprocessed, and  
463 nonmanufactured agricultural or horticultural product, or the  
464 user of the farm implements and fertilizer being delivered.



596-03054-20

20201148c1

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

467 (a)1. A semitrailer drawn by a GVW truck tractor by means  
468 of a fifth-wheel arrangement: \$13.50 flat per registration year  
469 or any part thereof.

470 2. A semitrailer drawn by a GVW truck tractor by means of a  
471 fifth-wheel arrangement: \$68 flat per permanent registration.

472 (b) A motor vehicle equipped with machinery and designed  
473 for the exclusive purpose of well drilling, excavation,  
474 construction, spraying, or similar activity, and which is not  
475 designed or used to transport loads other than the machinery  
476 described above over public roads: \$44 flat.

477 (c) A school bus used exclusively to transport pupils to  
478 and from school or school or church activities or functions  
479 within their own county: \$41 flat.

480 (d) A wrecker, as defined in s. 320.01, which is used to  
481 tow a vessel as defined in s. 327.02, a disabled, abandoned,  
482 stolen-recovered, or impounded motor vehicle as defined in s.  
483 320.01, or a replacement motor vehicle as defined in s. 320.01:  
484 \$41 flat.

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

488 1. Gross vehicle weight of 10,000 pounds or more, but less  
489 than 15,000 pounds: \$118 flat.

490 2. Gross vehicle weight of 15,000 pounds or more, but less  
491 than 20,000 pounds: \$177 flat.

492 3. Gross vehicle weight of 20,000 pounds or more, but less  
493 than 26,000 pounds: \$251 flat.

596-03054-20

20201148c1

- 494 4. Gross vehicle weight of 26,000 pounds or more, but less  
495 than 35,000 pounds: \$324 flat.
- 496 5. Gross vehicle weight of 35,000 pounds or more, but less  
497 than 44,000 pounds: \$405 flat.
- 498 6. Gross vehicle weight of 44,000 pounds or more, but less  
499 than 55,000 pounds: \$772 flat.
- 500 7. Gross vehicle weight of 55,000 pounds or more, but less  
501 than 62,000 pounds: \$915 flat.
- 502 8. Gross vehicle weight of 62,000 pounds or more, but less  
503 than 72,000 pounds: \$1,080 flat.
- 504 9. Gross vehicle weight of 72,000 pounds or more: \$1,322  
505 flat.
- 506 (f) A hearse or ambulance: \$40.50 flat.
- 507 (6) MOTOR VEHICLES FOR HIRE.—
- 508 (a) Under nine passengers: \$17 flat plus \$1.50 per cwt.  
509 (b) Nine passengers and over: \$17 flat plus \$2 per cwt.
- 510 (7) TRAILERS FOR PRIVATE USE.—
- 511 (a) Any trailer weighing 500 pounds or less: \$6.75 flat per  
512 year or any part thereof.
- 513 (b) Net weight over 500 pounds: \$3.50 flat plus \$1 per cwt.
- 514 (8) TRAILERS FOR HIRE.—
- 515 (a) Net weight under 2,000 pounds: \$3.50 flat plus \$1.50  
516 per cwt.
- 517 (b) Net weight 2,000 pounds or more: \$13.50 flat plus \$1.50  
518 per cwt.
- 519 (9) RECREATIONAL VEHICLE-TYPE UNITS.—
- 520 (a) A travel trailer or fifth-wheel trailer, as defined by  
521 s. 320.01(1)(b), that does not exceed 35 feet in length: \$27  
522 flat.

596-03054-20

20201148c1

- 523 (b) A camping trailer, as defined by s. 320.01(1)(b)2.:
- 524 \$13.50 flat.
- 525 (c) A motor home, as defined by s. 320.01(1)(b)4.:
- 526 1. Net weight of less than 4,500 pounds: \$27 flat.
- 527 2. Net weight of 4,500 pounds or more: \$47.25 flat.
- 528 (d) A truck camper as defined by s. 320.01(1)(b)3.:
- 529 1. Net weight of less than 4,500 pounds: \$27 flat.
- 530 2. Net weight of 4,500 pounds or more: \$47.25 flat.
- 531 (e) A private motor coach as defined by s. 320.01(1)(b)5.:
- 532 1. Net weight of less than 4,500 pounds: \$27 flat.
- 533 2. Net weight of 4,500 pounds or more: \$47.25 flat.
- 534 (10) PARK TRAILERS; TRAVEL TRAILERS; FIFTH-WHEEL TRAILERS;
- 535 35 FEET TO 40 FEET.—
- 536 (a) *Park trailers.*—Any park trailer, as defined in s.
- 537 320.01(1)(b)7.: \$25 flat.
- 538 (b) *Travel trailers or fifth-wheel trailers.*—A travel
- 539 trailer or fifth-wheel trailer, as defined in s. 320.01(1)(b),
- 540 that exceeds 35 feet: \$25 flat.
- 541 (11) MOBILE HOMES.—
- 542 (a) A mobile home not exceeding 35 feet in length: \$20
- 543 flat.
- 544 (b) A mobile home over 35 feet in length, but not exceeding
- 545 40 feet: \$25 flat.
- 546 (c) A mobile home over 40 feet in length, but not exceeding
- 547 45 feet: \$30 flat.
- 548 (d) A mobile home over 45 feet in length, but not exceeding
- 549 50 feet: \$35 flat.
- 550 (e) A mobile home over 50 feet in length, but not exceeding
- 551 55 feet: \$40 flat.

596-03054-20

20201148c1

552 (f) A mobile home over 55 feet in length, but not exceeding  
553 60 feet: \$45 flat.

554 (g) A mobile home over 60 feet in length, but not exceeding  
555 65 feet: \$50 flat.

556 (h) A mobile home over 65 feet in length: \$80 flat.

557 (12) DEALER AND MANUFACTURER LICENSE PLATES.—A franchised  
558 motor vehicle dealer, independent motor vehicle dealer, marine  
559 boat trailer dealer, or mobile home dealer and manufacturer  
560 license plate: \$17 flat.

561 (13) EXEMPT OR OFFICIAL LICENSE PLATES.—Any exempt or  
562 official license plate: \$4 flat, except that the registration or  
563 renewal of a registration of a marine boat trailer exempt under  
564 s. 320.102 is not subject to any license tax.

565 (14) LOCALLY OPERATED MOTOR VEHICLES FOR HIRE.—A motor  
566 vehicle for hire operated wholly within a city or within 25  
567 miles thereof: \$17 flat plus \$2 per cwt.

568 (15) TRANSPORTER.—Any transporter license plate issued to a  
569 transporter pursuant to s. 320.133: \$101.25 flat.

570 Section 17. Paragraph (a) of subsection (3) of section  
571 316.306, Florida Statutes, is amended to read:

572 316.306 School and work zones; prohibition on the use of a  
573 wireless communications device in a handheld manner.—

574 (3) (a) 1. A person may not operate a motor vehicle while  
575 using a wireless communications device in a handheld manner in a  
576 designated school crossing, school zone, or work zone area as  
577 defined in s. 316.003(105) ~~s. 316.003(104)~~. This subparagraph  
578 shall only be applicable to work zone areas if construction  
579 personnel are present or are operating equipment on the road or  
580 immediately adjacent to the work zone area. For the purposes of

596-03054-20

20201148c1

581 this paragraph, a motor vehicle that is stationary is not being  
582 operated and is not subject to the prohibition in this  
583 paragraph.

584 2.a. During the period from October 1, 2019, through  
585 December 31, 2019, a law enforcement officer may stop motor  
586 vehicles to issue verbal or written warnings to persons who are  
587 in violation of subparagraph 1. for the purposes of informing  
588 and educating such persons of this section. This sub-  
589 subparagraph shall stand repealed on October 1, 2020.

590 b. Effective January 1, 2020, a law enforcement officer may  
591 stop motor vehicles and issue citations to persons who are  
592 driving while using a wireless communications device in a  
593 handheld manner in violation of subparagraph 1.

594 Section 18. Subsection (1) of section 655.960, Florida  
595 Statutes, is amended to read:

596 655.960 Definitions; ss. 655.960-655.965.—As used in this  
597 section and ss. 655.961-655.965, unless the context otherwise  
598 requires:

599 (1) "Access area" means any paved walkway or sidewalk which  
600 is within 50 feet of any automated teller machine. The term does  
601 not include any street or highway open to the use of the public,  
602 as defined in s. 316.003(84) (a) or (b) ~~s. 316.003(83) (a) or (b)~~,  
603 including any adjacent sidewalk, as defined in s. 316.003.

604 Section 19. This act shall take effect July 1, 2020.