

By Senator Perry

8-00471B-19

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1                   A bill to be entitled  
 2           An act relating to off-highway vehicles; amending ss.  
 3           261.03 and 317.0003, F.S.; redefining the terms "ATV"  
 4           and "ROV" to increase the authorized width and dry  
 5           weight of such vehicles; amending s. 316.2074, F.S.;  
 6           redefining the term "all-terrain vehicle" to increase  
 7           the authorized width and dry weight of the vehicle;  
 8           reenacting s. 316.2123(1), F.S., relating to the  
 9           operation of an ATV on certain roadways; reenacting s.  
 10          316.21265(1), F.S., relating to the use of certain  
 11          vehicles by law enforcement agencies; providing an  
 12          effective date.

13  
 14 Be It Enacted by the Legislature of the State of Florida:

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 16           Section 1. Subsections (2) and (8) of section 261.03,  
 17 Florida Statutes, are amended to read:

18           261.03 Definitions.—As used in this chapter, the term:

19           (2) "ATV" means any motorized off-highway or all-terrain  
 20           vehicle 55 ~~50~~ inches or less in width which has,~~having~~ a dry  
 21           weight of 1,500 ~~1,200~~ pounds or less, is designed to travel on  
 22           three or more nonhighway tires, and is manufactured for  
 23           recreational use by one or more persons.

24           (8) "ROV" means any motorized recreational off-highway  
 25           vehicle 80 ~~65~~ inches or less in width which has,~~having~~ a dry  
 26           weight of 2,500 ~~2,000~~ pounds or less, is designed to travel on  
 27           four or more nonhighway tires, and is manufactured for  
 28           recreational use by one or more persons. The term "~~ROV~~" does not  
 29           include a golf cart as defined in ss. 316.003 and 320.01 or a

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30 low-speed vehicle as defined in s. 320.01.

31 Section 2. Subsection (2) of section 316.2074, Florida  
32 Statutes, is amended to read:

33 316.2074 All-terrain vehicles.—

34 (2) As used in this section, the term "all-terrain vehicle"  
35 means any motorized off-highway vehicle 55 ~~50~~ inches or less in  
36 width which has,~~having~~ a dry weight of 1,500 ~~1,200~~ pounds or  
37 less, is designed to travel on three or more nonhighway tires,  
38 and is manufactured for recreational use by one or more persons.  
39 For the purposes of this section, "all-terrain vehicle" also  
40 includes a "two-rider ATV" as defined in s. 317.0003.

41 Section 3. Subsections (1) and (9) of section 317.0003,  
42 Florida Statutes, are amended to read:

43 317.0003 Definitions.—As used in this chapter, the term:

44 (1) "ATV" means any motorized off-highway or all-terrain  
45 vehicle 55 ~~50~~ inches or less in width which has,~~having~~ a dry  
46 weight of 1,500 ~~1,200~~ pounds or less, is designed to travel on  
47 three or more nonhighway tires, and is manufactured for  
48 recreational use by one or more persons.

49 (9) "ROV" means any motorized recreational off-highway  
50 vehicle 80 ~~65~~ inches or less in width which has,~~having~~ a dry  
51 weight of 2,500 ~~2,000~~ pounds or less, is designed to travel on  
52 four or more nonhighway tires, and is manufactured for  
53 recreational use by one or more persons. The term "~~ROV~~" does not  
54 include a golf cart as defined in ss. 316.003 and 320.01 or a  
55 low-speed vehicle as defined in s. 320.01.

56 Section 4. For the purpose of incorporating the amendment  
57 made by this act to section 317.0003, Florida Statutes, in a  
58 reference thereto, subsection (1) of section 316.2123, Florida

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59 Statutes, is reenacted to read:

60 316.2123 Operation of an ATV on certain roadways.—

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

66 Section 5. For the purpose of incorporating the amendment  
67 made by this act to section 316.2074, Florida Statutes, in a  
68 reference thereto, subsection (1) of section 316.21265, Florida  
69 Statutes, is reenacted to read:

70 316.21265 Use of all-terrain vehicles, golf carts, low-  
71 speed vehicles, or utility vehicles by law enforcement  
72 agencies.—

73 (1) Notwithstanding any provision of law to the contrary,  
74 any law enforcement agency in this state may operate all-terrain  
75 vehicles as defined in s. 316.2074, golf carts as defined in s.  
76 320.01, low-speed vehicles as defined in s. 320.01, or utility  
77 vehicles as defined in s. 320.01 on any street, road, or highway  
78 in this state while carrying out its official duties.

79 Section 6. This act shall take effect July 1, 2019.