

ENROLLED

CS/CS/HB 971

2020 Legislature

1
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 construction;
23 providing that electric bicycles and operators of
24 electric bicycles are not subject to specified
25 provisions; requiring manufacturers and distributors,

ENROLLED

CS/CS/HB 971

2020 Legislature

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

44
 45 Be It Enacted by the Legislature of the State of Florida:
 46

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

49 261.03 Definitions.—As used in this chapter, the term:
 50 (4) "OHM" or "off-highway motorcycle" means any motor

ENROLLED

CS/CS/HB 971

2020 Legislature

51 | vehicle used off the roads or highways of this state that has a
52 | seat or saddle for the use of the rider and is designed to
53 | travel with not more than two wheels in contact with the ground,
54 | but excludes a tractor, an electric bicycle, or a moped.

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

61 | 316.003 Definitions.—The following words and phrases, when
62 | used in this chapter, shall have the meanings respectively
63 | ascribed to them in this section, except where the context
64 | otherwise requires:

65 | (4) BICYCLE.—Every vehicle propelled solely by human
66 | ~~power, and every motorized bicycle propelled by a combination of~~
67 | ~~human power and an electric helper motor capable of propelling~~
68 | ~~the vehicle at a speed of not more than 20 miles per hour on~~
69 | ~~level ground upon which any person may ride, having two tandem~~
70 | wheels, and including any device generally recognized as a
71 | bicycle though equipped with two front or two rear wheels. The
72 | term does not include ~~such a vehicle with a seat height of no~~
73 | ~~more than 25 inches from the ground when the seat is adjusted to~~
74 | ~~its highest position or a scooter or similar device. A person~~
75 | ~~under the age of 16 may not operate or ride upon a motorized~~

ENROLLED

CS/CS/HB 971

2020 Legislature

76 ~~bicycle.~~

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

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

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

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

93 (42)-(41) MOPED.—Any vehicle with pedals to permit
 94 propulsion by human power, having a seat or saddle for the use
 95 of the rider and designed to travel on not more than three
 96 wheels, with a motor rated not in excess of 2 brake horsepower
 97 and not capable of propelling the vehicle at a speed greater
 98 than 30 miles per hour on level ground and with a power-drive
 99 system that functions directly or automatically without
 100 clutching or shifting gears by the operator after the drive

ENROLLED

CS/CS/HB 971

2020 Legislature

101 system is engaged. If an internal combustion engine is used, the
 102 displacement may not exceed 50 cubic centimeters. The term does
 103 not include an electric bicycle.

104 ~~(44)~~~~(43)~~ MOTOR VEHICLE.—Except when used in s. 316.1001, a
 105 self-propelled vehicle not operated upon rails or guideway, but
 106 not including any bicycle, electric bicycle, motorized scooter,
 107 electric personal assistive mobility device, mobile carrier,
 108 personal delivery device, swamp buggy, or moped. For purposes of
 109 s. 316.1001, "motor vehicle" has the same meaning as provided in
 110 s. 320.01(1)(a).

111 ~~(45)~~~~(44)~~ MOTORCYCLE.—Any motor vehicle having a seat or
 112 saddle for the use of the rider and designed to travel on not
 113 more than three wheels in contact with the ground. The term
 114 includes an autocycle, but does not include a tractor, a moped,
 115 an electric bicycle, or any vehicle in which the operator is
 116 enclosed by a cabin unless it meets the requirements set forth
 117 by the National Highway Traffic Safety Administration for a
 118 motorcycle.

119 ~~(46)~~~~(45)~~ MOTORIZED SCOOTER.—Any vehicle or micromobility
 120 device that is powered by a motor with or without a seat or
 121 saddle for the use of the rider, which is designed to travel on
 122 not more than three wheels, and which is not capable of
 123 propelling the vehicle at a speed greater than 20 miles per hour
 124 on level ground. The term does not include an electric bicycle.

125 ~~(62)~~~~(61)~~ PRIVATE ROAD OR DRIVEWAY.—Except as otherwise

ENROLLED

CS/CS/HB 971

2020 Legislature

126 provided in paragraph (84) (b) ~~(83) (b)~~, any privately owned way
 127 or place used for vehicular travel by the owner and those having
 128 express or implied permission from the owner, but not by other
 129 persons.

130 Section 3. Paragraph (a) of subsection (7) of section
 131 316.008, Florida Statutes, is amended to read:

132 316.008 Powers of local authorities.—

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

140 Section 4. Paragraph (b) of subsection (1) of section
 141 316.027, Florida Statutes, is amended to read:

142 316.027 Crash involving death or personal injuries.—

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

144 (b) "Vulnerable road user" means:

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

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

ENROLLED

CS/CS/HB 971

2020 Legislature

- 151 3. A person riding an animal; or
 152 4. A person lawfully operating on a public right-of-way,
 153 crosswalk, or shoulder of the roadway:
 154 a. A farm tractor or similar vehicle designed primarily
 155 for farm use;
 156 b. A skateboard, roller skates, or in-line skates;
 157 c. A horse-drawn carriage;
 158 d. An electric personal assistive mobility device; or
 159 e. A wheelchair.

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

162 316.083 Overtaking and passing a vehicle.—The following
 163 rules shall govern the overtaking and passing of vehicles
 164 proceeding in the same direction, subject to those limitations,
 165 exceptions, and special rules hereinafter stated:

166 (1) The driver of a vehicle overtaking another vehicle
 167 proceeding in the same direction shall give an appropriate
 168 signal as provided for in s. 316.156, shall pass to the left
 169 thereof at a safe distance, and shall not again drive to the
 170 right side of the roadway until safely clear of the overtaken
 171 vehicle. The driver of a vehicle overtaking a bicycle or other
 172 nonmotorized vehicle, or an electric bicycle, must pass the
 173 bicycle, ~~or other nonmotorized vehicle,~~ or electric bicycle at a
 174 safe distance of not less than 3 feet between the vehicle and
 175 the bicycle, ~~or other nonmotorized vehicle,~~ or electric bicycle.

ENROLLED

CS/CS/HB 971

2020 Legislature

176 Section 6. Section 316.1995, Florida Statutes, is amended
 177 to read:

178 316.1995 Driving upon sidewalk or bicycle path.—

179 (1) Except as provided in s. 316.008, s. 316.20655, s.
 180 316.212(8), or s. 316.2128, a person may not drive any vehicle
 181 other than by human power upon a bicycle path, sidewalk, or
 182 sidewalk area, except upon a permanent or duly authorized
 183 temporary driveway.

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

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

188 Section 7. Paragraph (d) of subsection (3) of section
 189 316.2065, Florida Statutes, is amended to read:

190 316.2065 Bicycle regulations.—

191 (3)

192 (d) A bicycle rider or passenger who is under 16 years of
 193 age must wear a bicycle helmet that is properly fitted and is
 194 fastened securely upon the passenger's head by a strap and that
 195 meets the federal safety standard for bicycle helmets, final
 196 rule, 16 C.F.R. part 1203. ~~A helmet purchased before October 1,~~
 197 ~~2012, which meets the standards of the American National~~
 198 ~~Standards Institute (ANSI Z 90.4 Bicycle Helmet Standards), the~~
 199 ~~standards of the Snell Memorial Foundation (1984 Standard for~~
 200 ~~Protective Headgear for Use in Bicycling), or any other~~

ENROLLED

CS/CS/HB 971

2020 Legislature

201 ~~nationally recognized standards for bicycle helmets adopted by~~
 202 ~~the department may continue to be worn by a bicycle rider or~~
 203 ~~passenger until January 1, 2016.~~ As used in this subsection, the
 204 term "passenger" includes a child who is riding in a trailer or
 205 semitrailer attached to a bicycle.

206 Section 8. Section 316.20655, Florida Statutes, is created
 207 to read:

208 316.20655 Electric bicycle regulations.-

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

224 (2) An electric bicycle or an operator of an electric
 225 bicycle is not subject to the provisions of law relating to

ENROLLED

CS/CS/HB 971

2020 Legislature

226 financial responsibility, driver or motor vehicle licenses,
 227 vehicle registration, title certificates, off-highway
 228 motorcycles, or off-highway vehicles.

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

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

239 (5) An electric bicycle must comply with the equipment and
 240 manufacturing requirements for bicycles adopted by the United
 241 States Consumer Product Safety Commission under 16 C.F.R. part
 242 1512.

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

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

250 Section 9. Paragraph (e) of subsection (2) of section

ENROLLED

CS/CS/HB 971

2020 Legislature

251 316.613, Florida Statutes, is amended to read:

252 316.613 Child restraint requirements.—

253 (2) As used in this section, the term "motor vehicle"
 254 means a motor vehicle as defined in s. 316.003 that is operated
 255 on the roadways, streets, and highways of the state. The term
 256 does not include:

257 (e) A motorcycle, a moped, a ~~or~~ bicycle, or an electric
 258 bicycle.

259 Section 10. Paragraph (a) of subsection (3) of section
 260 316.614, Florida Statutes, is amended to read:

261 316.614 Safety belt usage.—

262 (3) As used in this section:

263 (a) "Motor vehicle" means a motor vehicle as defined in s.
 264 316.003 which is operated on the roadways, streets, and highways
 265 of this state. The term does not include:

266 1. A school bus.

267 2. A bus used for the transportation of persons for
 268 compensation.

269 3. A farm tractor or implement of husbandry.

270 4. A truck having a gross vehicle weight rating of more
 271 than 26,000 pounds.

272 5. A motorcycle, a moped, a ~~or~~ bicycle, or an electric
 273 bicycle.

274 Section 11. Paragraph (a) of subsection (1) of section
 275 320.01, Florida Statutes, is amended to read:

ENROLLED

CS/CS/HB 971

2020 Legislature

276 320.01 Definitions, general.—As used in the Florida
277 Statutes, except as otherwise provided, the term:

278 (1) "Motor vehicle" means:

279 (a) An automobile, motorcycle, truck, trailer,
280 semitrailer, truck tractor and semitrailer combination, or any
281 other vehicle operated on the roads of this state, used to
282 transport persons or property, and propelled by power other than
283 muscular power, but the term does not include traction engines,
284 road rollers, motorized scooters, micromobility devices,
285 personal delivery devices and mobile carriers as defined in s.
286 316.003, special mobile equipment as defined in s. 316.003,
287 vehicles that run only upon a track, bicycles, electric
288 bicycles, swamp buggies, or mopeds.

289 Section 12. Subsections (27) and (44) of section 322.01,
290 Florida Statutes, are amended to read:

291 322.01 Definitions.—As used in this chapter:

292 (27) "Motor vehicle" means any self-propelled vehicle,
293 including a motor vehicle combination, not operated upon rails
294 or guideway, excluding vehicles moved solely by human power,
295 motorized wheelchairs, and electric ~~motorized~~ bicycles as
296 defined in s. 316.003.

297 (44) "Vehicle" means every device in, upon, or by which
298 any person or property is or may be transported or drawn upon a
299 public highway or operated upon rails or guideway, except a
300 bicycle, motorized wheelchair, or electric ~~motorized~~ bicycle.

ENROLLED

CS/CS/HB 971

2020 Legislature

301 Section 13. Subsection (1) of section 324.021, Florida
 302 Statutes, is amended to read:

303 324.021 Definitions; minimum insurance required.—The
 304 following words and phrases when used in this chapter shall, for
 305 the purpose of this chapter, have the meanings respectively
 306 ascribed to them in this section, except in those instances
 307 where the context clearly indicates a different meaning:

308 (1) MOTOR VEHICLE.—Every self-propelled vehicle that is
 309 designed and required to be licensed for use upon a highway,
 310 including trailers and semitrailers designed for use with such
 311 vehicles, except traction engines, road rollers, farm tractors,
 312 power shovels, and well drillers, and every vehicle that is
 313 propelled by electric power obtained from overhead wires but not
 314 operated upon rails, but not including any personal delivery
 315 device or mobile carrier as defined in s. 316.003, bicycle,
 316 electric bicycle, or moped. However, the term "motor vehicle"
 317 does not include a motor vehicle as defined in s. 627.732(3)
 318 when the owner of such vehicle has complied with the
 319 requirements of ss. 627.730-627.7405, inclusive, unless the
 320 provisions of s. 324.051 apply; and, in such case, the
 321 applicable proof of insurance provisions of s. 320.02 apply.

322 Section 14. Paragraph (b) of subsection (1) of section
 323 403.717, Florida Statutes, is amended to read:

324 403.717 Waste tire and lead-acid battery requirements.—

325 (1) For purposes of this section and ss. 403.718 and

ENROLLED

CS/CS/HB 971

2020 Legislature

326 403.7185:

327 (b) "Motor vehicle" means an automobile, motorcycle,
 328 truck, trailer, semitrailer, truck tractor and semitrailer
 329 combination, or any other vehicle operated in this state, used
 330 to transport persons or property and propelled by power other
 331 than muscular power. The term does not include traction engines,
 332 road rollers, vehicles that run only upon a track, bicycles,
 333 electric bicycles, mopeds, or farm tractors and trailers.

334 Section 15. Subsection (14) of section 681.102, Florida
 335 Statutes, is amended to read:

336 681.102 Definitions.—As used in this chapter, the term:

337 (14) "Motor vehicle" means a new vehicle, propelled by
 338 power other than muscular power, which is sold in this state to
 339 transport persons or property, and includes a recreational
 340 vehicle or a vehicle used as a demonstrator or leased vehicle if
 341 a manufacturer's warranty was issued as a condition of sale, or
 342 the lessee is responsible for repairs, but does not include
 343 vehicles run only upon tracks, off-road vehicles, trucks over
 344 10,000 pounds gross vehicle weight, motorcycles, mopeds,
 345 electric bicycles, or the living facilities of recreational
 346 vehicles. "Living facilities of recreational vehicles" are those
 347 portions designed, used, or maintained primarily as living
 348 quarters and include, but are not limited to, the flooring,
 349 plumbing system and fixtures, roof air conditioner, furnace,
 350 generator, electrical systems other than automotive circuits,

ENROLLED

CS/CS/HB 971

2020 Legislature

351 the side entrance door, exterior compartments, and windows other
 352 than the windshield and driver and front passenger windows.

353 Section 16. Section 320.08, Florida Statutes, is amended
 354 to read:

355 320.08 License taxes.—Except as otherwise provided herein,
 356 there are hereby levied and imposed annual license taxes for the
 357 operation of motor vehicles, mopeds, ~~motorized bicycles as~~
 358 ~~defined in s. 316.003(4)~~, tri-vehicles as defined in s. 316.003,
 359 and mobile homes as defined in s. 320.01, which shall be paid to
 360 and collected by the department or its agent upon the
 361 registration or renewal of registration of the following:

362 (1) MOTORCYCLES AND MOPEDS.—

363 (a) Any motorcycle: \$10 flat.

364 (b) Any moped: \$5 flat.

365 (c) Upon registration of a motorcycle, motor-driven cycle,
 366 or moped, in addition to the license taxes specified in this
 367 subsection, a nonrefundable motorcycle safety education fee in
 368 the amount of \$2.50 shall be paid. The proceeds of such
 369 additional fee shall be deposited in the Highway Safety
 370 Operating Trust Fund to fund a motorcycle driver improvement
 371 program implemented pursuant to s. 322.025, the Florida
 372 Motorcycle Safety Education Program established in s. 322.0255,
 373 or the general operations of the department.

374 (d) An ancient or antique motorcycle: \$7.50 flat.

375 (2) AUTOMOBILES OR TRI-VEHICLES FOR PRIVATE USE.—

ENROLLED

CS/CS/HB 971

2020 Legislature

376 (a) An ancient or antique automobile, as defined in s.
377 320.086, or a street rod, as defined in s. 320.0863: \$7.50 flat.

378 (b) Net weight of less than 2,500 pounds: \$14.50 flat.

379 (c) Net weight of 2,500 pounds or more, but less than
380 3,500 pounds: \$22.50 flat.

381 (d) Net weight of 3,500 pounds or more: \$32.50 flat.

382 (3) TRUCKS.—

383 (a) Net weight of less than 2,000 pounds: \$14.50 flat.

384 (b) Net weight of 2,000 pounds or more, but not more than
385 3,000 pounds: \$22.50 flat.

386 (c) Net weight more than 3,000 pounds, but not more than
387 5,000 pounds: \$32.50 flat.

388 (d) A truck defined as a "goat," or other vehicle if used
389 in the field by a farmer or in the woods for the purpose of
390 harvesting a crop, including naval stores, during such
391 harvesting operations, and which is not principally operated
392 upon the roads of the state: \$7.50 flat. The term "goat" means a
393 motor vehicle designed, constructed, and used principally for
394 the transportation of citrus fruit within citrus groves or for
395 the transportation of crops on farms, and which can also be used
396 for hauling associated equipment or supplies, including required
397 sanitary equipment, and the towing of farm trailers.

398 (e) An ancient or antique truck, as defined in s. 320.086:
399 \$7.50 flat.

400 (4) HEAVY TRUCKS, TRUCK TRACTORS, FEES ACCORDING TO GROSS

ENROLLED

CS/CS/HB 971

2020 Legislature

401 VEHICLE WEIGHT.—

402 (a) Gross vehicle weight of 5,001 pounds or more, but less
403 than 6,000 pounds: \$60.75 flat.

404 (b) Gross vehicle weight of 6,000 pounds or more, but less
405 than 8,000 pounds: \$87.75 flat.

406 (c) Gross vehicle weight of 8,000 pounds or more, but less
407 than 10,000 pounds: \$103 flat.

408 (d) Gross vehicle weight of 10,000 pounds or more, but
409 less than 15,000 pounds: \$118 flat.

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

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

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

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

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

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

422 (k) Gross vehicle weight of 62,000 pounds or more, but
423 less than 72,000 pounds: \$1,080 flat.

424 (l) Gross vehicle weight of 72,000 pounds or more: \$1,322
425 flat.

ENROLLED

CS/CS/HB 971

2020 Legislature

426 (m) Notwithstanding the declared gross vehicle weight, a
 427 truck tractor used within the state or within a 150-mile radius
 428 of its home address is eligible for a license plate for a fee of
 429 \$324 flat if:

430 1. The truck tractor is used exclusively for hauling
 431 forestry products; or

432 2. The truck tractor is used primarily for the hauling of
 433 forestry products, and is also used for the hauling of
 434 associated forestry harvesting equipment used by the owner of
 435 the truck tractor.

436 (n) A truck tractor or heavy truck, not operated as a for-
 437 hire vehicle and which is engaged exclusively in transporting
 438 raw, unprocessed, and nonmanufactured agricultural or
 439 horticultural products within the state or within a 150-mile
 440 radius of its home address is eligible for a restricted license
 441 plate for a fee of:

442 1. If such vehicle's declared gross vehicle weight is less
 443 than 44,000 pounds, \$87.75 flat.

444 2. If such vehicle's declared gross vehicle weight is
 445 44,000 pounds or more and such vehicle only transports from the
 446 point of production to the point of primary manufacture; to the
 447 point of assembling the same; or to a shipping point of a rail,
 448 water, or motor transportation company, \$324 flat.

449

450 Such not-for-hire truck tractors and heavy trucks used

ENROLLED

CS/CS/HB 971

2020 Legislature

451 exclusively in transporting raw, unprocessed, and
452 nonmanufactured agricultural or horticultural products may be
453 incidentally used to haul farm implements and fertilizers
454 delivered direct to the growers. The department may require any
455 documentation deemed necessary to determine eligibility before
456 issuance of this license plate. For the purpose of this
457 paragraph, "not-for-hire" means the owner of the motor vehicle
458 must also be the owner of the raw, unprocessed, and
459 nonmanufactured agricultural or horticultural product, or the
460 user of the farm implements and fertilizer being delivered.

461 (5) SEMITRAILERS, FEES ACCORDING TO GROSS VEHICLE WEIGHT;
462 SCHOOL BUSES; SPECIAL PURPOSE VEHICLES.—

463 (a)1. A semitrailer drawn by a GVW truck tractor by means
464 of a fifth-wheel arrangement: \$13.50 flat per registration year
465 or any part thereof.

466 2. A semitrailer drawn by a GVW truck tractor by means of
467 a fifth-wheel arrangement: \$68 flat per permanent registration.

468 (b) A motor vehicle equipped with machinery and designed
469 for the exclusive purpose of well drilling, excavation,
470 construction, spraying, or similar activity, and which is not
471 designed or used to transport loads other than the machinery
472 described above over public roads: \$44 flat.

473 (c) A school bus used exclusively to transport pupils to
474 and from school or school or church activities or functions
475 within their own county: \$41 flat.

ENROLLED

CS/CS/HB 971

2020 Legislature

476 (d) A wrecker, as defined in s. 320.01, which is used to
 477 tow a vessel as defined in s. 327.02, a disabled, abandoned,
 478 stolen-recovered, or impounded motor vehicle as defined in s.
 479 320.01, or a replacement motor vehicle as defined in s. 320.01:
 480 \$41 flat.

481 (e) A wrecker that is used to tow any nondisabled motor
 482 vehicle, a vessel, or any other cargo unless used as defined in
 483 paragraph (d), as follows:

484 1. Gross vehicle weight of 10,000 pounds or more, but less
 485 than 15,000 pounds: \$118 flat.

486 2. Gross vehicle weight of 15,000 pounds or more, but less
 487 than 20,000 pounds: \$177 flat.

488 3. Gross vehicle weight of 20,000 pounds or more, but less
 489 than 26,000 pounds: \$251 flat.

490 4. Gross vehicle weight of 26,000 pounds or more, but less
 491 than 35,000 pounds: \$324 flat.

492 5. Gross vehicle weight of 35,000 pounds or more, but less
 493 than 44,000 pounds: \$405 flat.

494 6. Gross vehicle weight of 44,000 pounds or more, but less
 495 than 55,000 pounds: \$772 flat.

496 7. Gross vehicle weight of 55,000 pounds or more, but less
 497 than 62,000 pounds: \$915 flat.

498 8. Gross vehicle weight of 62,000 pounds or more, but less
 499 than 72,000 pounds: \$1,080 flat.

500 9. Gross vehicle weight of 72,000 pounds or more: \$1,322

ENROLLED

CS/CS/HB 971

2020 Legislature

- 501 flat.
- 502 (f) A hearse or ambulance: \$40.50 flat.
- 503 (6) MOTOR VEHICLES FOR HIRE.—
- 504 (a) Under nine passengers: \$17 flat plus \$1.50 per cwt.
- 505 (b) Nine passengers and over: \$17 flat plus \$2 per cwt.
- 506 (7) TRAILERS FOR PRIVATE USE.—
- 507 (a) Any trailer weighing 500 pounds or less: \$6.75 flat
- 508 per year or any part thereof.
- 509 (b) Net weight over 500 pounds: \$3.50 flat plus \$1 per
- 510 cwt.
- 511 (8) TRAILERS FOR HIRE.—
- 512 (a) Net weight under 2,000 pounds: \$3.50 flat plus \$1.50
- 513 per cwt.
- 514 (b) Net weight 2,000 pounds or more: \$13.50 flat plus
- 515 \$1.50 per cwt.
- 516 (9) RECREATIONAL VEHICLE-TYPE UNITS.—
- 517 (a) A travel trailer or fifth-wheel trailer, as defined by
- 518 s. 320.01(1)(b), that does not exceed 35 feet in length: \$27
- 519 flat.
- 520 (b) A camping trailer, as defined by s. 320.01(1)(b)2.:
- 521 \$13.50 flat.
- 522 (c) A motor home, as defined by s. 320.01(1)(b)4.:
- 523 1. Net weight of less than 4,500 pounds: \$27 flat.
- 524 2. Net weight of 4,500 pounds or more: \$47.25 flat.
- 525 (d) A truck camper as defined by s. 320.01(1)(b)3.:

ENROLLED

CS/CS/HB 971

2020 Legislature

- 526 | 1. Net weight of less than 4,500 pounds: \$27 flat.
- 527 | 2. Net weight of 4,500 pounds or more: \$47.25 flat.
- 528 | (e) A private motor coach as defined by s. 320.01(1)(b)5.:
- 529 | 1. Net weight of less than 4,500 pounds: \$27 flat.
- 530 | 2. Net weight of 4,500 pounds or more: \$47.25 flat.
- 531 | (10) PARK TRAILERS; TRAVEL TRAILERS; FIFTH-WHEEL TRAILERS;
- 532 | 35 FEET TO 40 FEET.—
- 533 | (a) *Park trailers.*—Any park trailer, as defined in s.
- 534 | 320.01(1)(b)7.: \$25 flat.
- 535 | (b) *Travel trailers or fifth-wheel trailers.*—A travel
- 536 | trailer or fifth-wheel trailer, as defined in s. 320.01(1)(b),
- 537 | that exceeds 35 feet: \$25 flat.
- 538 | (11) MOBILE HOMES.—
- 539 | (a) A mobile home not exceeding 35 feet in length: \$20
- 540 | flat.
- 541 | (b) A mobile home over 35 feet in length, but not
- 542 | exceeding 40 feet: \$25 flat.
- 543 | (c) A mobile home over 40 feet in length, but not
- 544 | exceeding 45 feet: \$30 flat.
- 545 | (d) A mobile home over 45 feet in length, but not
- 546 | exceeding 50 feet: \$35 flat.
- 547 | (e) A mobile home over 50 feet in length, but not
- 548 | exceeding 55 feet: \$40 flat.
- 549 | (f) A mobile home over 55 feet in length, but not
- 550 | exceeding 60 feet: \$45 flat.

ENROLLED

CS/CS/HB 971

2020 Legislature

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

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

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

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

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

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

567 Section 17. Paragraph (a) of subsection (3) of section
568 316.306, Florida Statutes, is amended to read:

569 316.306 School and work zones; prohibition on the use of a
570 wireless communications device in a handheld manner.—

571 (3)(a)1. A person may not operate a motor vehicle while
572 using a wireless communications device in a handheld manner in a
573 designated school crossing, school zone, or work zone area as
574 defined in s. 316.003(105) ~~s. 316.003(104)~~. This subparagraph
575 shall only be applicable to work zone areas if construction

ENROLLED

CS/CS/HB 971

2020 Legislature

576 personnel are present or are operating equipment on the road or
 577 immediately adjacent to the work zone area. For the purposes of
 578 this paragraph, a motor vehicle that is stationary is not being
 579 operated and is not subject to the prohibition in this
 580 paragraph.

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

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

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

593 655.960 Definitions; ss. 655.960-655.965.—As used in this
 594 section and ss. 655.961-655.965, unless the context otherwise
 595 requires:

596 (1) "Access area" means any paved walkway or sidewalk
 597 which is within 50 feet of any automated teller machine. The
 598 term does not include any street or highway open to the use of
 599 the public, as defined in s. 316.003(84) (a) or (b) ~~s.~~
 600 ~~316.003(83) (a) or (b)~~, including any adjacent sidewalk, as

ENROLLED

CS/CS/HB 971

2020 Legislature

601 | defined in s. 316.003.

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