

Below is a list of frequently ask questions and are provided as a reference only, as laws change from time to time. To insure the accuracy we suggest using the links for the State DMV and State Statutes, all of which are online. When available we will reference the statute number to help aid you in your search, please inform us of any discrepancies.

Personal Equipment & Requirements

It is not the function of the listed information to provide legal interpretations, nor is it legal advice regarding laws of the state.

- Safety/Helmet:** 316.211 f.s. (3)(b)
A person over 21 years of age may operate or ride upon a motorcycle without wearing protective headgear securely fastened upon his or her head if such person is covered by an insurance policy providing for at least \$10,000 in medical benefits for injuries incurred as a result of a crash while operating or riding on a motorcycle.
- Eye Protection:** 316.211 f.s. (2)
A person may not operate a motorcycle unless the person is wearing an eye-protective device over his or her eyes of a type approved by the department.
- Headsets Audio Device:** 316.304 f.s. (2) (c)
Any person operating a motorcycle who is using a headset that is installed in a helmet and worn so as to prevent the speakers from making direct contact with the user's ears so that the user can hear surrounding sounds.
- Passenger:** 316.211 f.s. (4)
A person under 16 years of age may not operate or ride upon a moped unless the person is properly wearing protective headgear securely fastened upon his or her head which complies with Federal motorcycle Vehicle Safety Standard 218 promulgated by the United States Department of Transportation.
- Insurance:** 316.2095 f.s. (1)
Any motorcycle carrying a passenger, other than in a sidecar or enclosed cab, shall be equipped with footrests for such passenger.
- Insurance:** Not required.

The Federal government regulates all motor vehicles intended for use on our nations roadways, including two wheel motorized vehicles. The enforcement of which is the responsibility of the State, as such Federal laws change involving motorcycle configurations the older model may be exempt from the newer law. It should be noted that some States can and do further regulate Federal laws.

Motorcycle Configuration &&& Accessories

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- Headlights:** 316.405 f.s. (1)
Any person who operates a motorcycle or motor-driven cycle on the public streets or highways shall, while so engaged, have the headlight or headlights of such motorcycle or motor-driven cycle turned on. During the hours of operation between sunrise and sunset, the headlights may modulate either the upper beam or the lower beam from its maximum intensity to a lower intensity, in accordance with Federal Motor Vehicle Safety Standard 571.108.
- Mirrors:** 316.294 f.s.
Every vehicle, operated singly or when towing any other vehicle, shall be equipped with a mirror so located as to reflect to the driver a view of the highway for a distance of at least 200 feet to the rear of the motor vehicle.
- Turn Signals:** 316.234 f.s. (2), 316.222 f.s. (2)
Every motor vehicle, shall be equipped with electric turn signals which shall indicate an intention to turn by flashing lights showing to the front and rear of a vehicle or on a combination of vehicles on the side of the

vehicle or combination toward which the turn is to be made. The lamps showing to the front shall be mounted on the same level and as widely spaced laterally as practicable and, when signaling, shall emit white or amber light. The lamps showing to the rear shall be mounted on the same level and as widely spaced laterally as practicable, and, when signaling, shall emit a red or amber light.

316.2085 f.s. (1)

Saddle/Seat: A person operating a motorcycle or moped shall ride only upon the permanent and regular seat attached thereto, and such operator shall not carry any other person, nor shall any other person ride on a motorcycle or moped, unless such motorcycle or moped is designed to carry more than one person, in which event a passenger may ride upon the permanent and regular seat if designed for two persons or upon another seat firmly attached to the motorcycle or moped at the rear or side of the operator.

Handlebars: 316.2095 f.s. (2)

No person shall operate any motorcycle with handlebars or with hand-grips that are higher than the top of the shoulders of the person operating the motorcycle while properly seated upon the motorcycle.

316.2085 f.s. (3)

License Plate: The license tag of a motorcycle or moped must be permanently affixed to the vehicle and may not be adjusted or capable of being flipped up. No device for or method of concealing or obscuring the legibility of the license tag of a motorcycle shall be installed or used. The license tag of a motorcycle or moped may be affixed horizontally to the ground so that the numbers and letters read from left to right. Alternatively, a license tag for a motorcycle or moped for which the numbers and letters read from top to bottom may be affixed perpendicularly to the ground, provided that the registered owner of the motorcycle or moped maintains a prepaid toll account in good standing and a transponder associated with the prepaid toll account is affixed to the motorcycle or moped.

316.293 f.s. (2)

OPERATING NOISE LIMITS.—No person shall operate or be permitted to operate a vehicle at any time or under any condition of roadway grade, load, acceleration, or deceleration in such a manner as to generate a sound level in excess of the following limit for the category of motor vehicle and applicable speed limit at a distance of 50 feet from the center of the lane of travel under measurement procedures established under subsection (3).

(a) For motorcycles other than motor-driven cycles:

Before January 1, 1979

Muffler: Sound level limit for Speed limit 35 mph or less 82 dB A

Noise: Sound level limit for Speed limit over 35 mph 86 dB A

On or after January 1, 1979

Sound level limit for Speed limit 35 mph or less 78 dB A

Sound level limit for Speed limit over 35 mph 82 dB A

316.293 f.s. (5)(a)

No person shall modify the exhaust system of a motor vehicle or any other noise-abatement device of a motor vehicle operated or to be operated upon the highways of this state in such a manner that the noise emitted by the motor vehicle is above that emitted by the vehicle as originally manufactured.

316.2397 f.s. (2)

Color or Flashing/Lights: It is expressly prohibited for any vehicle or equipment, except police vehicles, to show or display blue lights.

Light: 316.2397 f.s. (7)
Flashing lights are prohibited on vehicles except as a means of indicating a right or left turn, to change lanes, or to indicate that the vehicle is lawfully stopped or disabled upon the highway.

Being right or wrong ends at the point of impact for all motorcyclist, Understanding the driving practices for each State is crucial for safety. Vehicle operator may wrongly anticipate a right on red or left turn yield, seeing its clear of oncoming traffic and assuming you've proceeded. Being aware of such practices will greatly increase your safety

Rules of the Road

It is not the function of the listed information to provide legal interpretations, nor is it legal advice regarding laws of the state.

Lane 316.209 f.s. (4)

Sharing: Motorcycles shall not be operated more than two abreast in a single lane.

Lane/Spl 316.209 f.s. (3)

itting: No person shall operate a motorcycle between lanes of traffic or between adjacent lines or rows of vehicles.

Actuated There are currently no provisions for traffic signals which don't detect motorcycles, proceeding through is not **Traffic** recommended and would be a violation of the law.

Signals:

Right or 316.075 Traffic control signal devices.

Left (1) Except for automatic warning signal lights installed or to be installed at railroad crossings, whenever traffic,

Turn on including municipal traffic, is controlled by traffic control signals exhibiting different colored lights, or colored

Red: lighted arrows, successively one at a time or in combination, only the colors green, red, and yellow shall be used, except for special pedestrian signals carrying a word legend, and the lights shall indicate and apply to drivers of vehicles and pedestrians as follows:

(a) Green indication.—

1. Vehicular traffic facing a circular green signal may proceed cautiously straight through or turn right or left unless a sign at such place prohibits either such turn. But vehicular traffic, including vehicles turning right or left, shall yield the right-of-way to other vehicles and to pedestrians lawfully within the intersection or an adjacent crosswalk at the time such signal is exhibited.

2. Vehicular traffic facing a green arrow signal, shown alone or in combination with another indication, as directed by the manual, may cautiously enter the intersection only to make the movement indicated by such arrow, or such other movement as is permitted by other indications shown at the same time, except the driver of any vehicle may U-turn, so as to proceed in the opposite direction unless such movement is prohibited by posted traffic control signs. Such vehicular traffic shall yield the right-of-way to pedestrians lawfully within an adjacent crosswalk and to other traffic lawfully using the intersection.

3. Unless otherwise directed by a pedestrian control signal as provided in s. 316.0755, pedestrians facing any green signal, except when the sole green signal is a turn arrow, may proceed across the roadway within any marked or unmarked crosswalk.

(b) Steady yellow indication.—

1. Vehicular traffic facing a steady yellow signal is thereby warned that the related green movement is being terminated or that a red indication will be exhibited immediately thereafter when vehicular traffic shall not enter the intersection.

2. Pedestrians facing a steady yellow signal, unless otherwise directed by a pedestrian control signal as provided in s. 316.0755, are thereby advised that there is insufficient time to cross the roadway before a red indication is shown and no pedestrian shall start to cross the roadway.

(c) Steady red indication.—

1. Vehicular traffic facing a steady red signal shall stop before entering the crosswalk on the near side of the intersection or, if none, then before entering the intersection and shall remain standing until a green indication is shown; however:

a. The driver of a vehicle which is stopped at a clearly marked stop line, but if none, before entering the crosswalk on the near side of the intersection, or, if none then at the point nearest the intersecting roadway where the driver has a view of approaching traffic on the intersecting roadway before entering the intersection in obedience to a steady red signal may make a right turn, but shall yield the right-of-way to pedestrians and other traffic proceeding as directed by the signal at the intersection, except that municipal and county authorities may prohibit any such right turn against a steady red signal at any intersection, which prohibition shall be effective when a sign giving notice thereof is erected in a location visible to traffic approaching the intersection.

b. The driver of a vehicle on a one-way street that intersects another one-way street on which traffic moves to the left shall stop in obedience to a steady red signal, but may then make a left turn into the one-way street, but shall yield the right-of-way to pedestrians and other traffic proceeding as directed by the signal at the intersection, except that municipal and county authorities may prohibit any such left turn as described, which prohibition shall be effective when a sign giving notice thereof is attached to the traffic control signal device at the intersection.

2.a. The driver of a vehicle facing a steady red signal shall stop before entering the crosswalk and remain stopped to allow a pedestrian, with a permitted signal, to cross a roadway when the pedestrian is in the crosswalk or steps into the crosswalk and is upon the half of the roadway upon which the vehicle is traveling or when the

pedestrian is approaching so closely from the opposite half of the roadway as to be in danger.

b. Unless otherwise directed by a pedestrian control signal as provided in s. 316.0755, pedestrians facing a steady red signal shall not enter the roadway.

(2) In the event an official traffic control signal is erected and maintained at a place other than an intersection, the provisions of this section shall be applicable except as to those provisions which by their nature can have no application. Any stop required shall be made at a sign or marking on the pavement indicating where the stop shall be made, but in the absence of any such sign or marking the stop shall be made at the signal.

(3)(a) No traffic control signal device shall be used which does not exhibit a yellow or "caution" light between the green or "go" signal and the red or "stop" signal.

(b) No traffic control signal device shall display other than the color red at the top of the vertical signal, nor shall it display other than the color red at the extreme left of the horizontal signal.

(4) A violation of this section is a noncriminal traffic infraction, punishable pursuant to chapter 318 as either a pedestrian violation or, if the infraction resulted from the operation of a vehicle, as a moving violation.

In some states a Red Arrow is used to indicate when right or left turns on Red are not permitted, the Florida statute false to specify the use or reason for a Red Arrow.

NOTE Additional information has been found in the Florida Drivers handbook 2010 chapter 4 Signals, Signs and Pavement Markings, page 41.

Red Arrow: "Red Arrow Just like a red light, come to a complete stop at the marked stop line or before moving into the crosswalk or intersection. After stopping, you may turn right on a red arrow at most intersections if the way is clear. Some intersections display a "NO TURN ON RED" sign, which you must obey. Left turns on a red arrow from a one-way street into a one-way street are also allowed."

The question may be is the Florida handbook in fact the Law?

316.1515

Limitations on turning around.—

"U" Turns: The driver of any vehicle shall not turn the vehicle so as to proceed in the opposite direction upon any street unless such movement can be made in safety and without interfering with other traffic and unless such movement is not prohibited by posted traffic control signs. A violation of this section is a noncriminal traffic infraction, punishable as a moving violation as provided in chapter 318.

Also see 316.075 (1)(a)2 listed above

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