

**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.)

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Prepared By: The Professional Staff of the Committee on Agriculture

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BILL: SB 474

INTRODUCER: Senator Perry

SUBJECT: Recreational Off-highway Vehicles

DATE: December 1, 2021

REVISED: \_\_\_\_\_

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Becker	Becker	AG	<b>Pre-meeting</b>
2.			TR	
3.			RC	

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**I. Summary:**

SB increases the dry weight allowed for recreational off-highway vehicles from 2,500 pounds to 3,500 pounds.

The bill takes effect July 1, 2022.

**II. Present Situation:**

The 2002 Legislature found that off-highway vehicles were becoming increasingly popular in this state and that the use of these vehicles should be controlled and managed to minimize negative effects on the environment, wildlife habitats, native wildlife, and native flora and fauna.<sup>1</sup> The T. Mark Schmidt Off-Highway Vehicle Safety and Recreation Act<sup>2</sup> was passed to develop an Off-Highway Vehicle recreational system. The program provides a set of guidelines to follow for developing and maintaining state lands, as well as provides restrictions on vehicles allowed on authorized state lands.

The Florida Department of Highway Safety and Motor Vehicles is responsible for the issuing, handling, and recording of all off-highway vehicle titling applications and certificates, including the receipt and accounting of related fees.<sup>3</sup>

The definition of recreational off-highway vehicles (ROV) is distinguished by width, weight, and the number of non-highway wheels.<sup>4</sup> Current law provides that an ROV must:

- Be 80 inches or less in width;
- Have a dry weight of 2,500 pounds or less;

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<sup>1</sup> Section 261.02(1), F.S.

<sup>2</sup> Section 261.01, F.S.

<sup>3</sup> Section 317.0004(1), F.S.

<sup>4</sup> Section 261.03(8), F.S., and Section 317.003(9), F.S.

- Be designed to travel on four or more nonhighway tires; and
- Be manufactured for recreational use by one or more persons.<sup>5</sup>

### III. Effect of Proposed Changes:

SB 474 increases the dry weight allowed for recreational off-highway vehicles from 2,500 pounds to 3,500 pounds.

The bill takes effect July 1, 2022.

### IV. Constitutional Issues:

#### A. Municipality/County Mandates Restrictions:

None.

#### B. Public Records/Open Meetings Issues:

None.

#### C. Trust Funds Restrictions:

None.

#### D. State Tax or Fee Increases:

None.

#### E. Other Constitutional Issues:

None.

### V. Fiscal Impact Statement:

#### A. Tax/Fee Issues:

None.

#### B. Private Sector Impact:

Additional ROVs could be eligible to be titled in Florida should this bill pass.

#### C. Government Sector Impact:

If additional ROVs are titled in Florida due to the passage of this bill, the Department of Highway Safety and Motor Vehicles could see additional revenue.

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<sup>5</sup> *Id.*

**VI. Technical Deficiencies:**

None.

**VII. Related Issues:**

None.

**VIII. Statutes Affected:**

This bill amends sections 261.03 and 317.0003 of the Florida Statutes.

**IX. Additional Information:**

**A. Committee Substitute – Statement of Changes:**

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

None.

**B. Amendments:**

None.