



City of Dade City Golf Cart Registration Packet

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Submittal Guide

1. Residents seeking to operate a golf cart on designated City streets in the City of Dade City must be issued a golf cart permit. Golf cart permits are available to all residents, regardless if their property is located within the City limits.
2. The Applicant must complete the application and applicant affidavit. The Applicant must provide proof of compliance with the insurance requirements for the golf cart indicated on the application and a copy of their driver's license. Incomplete applications will cause delays.
3. Once the application and affidavit are completed and the supplemental documents are compiled, the application package must be brought into the Dade City City Hall located at 38020 Meridian Ave to the Utility Billing Window. The hours of operation are: Monday through Friday 8am to 5pm.
4. City staff will review the application package for compliance with City regulations. If additional information is needed, the application will not be processed until it is supplied.
5. Once approved, the applicant will receive the permit. The City accepts check, cash, and debit/credit cards for payment.
6. Upon issuance of the permit sticker, the applicant must place the sticker on the windshield of the registered golf cart. Once issued, the permit is not transferable to any other golf cart or golf cart owner.

GOLF CART ZONE





City of Dade City Golf Cart Registration/Renewal Form

Calendar Year: _____

Applicant Name: _____

Applicant Address: _____

City, State, Zip Code: _____

Phone Number: _____

Email Address: _____

Driver's License Number: _____

Driver's License Expiration Date: _____

Is this a renewal of a previously approved registration? Yes ☐ No ☐

Is the Applicant exempt from public records under Florida Statute Chapter 119? Yes ☐ No ☐

Are you a 100% Total & Disabled US Military Veteran? Yes ☐ No ☐

Cart Vin/Serial Number: _____

Make: _____

Cart Year: _____

Color: _____

Engine (Gas/Electric): _____

Insurance Carrier including Phone Number: _____

Policy Number: _____

Required Documents:

- ☐ Completed Application
- ☐ Proof of Insurance
- ☐ Driver's License
- ☐ Registration Fee
- ☐ Veterans: Please provide your 100% Total & Permanent Disability Form for discount

****Please note, if you lose your registration tag, there will be a \$5 replacement fee****

Applicant Signature: _____



City of Dade City Golf Cart Registration Affidavit

Calendar Year: _____

BEFORE ME, the undersigned authority, personally appeared _____,

who, being first duly sworn, deposes and states as follows:

1. I am the legal owner of the golf cart registered with the City of Dade City, which golf cart is described as follows: _____(Serial #/VIN)
2. I have read Article IV of Chapter 94 of the City of Dade City Code of Ordinances, all Florida Statutes pertaining to the operation of golf carts, and any established guidelines and policies as such pertaining to the usage or operation of golf carts on designated municipal streets, roads, and trails within the City and their entirety and understand the duties and obligations I have with regard to same as the owner and operator of a golf cart within the City of Dade City.
3. I have read and agree to adhere to the following guidelines (initial after each item):
 - a. Registered Golf Carts are permitted on designated city streets and are permitted to operate from every day of the year, unless the street is closed for a special event. _____
 - b. The number of occupants in a golf cart operated on designated city streets shall be limited to the number of seats on the golf cart. No occupants of a golf cart shall stand at any time while the golf cart is in motion. _____
 - c. The City of Dade City Golf Cart Ordinance governs only golf carts within the designated City streets within Dade City. At no time, does the Ordinance authorize golf carts to be used outside the designated City streets of Dade City. _____
 - d. Registered golf cart drivers must be at least 16 years of age and have a valid driver's license. Persons who possess a valid learner's permit may operate a golf cart on designated roadways when accompanied by a licensed driver of at least 18 years of age. _____
 - e. All golf carts must follow all traffic laws, rules, and protocols for traveling on roads and/or, including, but not limited to requirements to stop at stop signs; use turn signals/hand signals; yield the right-of-way to turning vehicles when traveling on; abide by pedestrian crossing signals and signage; and conform with other safety protocols. _____
 - f. Golf carts are prohibited on municipal sidewalks, grass areas of city properties, parks or other public facilities. _____
4. I acknowledge and certify that the aforementioned golf cart is equipped with equipment required by Article IV of Chapter 94 of the City of Dade City Code of Ordinances and that such equipment is functioning and in good and serviceable conditions as required by such code. _____

5. I affirm that I carry, and will maintain, a valid insurance policy that includes insuring the owner and/or operator against loss from liability for death, bodily injury, and property damage arising out of the ownership, maintenance, or use of the golf cart and is not less than the minimum requirements described in § 324.021(7), Florida Statutes, as may be amended. Proof of valid insurance coverage must be readily available at any time during a golf cart's operation on a designated street. _____
6. I understand the failure to comply with the regulations established in Article IV of Chapter 94 of the City of Dade City Code of Ordinances may result in fines and revocation of the golf cart permit without refund.

AFFIANT FURTHER SAYETH NOT.

Signature

Printed Name

State of Florida

County of _____

Sworn to (or affirmed) and subscribed before me by means of physical presence or online notarization (circle one), this _____ day of _____, 20____, by _____
_____.

Physically known OR produced Identification

Type of Identification Produced: _____

Notary Signature

**CITY COMMISSION OF
THE CITY OF DADE CITY
ORDINANCE NO.: 2024-01**

AN ORDINANCE OF THE CITY OF DADE CITY, FLORIDA, CREATING CHAPTER 94, ARTICLE IV, "OPERATION OF GOLF CARTS ON DESIGNATED CITY STREETS," IN THE CODE OF ORDINANCES; PROVIDING FOR DEFINITIONS, OPERATIONS, RESTRICTIONS, REGISTRATION, AND ENFORCEMENT PROCEDURES; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Dade City has the authority under Article VIII, Section 2(b), of the Florida Constitution and under Sections 166.221 and 316.212, *Florida Statutes*, to authorize and regulate the operation of golf carts on designated municipal streets within the jurisdictional boundaries of the City; and

WHEREAS, Section 316.212(8), *Florida Statutes*, expressly allows a municipality to enact an ordinance relating to golf cart operation and equipment which is more restrictive than the provisions enumerated in Section 316.212, *Florida Statutes*; and

WHEREAS, the City has considered factors including the speed, volume, and character of motor vehicle traffic using City streets and has determined that, subject to the restrictions herein, golf carts may safely travel on or cross certain City streets; and

WHEREAS, the City Commission desires to amend Chapter 94 of the Dade City Code of Ordinances to create Article IV to authorize and regulate the operation of golf carts on designated City streets, subject to the restrictions herein; and

WHEREAS, the City Council finds the adoption of this Ordinance to be in the best interest of the health, safety, and welfare of the public.

NOW, THEREFORE, be it ordained by the City Commission of the City of Dade City, Florida, as follows:

(Words in strike through type are deletions; words in underscore type are additions; asterisks (* * * *) indicate an omission from the existing text which is intended to remain unchanged.)

SECTION 1. The findings set forth in the recitals above are adopted and fully incorporated herein as legislative findings of the City Commission pertaining to this Ordinance.

SECTION 2. Chapter 94, Article IV, "Operation of Golf Carts on Designated City Streets," is hereby created and reads as follows:

ARTICLE IV. OPERATION OF GOLF CARTS ON DESIGNATED CITY STREETS

Sec. 94 – 91. Definitions.

Golf cart means a personal, non-commercial use motor vehicle that is designed and manufactured for operation on a golf course for sporting or recreational purposes that is not capable of exceeding speeds of twenty (20) miles per hour.

Designated street means all streets specified in this Article which have been determined by the City to meet the requirements of § 316.212, F.S.

Sec. 94 – 92. Operation of Golf Carts.

- (a) Designation of City streets. The City Commission may by resolution designate and approve certain City streets as streets authorized for golf cart use. Upon such approval, the City shall install signage identifying where golf carts may be operated. The City Commission may, at any time and in its sole discretion, revoke the status of any designated City street by resolution. Nothing in this Article shall be construed to authorize the operation of golf carts on state or county roads or highways.
- (b) Authorization to operate golf carts. In accordance with § 316.212(1), *Florida Statutes*, golf carts meeting the definition set forth in Section 94-91. above may be operated within the City on the streets, alleys, and parking areas open to the public and designated pursuant to this Article and resolution. Golf carts shall not be operated on private property, unless authorized by the property owner, or on sidewalks or bicycle lanes, or any street not designated by the City Commission.
- (c) Equipment and minimum standards. All golf carts operated on designated City streets pursuant to this Article shall meet the minimum equipment standards established by § 316.212, *Florida Statutes*. Golf carts operated in fog, smoke, or rain, or before sunrise or after sunset must be equipped with properly functioning headlights, brake lights, turn signals, horn, windshield, and rear and side reflectors.

Sec. 94 – 93. Restrictions

Golf carts operating on designated roadways shall be subject to the following restrictions:

- (a) Licensed driver. Golf carts operating on designated roadways must be operated by a person who is at least sixteen (16) years of age, and who possesses a valid driver's license. Persons who possess a valid learner's permit may operate a golf cart on designated roadways when accompanied by a licensed driver of at least eighteen (18) years of age.
- (b) Modified golf carts. Golf carts that have been modified to exceed the speed of twenty (20) miles per hour shall not be considered golf carts under the provisions of this Article and are not afforded the rights provided herein.
- (d) Compliance with traffic laws. Golf carts shall be operated in accordance with all applicable local and state traffic regulations. A golf cart operator who violates any traffic regulation may be ticketed in the same manner as the operator of a motor vehicle.

- (c) Occupants. The number of occupants in a golf cart operated on designated streets shall be limited to the number of seats on the golf cart. No occupants of a golf cart shall stand at any time while the golf cart is in motion.
- (d) Alcohol. All state regulations governing the use and possession of alcoholic beverages while operating a motor vehicle shall apply to the operation of golf carts on designated streets.
- (e) Insurance. Any owner and/or operator of a golf cart on designated streets must maintain and carry a valid insurance policy that includes insuring the owner and/or operator against loss from liability for death, bodily injury, and property damage arising out of the ownership, maintenance, or use of the golf cart and is not less than the minimum requirements described in § 324.021(7), Florida Statutes, as may be amended. Proof of valid insurance coverage must be readily available at any time during a golf cart's operation on a designated street.
- (f) Hold harmless. Any person operating a golf cart on any designated street does so at his/her own risk and must operate such vehicle with due regard for the safety and convenience of other motor vehicles, bicyclists, and pedestrians. The City in designating certain City streets for the operation of golf carts extends such operating privileges on the express condition that the operator of any golf cart under this Article undertakes such operation at his/her own risk and assumes sole liability for operating the vehicle on the designated streets and by such operation agrees to defend, release, indemnify, and hold harmless the City, its officials, and employees for and regarding any and all claims, demands, or damages of any nature whatsoever arising from such operation by any person.

Sec. 94 – 94. Registration

All golf carts operating on designated streets in the City shall be registered on a calendar year basis and inspected as follows:

- (a) Registration. Golf carts shall be registered by the owner of the golf cart, who is at least eighteen (18) years of age, on a form prescribed by the City. The owner shall pay an initial registration fee and an annual renewal fee, as determined by the City in its sole discretion. Golf cart owners shall be required to provide, among other things, (i) proof of ownership, (ii) proof of liability insurance, and (iii) a valid driver's license.
- (b) Decal. Upon proper registration, the City shall issue the golf cart owner a registration decal, which shall be affixed to the windshield of the golf cart. Decals shall be issued on a calendar year basis and are valid until the end of the calendar year after issuance. For example, a registration and decal issued of the calendar year 2024, shall expire on December 31, 2024. Registration decals are non-transferable to other golf carts or owners.
- (c) Denial. The City reserves the right to deny an application for or renewal of registration if any required form is incomplete, any of the minimum requirements have not been met, or if the City determines that the owner has violated, or has allowed an operator to violate, any of the provisions of this Article on two (2) or more occasions within the prior twelve (12) months.

(d) Revocation. The City Manager or his/her designee may revoke an owner's golf cart registration by written notice at any time for any of the following reasons:

- a. Operating or allowing a golf cart to be operated recklessly, carelessly, or in such manner as to endanger, injure, or otherwise cause damage to pedestrians or public or private property.
- b. Receiving two (2) or more notices for violating any of the rules under this Article, as may be amended, or applicable local or state law.
- c. Providing false or otherwise misrepresenting information on any form provided to the City pursuant to this Article.

(e) Appeal. The City Manager or his/her designee shall issue notice of revocation of registration to the registered owner of the golf cart by certified mail. The golf cart owner may appeal the revocation within five (5) business days of receipt of notice by submitting a written appeal to the City Clerk to be heard by the City Commission. The decision of the City Commission shall be final. Failure to timely appeal the revocation of registration waives an owner's right to appeal. The City's revocation of registration shall be valid for one (1) year from the date of revocation.

Sec. 94 – 95. Enforcement

- (a) A violation of this Article shall constitute a noncriminal infraction enforceable either as a code violation to be prosecuted by the Code Board or Special Magistrate or shall be classified as a Class I Civil Citation Violation. Uniform Traffic Citations shall only be used for violations that are also violations of the Florida Uniform Traffic Control Law.

Secs. 94-96 – 94-120. – Reserved.

* * * *

SECTION 3: CODIFICATION. The provisions of this Ordinance shall be included and incorporated into the Code of Ordinances of the City of Dade City, as additions or amendments thereto.

SECTION 4: SEVERABILITY. Should any word, phrase, sentence, subsection, or section be held by a court of competent jurisdiction to be illegal, void, unenforceable, or unconstitutional, then that word, phrase, sentence, subsection, or section so held shall be severed from this Ordinance and all other words, phrases, sentences, subsections, or sections shall remain in full force and effect.

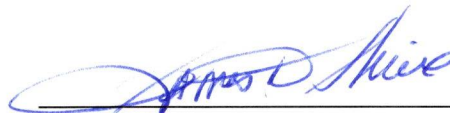
SECTION 5: CONFLICTING ORDINANCES. All ordinances or part thereof, in conflict herewith are, to the extent of such conflict, repealed.

SECTION 6: EFFECTIVE DATE. This Ordinance and the rules, regulations, provisions, requirements, orders, and matters established and adopted hereby shall take effect and be in full force and effect immediately upon its passage and adoption.

PASSED AND ADOPTED this 23 day of January, 2024.

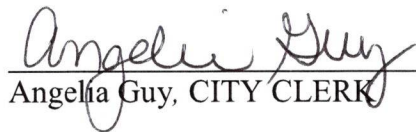
First Reading: 1/9/2024

Second Reading: 1/23/2024



James D. Shive, MAYOR

ATTEST:



Angelia Guy, CITY CLERK

Approved as to form:



Patrick Brackins, CITY ATTORNEY

**CITY COMMISSION OF
THE CITY OF DADE CITY
RESOLUTION NO. 2024-02**

**A RESOLUTION OF THE CITY OF DADE CITY SPECIFYING
THE DESIGNATED CITY STREETS ON WHICH GOLF CARTS
ARE ALLOWED PURSUANT TO ORDINANCE NO. 2024-01;
ADOPTING FEES RELATING TO THE USE OF GOLF CARTS
ON STREETS WITHIN THE CITY OF DADE CITY; PROVIDING
FOR CONFLICT; PROVIDING FOR SEVERABILITY;
PROVIDING FOR AN EFFECTIVE DATE.**

WHEREAS, City of Dade City Ordinance No. 2024-01 provides that the City Commission may authorize the operation of “golf carts,” as defined in said Ordinance, on designated City streets; and

WHEREAS, Ordinance No. 2024-01 provides that the City Commission shall designate, by resolution, the City streets upon which approved and registered “golf cart” operation shall be authorized; and

WHEREAS, the City Commission has considered factors including the speed, volume, and character of motor vehicle traffic in the downtown area and has determined which City streets authorized “golf carts” may safely travel on or cross; and

WHEREAS, the City Commission has determined that the list of City streets, or portions thereof, included in this Resolution are appropriate for approved and registered “golf carts” to use, subject to the restrictions set forth in Ordinance No. 2024-01.

NOW, THEREFORE, be it resolved by the City Commission of the City of Dade City, Florida, as follows:

SECTION 1. The findings set forth in the recitals above are adopted and fully incorporated herein as legislative findings of the City Commission pertaining to this Resolution.

SECTION 2. The operation of “golf carts,” as defined in Ordinance No. 2024-01 is authorized upon the following City streets, or portions thereof, as set forth in the map attached hereto as **Exhibit “A”**:

Sumner Avenue
Martin Luther King Boulevard
Ross Avenue
Beauchamp Avenue
Madill Avenue
Robinson Avenue
Carter Avenue

Pineapple Avenue
Edwinola Way
Magnolia Avenue
Live Oak Avenue
Pasco Avenue
Church Avenue
McMinn Avenue
Buford Avenue
Howard Avenue
12th Street
11th Street
10th Street
9th Street
8th Street
7th Street
6th Street
5th Street
4th Street
3rd Street
2nd Street

Such operation shall be subject to all restrictions, regulations and requirements contained in Ordinance No. 2024-01 and any other applicable provisions of state or local law.

SECTION 3. The City Commission hereby establishes the initial registration fee to operate a golf cart on designated City streets at \$20.00.

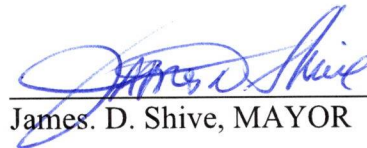
SECTION 4. The City Commission hereby establishes the renewal registration fee to operate a golf cart on designated City streets at \$15.00.

SECTION 5. SEVERABILITY. Should any word, phrase, sentence, subsection, or section be held by a court of competent jurisdiction to be illegal, void, unenforceable, or unconstitutional, then that word, phrase, sentence, subsection, or section so held shall be severed from this Resolution and all other words, phrases, sentences, subsections, or sections shall remain in full force and effect.

SECTION 6. CONFLICT. All ordinances or part thereof, in conflict herewith are, to the extent of such conflict, repealed.

SECTION 7. EFFECTIVE DATE. This Resolution shall take effect immediately upon its passage and adoption.


PASSED AND ADOPTED this 23 day of January, 2024.

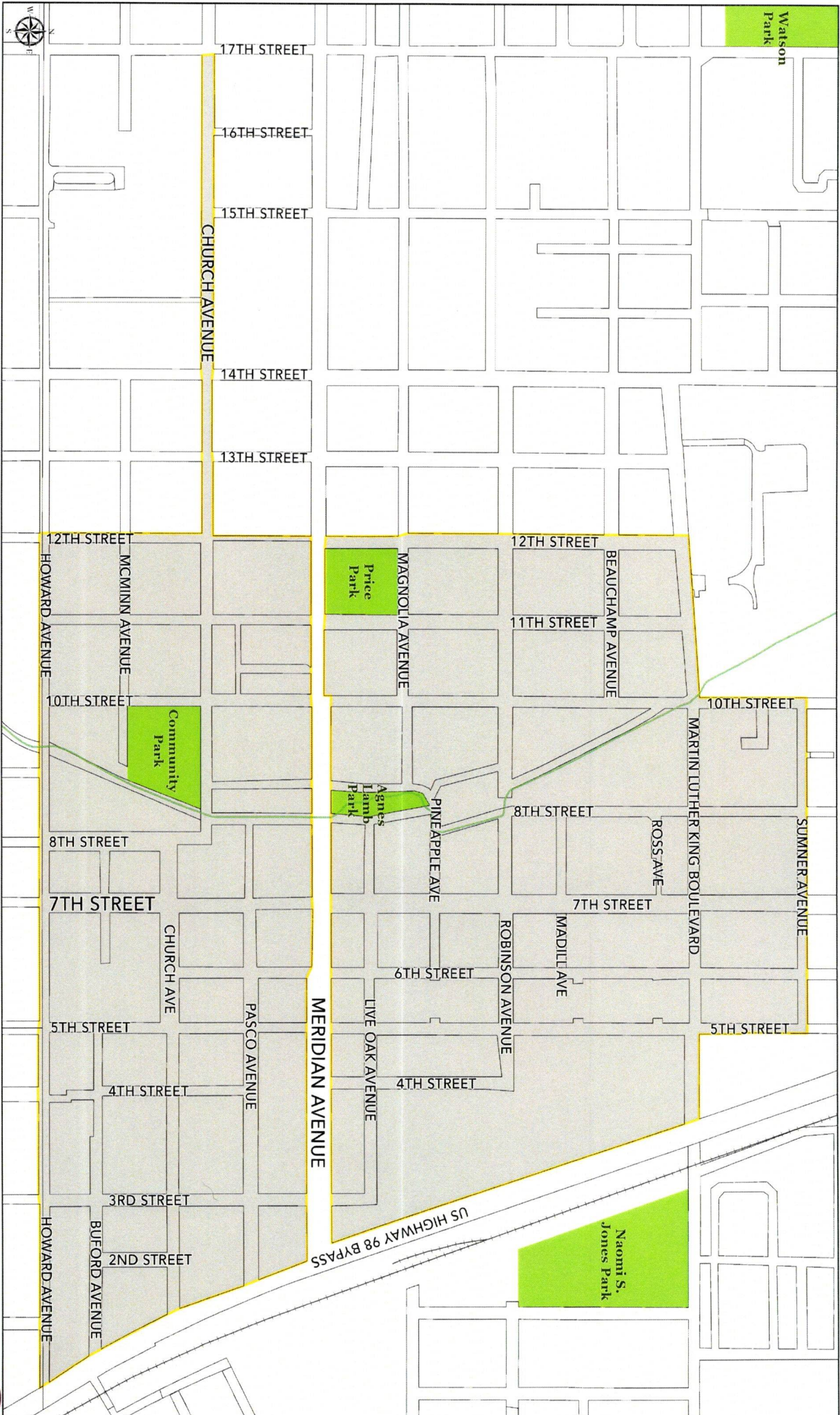

James. D. Shive, MAYOR

Attest:


Angelia Guy, CITY CLERK

Approved as to form:


Patrick Brackins, CITY ATTORNEY



GOLF CART ZONE

The Florida Senate

2023 Florida Statutes (including 2023C)

Title XXIII MOTOR VEHICLES	Chapter 316 STATE UNIFORM TRAFFIC CONTROL Entire Chapter	SECTION 212 Operation of golf carts on certain roadways.
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316.212 **Operation of golf carts on certain roadways.**— The operation of a golf cart upon the public roads or streets of this state is prohibited except as provided herein:

(1) A golf cart may be operated only upon a county road that has been designated by a county, a municipal street that has been designated by a municipality, a two-lane county road located within the jurisdiction of a municipality designated by that municipality, or a road that is owned and maintained by a water control district and has been designated by that water control district, for use by golf carts. Before making such a designation, the responsible local governmental entity must first determine that golf carts may safely travel on or cross the public road or street, considering factors including the speed, volume, and character of motor vehicle traffic using the road or street, and if such designation is to be made by a water control district, the district must also receive approval from the county in which the road to be designated is located. Upon a determination that golf carts may be safely operated on a designated road or street, the responsible governmental entity shall post appropriate signs to indicate that such operation is allowed.

(2) A golf cart may be operated on a part of the State Highway System only under the following conditions:

(a) To cross a portion of the State Highway System which intersects a county road or municipal street that has been designated for use by golf carts if the Department of Transportation has reviewed and approved the location and design of the crossing and any traffic control devices needed for safety purposes.

(b) To cross, at midblock, a part of the State Highway System where a golf course is constructed on both sides of the highway if the Department of Transportation has reviewed and approved the location and design of the crossing and any traffic control devices needed for safety purposes.

(c) A golf cart may be operated on a state road that has been designated for transfer to a local government unit pursuant to s. [335.0415](#) if the Department of Transportation determines that the operation of a golf cart within the right-of-way of the road will not impede the safe and efficient flow of motor vehicular traffic. The department may authorize the operation of golf carts on such a road if:

1. The road is the only available public road along which golf carts may travel or cross or the road provides the safest travel route among alternative routes available; and
2. The speed, volume, and character of motor vehicular traffic using the road is considered in making such a determination.

Upon its determination that golf carts may be operated on a given road, the department shall post appropriate signs on the road to indicate that such operation is allowed.

(3) Notwithstanding any other provision of this section, a golf cart may be operated for the purpose of crossing a street or highway where a single mobile home park is located on both sides of the street or highway and is divided by that street or highway, provided that the governmental entity having original jurisdiction over such street or highway shall review and approve the location of the crossing and require implementation of any traffic controls needed for safety purposes. This subsection shall apply only to residents or guests of the mobile home park. If notice is posted at the entrance and exit of any mobile home park where residents of the park operate golf carts or electric vehicles within the confines of the park, it is not necessary for the park to have a gate or other device at the entrance and exit in order for such golf carts or electric vehicles to be lawfully operated in the park.

(4) Notwithstanding any other provision of this section, if authorized by the Division of Recreation and Parks of the Department of Environmental Protection, a golf cart may be operated on a road that is part of the State Park Road

System if the posted speed limit is 35 miles per hour or less.

(5) A golf cart may be operated only during the hours between sunrise and sunset, unless the responsible governmental entity has determined that a golf cart may be operated during the hours between sunset and sunrise and the golf cart is equipped with headlights, brake lights, turn signals, and a windshield.

(6) A golf cart must be equipped with efficient brakes, reliable steering apparatus, safe tires, a rearview mirror, and red reflectorized warning devices in both the front and rear.

(7) A golf cart may not be operated on public roads or streets by a person:

(a) Who is under 18 years of age unless he or she possesses a valid learner's driver license or valid driver license.

(b) Who is 18 years of age or older unless he or she possesses a valid form of government-issued photographic identification.

(8) A local governmental entity may enact an ordinance relating to:

(a) Golf cart operation and equipment which is more restrictive than those enumerated in this section. Upon enactment of such ordinance, the local governmental entity shall post appropriate signs or otherwise inform the residents that such an ordinance exists and that it will be enforced within the local government's jurisdictional territory. An ordinance referred to in this section must apply only to an unlicensed driver.

(b) Golf cart operation on sidewalks adjacent to specific segments of municipal streets, county roads, or state highways within the jurisdictional territory of the local governmental entity if:

1. The local governmental entity determines, after considering the condition and current use of the sidewalks, the character of the surrounding community, and the locations of authorized golf cart crossings, that golf carts, bicycles, and pedestrians may safely share the sidewalk;

2. The local governmental entity consults with the Department of Transportation before adopting the ordinance;

3. The ordinance restricts golf carts to a maximum speed of 15 miles per hour and permits such use on sidewalks adjacent to state highways only if the sidewalks are at least 8 feet wide;

4. The ordinance requires the golf carts to meet the equipment requirements in subsection (6). However, the ordinance may require additional equipment, including horns or other warning devices required by s. [316.271](#); and

5. The local governmental entity posts appropriate signs or otherwise informs residents that the ordinance exists and applies to such sidewalks.

(9) A violation of this section is a noncriminal traffic infraction, punishable pursuant to chapter 318 as a moving violation for infractions of subsections (1)-(5) or a local ordinance corresponding thereto and enacted pursuant to subsection (8), or punishable pursuant to chapter 318 as a nonmoving violation for infractions of subsection (6), subsection (7), or a local ordinance corresponding thereto and enacted pursuant to subsection (8).

History.—s. 2, ch. 83-188; s. 1, ch. 84-111; s. 2, ch. 88-253; s. 322, ch. 95-148; s. 4, ch. 96-413; s. 168, ch. 99-248; s. 7, ch. 2000-313; s. 6, ch. 2005-164; s. 3, ch. 2008-98; s. 46, ch. 2010-223; s. 2, ch. 2015-163; s. 1, ch. 2023-67.

Disclaimer: The information on this system is unverified. The journals or printed bills of the respective chambers should be consulted for official purposes.

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The Florida Senate

2023 Florida Statutes (including 2023C)

<u>Title XXIII</u> MOTOR VEHICLES	<u>Chapter 324</u> FINANCIAL RESPONSIBILITY <u>Entire Chapter</u>	SECTION 021 Definitions; minimum insurance required.
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324.021 Definitions; minimum insurance required.— The following words and phrases when used in this chapter shall, for the purpose of this chapter, have the meanings respectively ascribed to them in this section, except in those instances where the context clearly indicates a different meaning:

- (1) **MOTOR VEHICLE.**— Every self-propelled vehicle that is designed and required to be licensed for use upon a highway, including trailers and semitrailers designed for use with such vehicles, except traction engines, road rollers, farm tractors, power shovels, and well drillers, and every vehicle that is propelled by electric power obtained from overhead wires but not operated upon rails, but not including any personal delivery device or mobile carrier as defined in s. [316.003](#), bicycle, electric bicycle, or moped. However, the term “motor vehicle” does not include a motor vehicle as defined in s. [627.732](#)(3) when the owner of such vehicle has complied with the requirements of ss. [627.730](#)-[627.7405](#), inclusive, unless the provisions of s. [324.051](#) apply; and, in such case, the applicable proof of insurance provisions of s. [320.02](#) apply.
- (2) **DEPARTMENT.**— The Department of Highway Safety and Motor Vehicles.
- (3) **OPERATOR.**— Every person who is in actual physical control of a motor vehicle.
- (4) **PERSON.**— Every natural person, firm, copartnership, association, or corporation.
- (5) **NONRESIDENT.**— Every person who is not a resident of this state.
- (6) **LICENSE.**— Any license, temporary instruction permit, or temporary license issued under the laws of this state pertaining to the licensing of persons to operate motor vehicles.
- (7) **PROOF OF FINANCIAL RESPONSIBILITY.**— That proof of ability to respond in damages for liability on account of crashes arising out of the use of a motor vehicle:
 - (a) In the amount of \$10,000 because of bodily injury to, or death of, one person in any one crash;
 - (b) Subject to such limits for one person, in the amount of \$20,000 because of bodily injury to, or death of, two or more persons in any one crash;
 - (c) In the amount of \$10,000 because of injury to, or destruction of, property of others in any one crash; and
 - (d) With respect to commercial motor vehicles and nonpublic sector buses, in the amounts specified in ss. [627.7415](#) and [627.742](#), respectively.
- (8) **MOTOR VEHICLE LIABILITY POLICY.**— Any owner’s or operator’s policy of liability insurance furnished as proof of financial responsibility pursuant to s. [324.031](#), insuring such owner or operator against loss from liability for bodily injury, death, and property damage arising out of the ownership, maintenance, or use of a motor vehicle in not less than the limits described in subsection (7) and conforming to the requirements of s. [324.151](#), issued by any insurance company authorized to do business in this state. The owner, registrant, or operator of a motor vehicle is exempt from providing such proof of financial responsibility if he or she is a member of the United States Armed Forces and is called to or on active duty outside this state or the United States, or if the owner of the vehicle is the dependent spouse of such active duty member and is also residing with the active duty member at the place of posting of such member, and the vehicle is primarily maintained at such place of posting. The exemption provided by this subsection applies only as long as the member of the armed forces is on such active duty outside this state or the United States and the owner complies with the security requirements of the state of posting or any possession or territory of the United States.
- (9) **OWNER; OWNER/LESSOR; APPLICATION.**—
 - (a) *Owner.*— A person who holds the legal title of a motor vehicle; or, in the event a motor vehicle is the subject of an agreement for the conditional sale or lease thereof with the right of purchase upon performance of the conditions stated in the agreement and with an immediate right of possession vested in the conditional vendee or lessee, or in the

event a mortgagor of a vehicle is entitled to possession, then such conditional vendee or lessee or mortgagor shall be deemed the owner for the purpose of this chapter.

(b) *Owner/lessor.*—Notwithstanding any other provision of the Florida Statutes or existing case law:

1. The lessor, under an agreement to lease a motor vehicle for 1 year or longer which requires the lessee to obtain insurance acceptable to the lessor which contains limits not less than \$100,000/\$300,000 bodily injury liability and \$50,000 property damage liability or not less than \$500,000 combined property damage liability and bodily injury liability, shall not be deemed the owner of said motor vehicle for the purpose of determining financial responsibility for the operation of said motor vehicle or for the acts of the operator in connection therewith; further, this subparagraph shall be applicable so long as the insurance meeting these requirements is in effect. The insurance meeting such requirements may be obtained by the lessor or lessee, provided, if such insurance is obtained by the lessor, the combined coverage for bodily injury liability and property damage liability shall contain limits of not less than \$1 million and may be provided by a lessor's blanket policy.

2. The lessor, under an agreement to rent or lease a motor vehicle for a period of less than 1 year, shall be deemed the owner of the motor vehicle for the purpose of determining liability for the operation of the vehicle or the acts of the operator in connection therewith only up to \$100,000 per person and up to \$300,000 per incident for bodily injury and up to \$50,000 for property damage. If the lessee or the operator of the motor vehicle is uninsured or has any insurance with limits less than \$500,000 combined property damage and bodily injury liability, the lessor shall be liable for up to an additional \$500,000 in economic damages only arising out of the use of the motor vehicle. The additional specified liability of the lessor for economic damages shall be reduced by amounts actually recovered from the lessee, from the operator, and from any insurance or self-insurance covering the lessee or operator. Nothing in this subparagraph shall be construed to affect the liability of the lessor for its own negligence.

3. The owner who is a natural person and loans a motor vehicle to any permissive user shall be liable for the operation of the vehicle or the acts of the operator in connection therewith only up to \$100,000 per person and up to \$300,000 per incident for bodily injury and up to \$50,000 for property damage. If the permissive user of the motor vehicle is uninsured or has any insurance with limits less than \$500,000 combined property damage and bodily injury liability, the owner shall be liable for up to an additional \$500,000 in economic damages only arising out of the use of the motor vehicle. The additional specified liability of the owner for economic damages shall be reduced by amounts actually recovered from the permissive user and from any insurance or self-insurance covering the permissive user. Nothing in this subparagraph shall be construed to affect the liability of the owner for his or her own negligence.

(c) *Application.*—

1. The limits on liability in subparagraphs (b)2. and 3. do not apply to an owner of motor vehicles that are used for commercial activity in the owner's ordinary course of business, other than a rental company that rents or leases motor vehicles. For purposes of this paragraph, the term "rental company" includes only an entity that is engaged in the business of renting or leasing motor vehicles to the general public and that rents or leases a majority of its motor vehicles to persons with no direct or indirect affiliation with the rental company. The term "rental company" also includes:

a. A related rental or leasing company that is a subsidiary of the same parent company as that of the renting or leasing company that rented or leased the vehicle.

b. The holder of a motor vehicle title or an equity interest in a motor vehicle title if the title or equity interest is held pursuant to or to facilitate an asset-backed securitization of a fleet of motor vehicles used solely in the business of renting or leasing motor vehicles to the general public and under the dominion and control of a rental company, as described in this subparagraph, in the operation of such rental company's business.

2. Furthermore, with respect to commercial motor vehicles as defined in s. [627.732](#), the limits on liability in subparagraphs (b)2. and 3. do not apply if, at the time of the incident, the commercial motor vehicle is being used in the transportation of materials found to be hazardous for the purposes of the Hazardous Materials Transportation Authorization Act of 1994, as amended, 49 U.S.C. ss. 5101 et seq., and that is required pursuant to such act to carry placards warning others of the hazardous cargo, unless at the time of lease or rental either:

a. The lessee indicates in writing that the vehicle will not be used to transport materials found to be hazardous for the purposes of the Hazardous Materials Transportation Authorization Act of 1994, as amended, 49 U.S.C. ss. 5101 et

seq.; or

b. The lessee or other operator of the commercial motor vehicle has in effect insurance with limits of at least \$5,000,000 combined property damage and bodily injury liability.

3.a. A motor vehicle dealer, or a motor vehicle dealer's leasing or rental affiliate, that provides a temporary replacement vehicle at no charge or at a reasonable daily charge to a service customer whose vehicle is being held for repair, service, or adjustment by the motor vehicle dealer is immune from any cause of action and is not liable, vicariously or directly, under general law solely by reason of being the owner of the temporary replacement vehicle for harm to persons or property that arises out of the use, or operation, of the temporary replacement vehicle by any person during the period the temporary replacement vehicle has been entrusted to the motor vehicle dealer's service customer if there is no negligence or criminal wrongdoing on the part of the motor vehicle owner, or its leasing or rental affiliate.

b. For purposes of this section, and notwithstanding any other provision of general law, a motor vehicle dealer, or a motor vehicle dealer's leasing or rental affiliate, that gives possession, control, or use of a temporary replacement vehicle to a motor vehicle dealer's service customer may not be adjudged liable in a civil proceeding absent negligence or criminal wrongdoing on the part of the motor vehicle dealer, or the motor vehicle dealer's leasing or rental affiliate, if the motor vehicle dealer or the motor vehicle dealer's leasing or rental affiliate executes a written rental or use agreement and obtains from the person receiving the temporary replacement vehicle a copy of the person's driver license and insurance information reflecting at least the minimum motor vehicle insurance coverage required in the state. Any subsequent determination that the driver license or insurance information provided to the motor vehicle dealer, or the motor vehicle dealer's leasing or rental affiliate, was in any way false, fraudulent, misleading, nonexistent, canceled, not in effect, or invalid does not alter or diminish the protections provided by this section, unless the motor vehicle dealer, or the motor vehicle dealer's leasing or rental affiliate, had actual knowledge thereof at the time possession of the temporary replacement vehicle was provided.

c. For purposes of this subparagraph, the term:

(I) "Control" means the power to direct the management and policies of a person, whether through ownership of voting securities or otherwise.

(II) "Motor vehicle dealer's leasing or rental affiliate" means a person who directly or indirectly controls, is controlled by, or is under common control with the motor vehicle dealer.

d. For purposes of this subparagraph, the term "service customer" does not include an agent or a principal of a motor vehicle dealer or a motor vehicle dealer's leasing or rental affiliate, and does not include an employee of a motor vehicle dealer or a motor vehicle dealer's leasing or rental affiliate unless the employee was provided a temporary replacement vehicle:

(I) While the employee's personal vehicle was being held for repair, service, or adjustment by the motor vehicle dealer;

(II) In the same manner as other customers who are provided a temporary replacement vehicle while the customer's vehicle is being held for repair, service, or adjustment; and

(III) The employee was not acting within the course and scope of his or her employment.

(10) JUDGMENT.—Any judgment becoming final by expiration without appeal of the time within which an appeal might have been perfected, or by final affirmation on appeal, rendered by a court of competent jurisdiction of any state or of the United States upon a cause of action arising out of the ownership, maintenance, or use of any motor vehicle for damages, including damages for care and loss of services because of bodily injury to or death of any person, or for damages because of injury to or destruction of property, including the loss of use thereof, or upon a cause of action on an agreement of settlement for such damage.

(11) REGISTRATION.—Registration certificate or certificates and registration plates issued under the laws of this state pertaining to the registration of motor vehicles.

History.—s. 1, ch. 29963, 1955; ss. 13, 35, ch. 69-106; s. 1, ch. 71-59; s. 100, ch. 71-377; s. 1, ch. 72-297; ss. 1, 2, ch. 73-180; s. 1, ch. 76-266; s. 6, ch. 76-286; s. 1, ch. 77-118; s. 6, ch. 77-468; s. 135, ch. 79-400; s. 562, ch. 82-243; s. 2, ch. 83-200; s. 2, ch. 86-18; s. 3, ch. 86-229; s. 21, ch. 87-161; ss. 6, 7, ch. 88-370; s. 1, ch. 96-362; s. 28, ch. 99-225; s. 301, ch. 99-248; s. 9, ch. 2001-271; s. 1, ch. 2005-156; s. 1, ch. 2007-49; s. 42, ch. 2008-176; s. 6, ch. 2017-150; s. 9, ch. 2018-130; s. 13, ch. 2020-69; s. 2, ch. 2020-108; s. 18, ch. 2021-51; s. 6, ch. 2023-186.

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