

By Senator Brandes

22-00242-14

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1                                   A bill to be entitled  
2       An act relating to neighborhood vehicles; amending s.  
3       261.03, F.S.; revising the definition of "ROV";  
4       amending s. 316.2122, F.S.; authorizing the operation  
5       of a neighborhood vehicle on certain roads with  
6       certain restrictions; authorizing a county or  
7       municipality to enact an ordinance allowing the  
8       operation of neighborhood vehicles on certain roads or  
9       streets; providing requirements for the enactment of  
10      such an ordinance; requiring the posting of  
11      appropriate signs; deleting a provision requiring low-  
12      speed vehicles to have certain equipment; amending s.  
13      317.0003, F.S.; revising the definition of "ROV";  
14      amending s. 320.01, F.S.; revising the definition of  
15      "low-speed vehicle"; providing a definition for  
16      "neighborhood vehicle"; amending s. 320.08001, F.S.;  
17      providing that a neighborhood vehicle is subject to  
18      the same license tax as an electric vehicle or a low-  
19      speed vehicle; amending s. 320.0847, F.S.; requiring  
20      the Department of Highway Safety and Motor Vehicles to  
21      issue a license plate for a neighborhood vehicle upon  
22      payment of certain fees and taxes; requiring the  
23      department to issue a decal to the owner or lessee of  
24      a registered low-speed vehicle or neighborhood  
25      vehicle; requiring that the decal be clearly  
26      displayed; providing an effective date.

27  
28   Be It Enacted by the Legislature of the State of Florida:  
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30 Section 1. Subsection (8) of section 261.03, Florida  
31 Statutes, is amended to read:

32 261.03 Definitions.—As used in this chapter, the term:

33 (8) "ROV" means any motorized recreational off-highway  
34 vehicle 64 inches or less in width, having a dry weight of 2,000  
35 pounds or less, designed to travel on four or more nonhighway  
36 tires, having nonstraddle seating and a steering wheel, and  
37 manufactured for recreational use by one or more persons. The  
38 term "ROV" does not include a golf cart as that term is defined  
39 in ss. 320.01 and 316.003(68) or a low-speed vehicle or  
40 neighborhood vehicle as those terms are defined in s. 320.01.

41 Section 2. Section 316.2122, Florida Statutes, is amended  
42 to read:

43 316.2122 Operation of a low-speed vehicle, ~~or~~ mini truck,  
44 or neighborhood vehicle on certain roadways.—The operation of a  
45 low-speed vehicle, as defined in s. 320.01 or a mini truck, or  
46 neighborhood vehicle as defined in s. 320.01 on any road is  
47 authorized with the following restrictions:

48 (1) A low-speed vehicle, ~~or~~ mini truck, or neighborhood  
49 vehicle may be operated only on streets where the posted speed  
50 limit is 35 miles per hour or less. This does not prohibit a  
51 low-speed vehicle, or mini truck, or neighborhood vehicle from  
52 crossing a road or street at an intersection where the road or  
53 street has a posted speed limit of more than 35 miles per hour.

54 (a) A county or municipality may enact an ordinance  
55 authorizing the county or municipality to designate county roads  
56 or municipal streets that have a posted speed limit of 45 miles  
57 per hour or less for the operation of neighborhood vehicles.

58 (b) Before making a designation of a public road or street

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59 pursuant to paragraph (a), the responsible local governmental  
60 entity must first determine that a neighborhood vehicle may  
61 safely travel on or cross the road or street, considering  
62 factors, including, but not limited to, the speed, volume, and  
63 character of motor vehicle traffic using the road or street.

64 (c) Upon a determination that a person may safely operate a  
65 neighborhood vehicle on a designated road or street, the  
66 responsible governmental entity shall post appropriate signs to  
67 indicate that such operation is authorized.

68 ~~(2) A low-speed vehicle must be equipped with headlamps,~~  
69 ~~stop lamps, turn signal lamps, taillamps, reflex reflectors,~~  
70 ~~parking brakes, rearview mirrors, windshields, seat belts, and~~  
71 ~~vehicle identification numbers.~~

72 (2)(3) A low-speed vehicle, ~~or~~ mini truck, or neighborhood  
73 vehicle must be registered and insured in accordance with s.  
74 320.02 and titled pursuant to chapter 319.

75 (3)(4) Any person operating a low-speed vehicle, ~~or~~ mini  
76 truck, or neighborhood vehicle must have in his or her  
77 possession a valid driver license.

78 (4)(5) A county or municipality may prohibit the operation  
79 of low-speed vehicles, ~~or~~ mini trucks, or neighborhood vehicles  
80 on any road under its jurisdiction if the governing body of the  
81 county or municipality determines that such prohibition is  
82 necessary in the interest of safety.

83 (5)(6) The Department of Transportation may prohibit the  
84 operation of low-speed vehicles, ~~or~~ mini trucks, or neighborhood  
85 vehicles on any road under its jurisdiction if it determines  
86 that such prohibition is necessary in the interest of safety.

87 Section 3. Subsection (9) of section 317.0003, Florida

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88 Statutes, is amended to read:

89 317.0003 Definitions.—As used in this chapter, the term:

90 (9) "ROV" means any motorized recreational off-highway  
91 vehicle 64 inches or less in width, having a dry weight of 2,000  
92 pounds or less, designed to travel on four or more nonhighway  
93 tires, having nonstraddle seating and a steering wheel, and  
94 manufactured for recreational use by one or more persons. The  
95 term "ROV" does not include a golf cart as that term is defined  
96 in ss. 320.01 and 316.003(68) or a low-speed vehicle or  
97 neighborhood vehicle as those terms are defined in s. 320.01.

98 Section 4. Subsection (41) of section 320.01, Florida  
99 Statutes, is amended, and subsection (46) is added to that  
100 section, to read:

101 320.01 Definitions, general.—As used in the Florida  
102 Statutes, except as otherwise provided, the term:

103 (41) "Low-speed vehicle" means any four-wheeled vehicle  
104 whose top speed is greater than 20 miles per hour but not  
105 greater than 25 miles per hour, ~~including, but not limited to,~~  
106 ~~neighborhood electric vehicles.~~ Low-speed vehicles must comply  
107 with the safety standards in s. 316.2122 and 49 C.F.R. s.  
108 571.500 and s. 316.2122.

109 (46) "Neighborhood vehicle" means a four-wheeled vehicle  
110 with a top speed of greater than 25 miles per hour but not  
111 greater than 35 miles per hour. A neighborhood vehicle must  
112 comply with the safety standards in s. 316.2122 and 49 C.F.R. s.  
113 571.500.

114 Section 5. Section 320.08001, Florida Statutes, is amended  
115 to read:

116 320.08001 Electric vehicles; low-speed vehicles;

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117 neighborhood vehicles; license tax.—The license tax for an  
118 electric vehicle, a or low-speed vehicle, or a neighborhood  
119 vehicle is the same as that prescribed in s. 320.08 ~~for a~~  
120 ~~vehicle that is not electrically powered.~~

121 Section 6. Section 320.0847, Florida Statutes, is amended  
122 to read:

123 320.0847 Low-speed vehicle, mini truck, and neighborhood  
124 vehicle low-speed vehicle license plates and decals.—

125 (1) The department shall issue a license plate to the owner  
126 or lessee of any vehicle registered as a low-speed vehicle, as  
127 ~~defined in s. 320.01 or a mini truck,~~ or neighborhood vehicle as  
128 ~~defined in s. 320.01~~ upon payment of the appropriate license  
129 taxes and fees prescribed in s. 320.08. The license plate must  
130 comply with s. 320.06.

131 (2) The department shall also issue a decal to the owner or  
132 lessee of a vehicle registered as a low-speed vehicle or as a  
133 neighborhood vehicle, upon which the abbreviation "LSV" or "NV,"  
134 as appropriate, is clearly legible. The decal must be displayed  
135 and plainly visible on the rear of the low-speed vehicle or  
136 neighborhood vehicle ~~The license plate for a low-speed vehicle~~  
137 ~~or mini truck shall comply with the provisions of s. 320.06.~~

138 Section 7. This act shall take effect July 1, 2014.