



POLICE DEPARTMENT
Inter-Office Communication

To: Public Safety Committee

Date: 6/26/2009

From: Ron Combs, Legal Office

Subject: Medium-Speed Vehicles

The Public Safety Committee asked counsel to review whether any additional regulation ... or removal of regulation would be required to permit medium speed vehicles to use the roadways of the City.

Section 316.008, Florida Statutes, Powers of local authorities provides that:

- (1) The provisions of this chapter shall not be deemed to prevent local authorities, with respect to streets and highways under their jurisdiction and within there reasonable exercise of the police power, from:
 - (g) Restricting the use of streets.
 - (m) Prohibiting or regulating the use of controlled access roadways by any class or kind of traffic.
 - (n) Prohibiting or regulating the use of heavily traveled streets by any class or kind of traffic found to be incompatible with the normal and safe movement of traffic.

The City currently has no regulation restricting medium speed vehicles, so the City would not have to change any of its ordinances to accommodate such vehicles. There are no provisions in Chapter 316 related to “medium-speed” vehicles. Included in Chapter 316 are the following:

1. Bicycle regulations (§316.2065)
2. Electric personal assistive mobility devices (§316.2068)
3. All-terrain vehicles (§316.2074)

4. Motorcycles and mopeds (§316.208)
5. Operation of golf carts on certain roadways (§316.212)
6. Operation of Low-speed vehicle on certain roadways (§316.2122)
7. Operation of an ATV on certain roadways (§316.2123)
8. Motorized disability access vehicles (§316.2124)
9. Operation of golf carts within a retirement community (§316.2125)
10. Use of golf carts and utility vehicles by municipalities and state employees (§316.2126)
11. Use of all terrain vehicles, golf carts, low-speed vehicles, or utility vehicles by law enforcement (§316.2165)
12. Use of utility vehicles on certain roadways by homeowners' associations (§316.2127)
13. Operation of motorized scooters and miniature motorcycles (§316.2128)