

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Transportation Committee

BILL: SB 1788

INTRODUCER: Senator Bogdanoff

SUBJECT: Bicycle Regulations

DATE: March 17, 2011

REVISED: _____

| | ANALYST | STAFF DIRECTOR | REFERENCE | ACTION |
|----|---------|----------------|-----------|------------------|
| 1. | Sookhoo | Spalla | TR | Favorable |
| 2. | _____ | _____ | CA | _____ |
| 3. | _____ | _____ | HR | _____ |
| 4. | _____ | _____ | _____ | _____ |
| 5. | _____ | _____ | _____ | _____ |
| 6. | _____ | _____ | _____ | _____ |

I. Summary:

This bill removes the requirement to keep at least one hand on a handlebar while operating a bicycle. In addition, this bill renumbers cross-references to conform to the amendment incorporated into ss. 316.2065 and 322.27, F.S.

This bill amends ss. 316.2065 and 322.27 of the Florida Statutes.

II. Present Situation:

Section 316.2065(7), F.S., specifies that operators of a bicycle must keep at least one hand upon the handlebars. Violators of this section are fined \$15 plus additional court costs and fees, and the total cost of the violation may vary between \$56.50 and \$82.50.

III. Effect of Proposed Changes:

This bill removes the requirement for having at least one hand on the handlebars when operating a bicycle as specified in s. 316.2065(7), F.S. In addition, this bill also renumbers subparagraph (8) through (20), F.S. As a result, this bill also amends all cross references in ss. 316.2065 and 322.27, F.S., to reflect renumbering. According to the Florida Department of Transportation (FDOT) this change may disincentivise the safe operation of bicycles by some users and could result in an increased number of injuries due to bicycle accidents.

This act will take effect July 1, 2011.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

According to FDOT, costs due to personal injury and the potential for litigation resulting from operation without at least one hand on the handlebars of a bicycle are unquantifiable.

C. Government Sector Impact:

None.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Additional Information:

A. Committee Substitute – Statement of Substantial Changes:

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

B. Amendments:

None.