

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 local authorities to regulate the  
 9                    operation of electric bicycles; amending s. 316.027,  
 10                    F.S.; revising the definition of the term "vulnerable  
 11                    road user"; amending s. 316.083, F.S.; requiring the  
 12                    driver of a vehicle overtaking an electric bicycle to  
 13                    pass the electric bicycle at a certain distance;  
 14                    amending s. 316.1995, F.S.; expanding exceptions to a  
 15                    prohibition on persons driving certain vehicles on  
 16                    sidewalks and bicycle paths; amending s. 316.2065,  
 17                    F.S.; deleting obsolete language; creating s.  
 18                    316.20655, F.S.; providing electric bicycle  
 19                    regulations; providing for rights and privileges of  
 20                    electric bicycles and operators of electric bicycles;  
 21                    providing that electric bicycles are vehicles to the  
 22                    same extent as bicycles; providing that electric  
 23                    bicycles and operators of electric bicycles are not  
 24                    subject to specified provisions; requiring  
 25                    manufacturers and distributors, beginning on a

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

46  
47 Be It Enacted by the Legislature of the State of Florida:

48  
49 Section 1. Subsection (4) of section 261.03, Florida  
50 Statutes, is amended to read:

51 261.03 Definitions.—As used in this chapter, the term:

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

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

63 316.003 Definitions.—The following words and phrases, when  
64 used in this chapter, shall have the meanings respectively  
65 ascribed to them in this section, except where the context  
66 otherwise requires:

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

76 ~~its highest position or a scooter or similar device. A person~~  
77 ~~under the age of 16 may not operate or ride upon a motorized~~  
78 ~~bicycle.~~

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

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

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

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

95 (42)-(41) MOPED.—Any vehicle with pedals to permit  
96 propulsion by human power, having a seat or saddle for the use  
97 of the rider and designed to travel on not more than three  
98 wheels, with a motor rated not in excess of 2 brake horsepower  
99 and not capable of propelling the vehicle at a speed greater  
100 than 30 miles per hour on level ground and with a power-drive

101 system that functions directly or automatically without  
102 clutching or shifting gears by the operator after the drive  
103 system is engaged. If an internal combustion engine is used, the  
104 displacement may not exceed 50 cubic centimeters. The term does  
105 not include an electric bicycle.

106 (44) ~~(43)~~ MOTOR VEHICLE.—Except when used in s. 316.1001, a  
107 self-propelled vehicle not operated upon rails or guideway, but  
108 not including any bicycle, electric bicycle, motorized scooter,  
109 electric personal assistive mobility device, mobile carrier,  
110 personal delivery device, swamp buggy, or moped. For purposes of  
111 s. 316.1001, "motor vehicle" has the same meaning as provided in  
112 s. 320.01(1)(a).

113 (45) ~~(44)~~ MOTORCYCLE.—Any motor vehicle having a seat or  
114 saddle for the use of the rider and designed to travel on not  
115 more than three wheels in contact with the ground. The term  
116 includes an auticycle, but does not include a tractor, a moped,  
117 an electric bicycle, or any vehicle in which the operator is  
118 enclosed by a cabin unless it meets the requirements set forth  
119 by the National Highway Traffic Safety Administration for a  
120 motorcycle.

121 (46) ~~(45)~~ MOTORIZED SCOOTER.—Any vehicle or micromobility  
122 device that is powered by a motor with or without a seat or  
123 saddle for the use of the rider, which is designed to travel on  
124 not more than three wheels, and which is not capable of  
125 propelling the vehicle at a speed greater than 20 miles per hour

126 | on level ground. The term does not include an electric bicycle.

127 |       ~~(62)-(61)~~ PRIVATE ROAD OR DRIVEWAY.—Except as otherwise  
 128 | provided in paragraph (84) (b) ~~(83) (b)~~, any privately owned way  
 129 | or place used for vehicular travel by the owner and those having  
 130 | express or implied permission from the owner, but not by other  
 131 | persons.

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

134 |       316.008 Powers of local authorities.—

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

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

144 |       316.027 Crash involving death or personal injuries.—

145 |       (1) As used in this section, the term:

146 |       (b) "Vulnerable road user" means:

147 |       1. A pedestrian, including a person actually engaged in  
 148 | work upon a highway, or in work upon utility facilities along a  
 149 | highway, or engaged in the provision of emergency services  
 150 | within the right-of-way;

151           2. A person operating a bicycle, an electric bicycle, a  
 152 motorcycle, a scooter, or a moped lawfully on the roadway;

153           3. A person riding an animal; or

154           4. A person lawfully operating on a public right-of-way,  
 155 crosswalk, or shoulder of the roadway:

156           a. A farm tractor or similar vehicle designed primarily  
 157 for farm use;

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

159           c. A horse-drawn carriage;

160           d. An electric personal assistive mobility device; or

161           e. A wheelchair.

162           Section 5. Subsection (1) of section 316.083, Florida  
 163 Statutes, is amended to read:

164           316.083 Overtaking and passing a vehicle.—The following  
 165 rules shall govern the overtaking and passing of vehicles  
 166 proceeding in the same direction, subject to those limitations,  
 167 exceptions, and special rules hereinafter stated:

168           (1) The driver of a vehicle overtaking another vehicle  
 169 proceeding in the same direction shall give an appropriate  
 170 signal as provided for in s. 316.156, shall pass to the left  
 171 thereof at a safe distance, and shall not again drive to the  
 172 right side of the roadway until safely clear of the overtaken  
 173 vehicle. The driver of a vehicle overtaking a bicycle or other  
 174 nonmotorized vehicle, or an electric bicycle, must pass the  
 175 bicycle, ~~or~~ other nonmotorized vehicle, or electric bicycle at a

176 safe distance of not less than 3 feet between the vehicle and  
177 the bicycle, ~~or~~ other nonmotorized vehicle, or electric bicycle.

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

180 316.1995 Driving upon sidewalk or bicycle path.—

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

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

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

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

192 316.2065 Bicycle regulations.—

193 (3)

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



201 ~~standards of the Snell Memorial Foundation (1984 Standard for~~  
202 ~~Protective Headgear for Use in Bicycling), or any other~~  
203 ~~nationally recognized standards for bicycle helmets adopted by~~  
204 ~~the department may continue to be worn by a bicycle rider or~~  
205 ~~passenger until January 1, 2016. As used in this subsection, the~~  
206 term "passenger" includes a child who is riding in a trailer or  
207 semitrailer attached to a bicycle.

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

210 316.20655 Electric bicycle regulations.-

211 (1) Except as otherwise provided in this section, an  
212 electric bicycle or an operator of an electric bicycle shall be  
213 afforded all the rights and privileges, and be subject to all of  
214 the duties, of a bicycle or the operator of a bicycle, including  
215 s. 316.2065. An electric bicycle is a vehicle to the same extent  
216 as a bicycle. However, this section may not be construed to  
217 prevent a local government, through the exercise of its powers  
218 under s. 316.008, from adopting an ordinance governing the  
219 operation of electric bicycles on streets, highways, sidewalks,  
220 and sidewalk areas under the local government's jurisdiction.

221 (2) An electric bicycle or an operator of an electric  
222 bicycle is not subject to the provisions of law relating to  
223 financial responsibility, driver or motor vehicle licenses,  
224 vehicle registration, title certificates, off-highway  
225 motorcycles, or off-highway vehicles.

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

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

236 (5) An electric bicycle must comply with the equipment and  
237 manufacturing requirements for bicycles adopted by the United  
238 States Consumer Product Safety Commission under 16 C.F.R. part  
239 1512.

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

243 (7) (a) An operator may ride an electric bicycle where  
244 bicycles are allowed, including, but not limited to, streets,  
245 highways, roadways, shoulders, bicycle lanes, and bicycle or  
246 multiuse paths.

247 (b) Following notice and a public hearing, a municipality,  
248 county, or agency of the state having jurisdiction over a  
249 bicycle or multiuse path may restrict or prohibit the operation  
250 of an electric bicycle on the path if the municipality, county,

251 or agency finds that such a restriction is necessary in the  
 252 interest of public safety or to comply with other laws or legal  
 253 obligations.

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

261 (e) A motorcycle, a moped, a ~~ex~~ bicycle, or an electric  
 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,  
 284 semitrailer, truck tractor and semitrailer combination, or any  
 285 other vehicle operated on the roads of this state, used to  
 286 transport persons or property, and propelled by power other than  
 287 muscular power, but the term does not include traction engines,  
 288 road rollers, motorized scooters, micromobility devices,  
 289 personal delivery devices and mobile carriers as defined in s.  
 290 316.003, special mobile equipment as defined in s. 316.003,  
 291 vehicles that run only upon a track, bicycles, electric  
 292 bicycles, swamp buggies, 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  
 302 any 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,  
 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,  
 332 truck, trailer, semitrailer, truck tractor and semitrailer  
 333 combination, or any other vehicle operated in this state, used  
 334 to transport persons or property and propelled by power other  
 335 than muscular power. The term does not include traction engines,  
 336 road rollers, vehicles that run only upon a track, bicycles,  
 337 electric 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,  
 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  
 358 to 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.

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  
 384 | 3,500 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  
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  
413 less than 15,000 pounds: \$118 flat.

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

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

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

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

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

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

426 (k) Gross vehicle weight of 62,000 pounds or more, but  
 427 less 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

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.

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  
471 a 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.

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  
512 per year or any part thereof.

513 (b) Net weight over 500 pounds: \$3.50 flat plus \$1 per  
514 cwt.

515 (8) TRAILERS FOR HIRE.—

516 (a) Net weight under 2,000 pounds: \$3.50 flat plus \$1.50  
517 per cwt.

518 (b) Net weight 2,000 pounds or more: \$13.50 flat plus  
519 \$1.50 per cwt.

520 (9) RECREATIONAL VEHICLE-TYPE UNITS.—

521 (a) A travel trailer or fifth-wheel trailer, as defined by  
522 s. 320.01(1)(b), that does not exceed 35 feet in length: \$27  
523 flat.

524 (b) A camping trailer, as defined by s. 320.01(1)(b)2.:  
525 \$13.50 flat.

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

551 (e) A mobile home over 50 feet in length, but not  
552 exceeding 55 feet: \$40 flat.

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

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

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

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

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

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

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

571 Section 17. Paragraph (a) of subsection (3) of section  
572 316.306, Florida Statutes, is amended to read:

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

575 (3) (a) 1. A person may not operate a motor vehicle while

576 using a wireless communications device in a handheld manner in a  
577 designated school crossing, school zone, or work zone area as  
578 defined in s. 316.003(105) ~~s. 316.003(104)~~. This subparagraph  
579 shall only be applicable to work zone areas if construction  
580 personnel are present or are operating equipment on the road or  
581 immediately adjacent to the work zone area. For the purposes of  
582 this paragraph, a motor vehicle that is stationary is not being  
583 operated and is not subject to the prohibition in this  
584 paragraph.

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

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

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

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

600 (1) "Access area" means any paved walkway or sidewalk



CS/HB 971

2020

601 | which is within 50 feet of any automated teller machine. The  
602 | term does not include any street or highway open to the use of  
603 | the public, as defined in s. 316.003(84) (a) or (b) ~~s.~~  
604 | ~~316.003(83) (a) or (b)~~, including any adjacent sidewalk, as  
605 | defined in s. 316.003.

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