

By Senator Wright

8-00500-24

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1                   A bill to be entitled  
2       An act relating to utility terrain vehicles; amending  
3       s. 316.2123, F.S.; authorizing the operation of  
4       utility terrain vehicles on certain roadways;  
5       providing applicability of certain operator  
6       requirements; amending s. 320.01, F.S.; defining the  
7       term "utility terrain vehicle" or "UTV"; providing an  
8       effective date.

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

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12       Section 1. Section 316.2123, Florida Statutes, is amended  
13       to read:

14       316.2123 Operation of an ATV or a UTV on certain roadways.—

15       (1) (a) The operation of an ATV, as defined in s. 317.0003,  
16       upon the public roads or streets of this state is prohibited,  
17       except that an ATV may be operated during the daytime on an  
18       unpaved roadway where the posted speed limit is less than 35  
19       miles per hour.

20       (b) A UTV, as defined in s. 320.01(46), may be operated  
21       during all hours, but only on nonfederal roadways where the  
22       posted speed limit is less than 55 miles per hour.

23       (2) A county is exempt from this section if the governing  
24       body of the county, by majority vote, following a noticed public  
25       hearing, votes to exempt the county from this section.  
26       Alternatively, a county may, by majority vote after such a  
27       hearing, designate certain unpaved roadways where an ATV may be  
28       operated during the daytime as long as each such designated  
29       roadway has a posted speed limit of less than 35 miles per hour

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30 and is appropriately marked to indicate permissible ATV use.

31 (3) Any ATV or UTV operation ~~that is~~ permitted under  
32 subsection (1) or subsection (2) may be undertaken only by a  
33 licensed driver or a minor who is under the direct supervision  
34 of a licensed driver. The operator must provide proof of  
35 ownership under chapter 317 upon the request of a law  
36 enforcement officer.

37 Section 2. Subsection (46) is added to section 320.01,  
38 Florida Statutes, to read:

39 320.01 Definitions, general.—As used in the Florida  
40 Statutes, except as otherwise provided, the term:

41 (46) "Utility terrain vehicle" or "UTV" means a vehicle  
42 less than 70 inches in width which has at least two seats  
43 allowing passengers to sit in a side-by-side manner and which is  
44 equipped with headlamps, stop lamps, turn signals, taillamps,  
45 rearview mirrors, a windshield, seat belts, and a horn. A UTV  
46 must comply with all insurance and license requirements of mini  
47 trucks pursuant to ss. 316.2122 and 320.0847.

48 Section 3. This act shall take effect July 1, 2024.