

## CHAPTER 2019-19

### Senate Bill No. 310

An act relating to off-highway vehicles; amending ss. 261.03 and 317.0003, F.S.; redefining the terms “ATV” and “ROV” to increase the authorized width and dry weight of such vehicles; amending s. 316.2074, F.S.; redefining the term “all-terrain vehicle” to increase the authorized width and dry weight of the vehicle; reenacting s. 316.2123(1), F.S., relating to the operation of an ATV on certain roadways; reenacting s. 316.21265(1), F.S., relating to the use of certain vehicles by law enforcement agencies; providing an effective date.

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

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

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

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

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

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

316.2074 All-terrain vehicles.—

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

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

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

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

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

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

316.2123 Operation of an ATV on certain roadways.—

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

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

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

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

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

Approved by the Governor May 3, 2019.

Filed in Office Secretary of State May 3, 2019.