

## HOUSE OF REPRESENTATIVES STAFF ANALYSIS

**BILL #:** CS/CS/HB 1009 Low-speed Vehicles

**SPONSOR(S):** Transportation & Economic Development Appropriations Subcommittee, Transportation & Highway Safety Subcommittee and O'Toole

**TIED BILLS:** **IDEN./SIM. BILLS:** SB 1238

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR or BUDGET/POLICY CHIEF
1) Transportation & Highway Safety Subcommittee	15 Y, 0 N, As CS	Johnson	Kruse
2) Transportation & Economic Development Appropriations Subcommittee	15 Y, 0 N, As CS	Rayman	Davis
3) Economic Affairs Committee			

### SUMMARY ANALYSIS

CS/CS/HB 1009 authorizes the conversion of a vehicle titled or branded and registered as a low speed vehicle to a golf cart. Following the conversion, the vehicle must be inspected by the Department of Highway Safety and Motor Vehicles. The practical effect is that the vehicle will no longer need to be registered or insured. The bill also defines "low speed vehicle" as any four wheeled vehicle whose top speed is greater than 20 miles per hour but not greater than 25 miles per hour, including, but not limited to, neighborhood electric vehicles.

There is a \$40 administrative fee for vehicle owners associated with verifying a vehicle's conversion. Vehicle registrations vary widely depending on the vehicle, its weight, and any additional add-ons, but a typical registration could cost between \$40 and \$45 annually, compared to a one-time conversion fee. However, since the number of conversions is unknown, the fiscal impact is indeterminate.

The bill has an effective date of July 1, 2012.

## FULL ANALYSIS

### I. SUBSTANTIVE ANALYSIS

#### A. EFFECT OF PROPOSED CHANGES:

##### Current Situation

Section 320.01(42), F.S., defines “low-speed vehicle” as “any four-wheeled electric vehicle whose top speed is greater than 20 miles per hour but not greater than 25 miles per hour, including neighborhood electric vehicles. Low-speed vehicles must comply with the safety standards in 49 C.F.R. s. 571.500 and s. 316.2122.”

Section 320.01(22), F.S., defines “golf cart” as “a motor vehicle that is designed and manufactured for operation on a golf course for sporting or recreational purposes and that is not capable of exceeding speeds of 20 miles per hour.”

Current law requires low speed vehicles to be registered and insured in accordance with ch. 320, F.S., and titled pursuant to ch. 319.F.S.<sup>1</sup> These vehicles may be operated on certain roads (generally, streets with a posted speed limit of 35 MPH or lower). One must hold a valid driver license to operate a low speed vehicle.

Golf carts are exempt from registration<sup>2</sup> and do not require a driver license to operate.<sup>3</sup> With exceptions, the operation of golf carts on public roads and streets is prohibited.<sup>4</sup>

##### Proposed Changes

The bill creates s. 319.14(10), F.S., providing that a vehicle titled or branded and registered as a low-speed vehicle may be converted to a golf cart pursuant to the following;

- The owner of the converted vehicle is required to contact the regional office of the DHSMV to verify the conversion, surrender the registration license plate and the current certificate of title, and pay the appropriate fee.
- Upon verification of the conversion, DHSMV shall note in the vehicle record that the low-speed vehicle has been converted to a golf cart and cancel the certificate of title and registration of the vehicle.

The practical effect is that the owner would no longer be required to register and insure the vehicle.

The bill requires DHSMV to establish a \$40 fee to cover the cost of verification and associated administrative costs.

The bill amends s. 320.01(42), F.S., defining “low-speed vehicle” as “any four-wheeled vehicle whose top speed is greater than 20 miles per hour but not greater than 25 miles per hour, including, but not limited to, neighborhood electric vehicles. Low-speed vehicles must comply with the safety standards in 49 C.F.R. s. 571.500 and s. 316.2122.”

The bill has an effective date of July 1, 2012.

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<sup>1</sup> Section 316.2122(3), F.S.

<sup>2</sup> Section 320.105, F.S.

<sup>3</sup> Section 322.04(1)(e), F.S.

<sup>4</sup> Section 316.212, F.S.

**B. SECTION DIRECTORY:**

- Section 1. Amends s. 319.14, F.S., relating to the sale of motor vehicles registered or used as taxicabs, police vehicles, lease vehicles, or rebuilt and nonconforming vehicles; conversion of low-speed vehicles.
- Section 2. Amends s. 320.01(42), F.S., defining "low-speed vehicle" as any four-wheeled vehicle whose top speed is greater than 20 miles per hour but not greater than 25 miles per hour, including, but not limited to, neighborhood electric vehicles.
- Section 3. Provides an effective date of July 1, 2012.

**II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT**

**A. FISCAL IMPACT ON STATE GOVERNMENT:**

1. Revenues:

Indeterminate. The bill requires DHSMV to charge a \$40 fee to pay for the verification of the conversion to a golf cart. The number of low speed vehicles which will be converted to golf carts is unknown at this time.

2. Expenditures:

According to DHSMV, programming costs required to implement this bill will be absorbed within existing resources.

**B. FISCAL IMPACT ON LOCAL GOVERNMENTS:**

1. Revenues:

None.

2. Expenditures:

None.

**C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:**

Persons wishing to convert a low-speed vehicle into a golf cart will incur the \$40 fee to do so. Owners of low speed vehicles converted to golf carts will no longer need to register and insure these vehicles.

**D. FISCAL COMMENTS:**

None.

**III. COMMENTS**

**A. CONSTITUTIONAL ISSUES:**

1. Applicability of Municipality/County Mandates Provision:

Not Applicable. This bill does not appear to affect county or municipal governments.

2. Other:

None.

**B. RULE-MAKING AUTHORITY:**

None.

C. DRAFTING ISSUES OR OTHER COMMENTS:

None.

**IV. AMENDMENTS/ COMMITTEE SUBSTITUTE CHANGES**

On January 24, 2012, the Transportation & Highway Safety Subcommittee adopted one amendment, creating a committee substitute. This amendment changed the word "inspection" to "verification" since that is the duty DHSMV is charged with in the bill. This analysis is written to the committee substitute.

On February 14, 2012, the Transportation & Economic Development Appropriations Subcommittee adopted one amendment and the bill was reported favorably as a committee substitute. The amendment revised the definition of the term "low-speed vehicle." The analysis is written to the committee substitute.