

Council Substitute for
Committee Substitute for House Bill No. 333

An act relating to off-highway vehicles; amending ss. 261.03, 316.2074, and 317.0003, F.S.; revising the definitions of the terms “ATV,” “all-terrain vehicle,” and “off-highway vehicle” and defining the term “ROV” for purposes of provisions relating to the sale and use of motorized off-highway vehicles; providing an effective date.

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

Section 1. Subsections (2) and (6) of section 261.03, Florida Statutes, are amended, subsections (9), (10), and (11) are renumbered as subsections (10), (11), and (12), respectively, and a new subsection (9) is added to that section, to read:

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

(2) “ATV” means any motorized off-highway or all-terrain vehicle 50 inches or less in width, having a dry weight of 1,200 ~~900~~ pounds or less, designed to travel on three or more nonhighway low-pressure tires, having a seat designed to be straddled by the operator and handlebars for steering control, and intended for use by a single operator with no passenger.

(6) “Off-highway vehicle” means any ATV, two-rider ATV, ROV, or OHM that is used off the roads or highways of this state and that is not registered and licensed for highway use under chapter 320.

(9) “ROV” means any motorized recreational off-highway vehicle 60 inches or less in width, having a dry weight of 1,500 pounds or less, designed to travel on four or more nonhighway tires, having nonstraddle seating and a steering wheel, and manufactured for recreational use by one or more persons. The term “ROV” does not include a golf cart as defined in ss. 320.01(22) and 316.003(68) or a low-speed vehicle as defined in s. 320.01(42).

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 50 inches or less in width, having a dry weight of 1,200 ~~900~~ pounds or less, designed to travel on three or more nonhighway low-pressure tires, having a seat designed to be straddled by the operator and handlebars for steering control, and intended for use by a single operator with no passenger. For the purposes of this section, “all-terrain vehicle” also includes any “two-rider ATV” as defined in s. 317.0003.

Section 3. Subsections (1) and (6) of section 317.0003, Florida Statutes, are amended, subsection (9) is renumbered as subsection (10), and a new subsection (9) is added to that section, to read:

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

(1) “ATV” means any motorized off-highway or all-terrain vehicle 50 inches or less in width, having a dry weight of 1,200 ~~900~~ pounds or less, designed to travel on three or more nonhighway low-pressure tires, having a seat designed to be straddled by the operator and handlebars for steering control, and intended for use by a single operator and with no passenger.

(6) “Off-highway vehicle” means any ATV, two-rider ATV, ROV, or OHM that is used off the roads or highways of this state and that is not registered and licensed for highway use pursuant to chapter 320.

(9) “ROV” means any motorized recreational off-highway vehicle 60 inches or less in width, having a dry weight of 1,500 pounds or less, designed to travel on four or more nonhighway tires, having nonstraddle seating and a steering wheel, and manufactured for recreational use by one or more persons. The term “ROV” does not include a golf cart as defined in ss. 320.01(22) and 316.003(68) or a low-speed vehicle as defined in s. 320.01(42).

Section 4. This act shall take effect July 1, 2009.

Approved by the Governor June 10, 2009.

Filed in Office Secretary of State June 10, 2009.