

Cargo Beds for Big and Small



David A. Summers RN, CFRN, EMT-P

Trauma Agency

Health Care District Palm Beach County

The Current Law

- **316.2015 Unlawful for person to ride on exterior of vehicle.—(1) It is unlawful for any operator of a passenger vehicle to permit any person to ride on the bumper, radiator, fender, hood, top, trunk, or running board of such vehicle when operated upon any street or highway which is maintained by the state, county, or municipality. Any person who violates this subsection shall be cited for a moving violation, punishable as provided in chapter 318.**

- **(2)(a) No person shall ride on any vehicle upon any portion thereof not designed or intended for the use of passengers. This paragraph does not apply to an employee of a fire department, an employee of a governmentally operated solid waste disposal department or a waste disposal service operating pursuant to a contract with a governmental entity, or to a volunteer firefighter when the employee or firefighter is engaged in the necessary discharge of a duty, and does not apply to a person who is being transported in response to an emergency by a public agency or pursuant to the direction or authority of a public agency. This paragraph does not apply to an employee engaged in the necessary discharge of a duty or to a person or persons riding within truck bodies in space intended for merchandise.**

- **(b) It is unlawful for any operator of a pickup truck or flatbed truck to permit a minor child who has not attained 18 years of age to ride upon limited access facilities of the state within the open body of a pickup truck or flatbed truck unless the minor is restrained within the open body in the back of a truck that has been modified to include secure seating and safety restraints to prevent the passenger from being thrown, falling, or jumping from the truck. This paragraph does not apply in a medical emergency if the child is accompanied within the truck by an adult. A county is exempt from this paragraph if the governing body of the county, by majority vote, following a noticed public hearing, votes to exempt the county from this paragraph.**

- **(c) Any person who violates this subsection shall be cited for a nonmoving violation, punishable as provided in chapter 318.**
- **(3) This section shall not apply to a performer engaged in a professional exhibition or person participating in an exhibition or parade, or any such person preparing to participate in such exhibitions or parades.**
- **History.—s. 1, ch. 71-135; ss. 1, 12, ch. 76-31; s. 28, ch. 96-350; s. 11, ch. 2006-290.**
- **Note.—Former s. 316.100.**

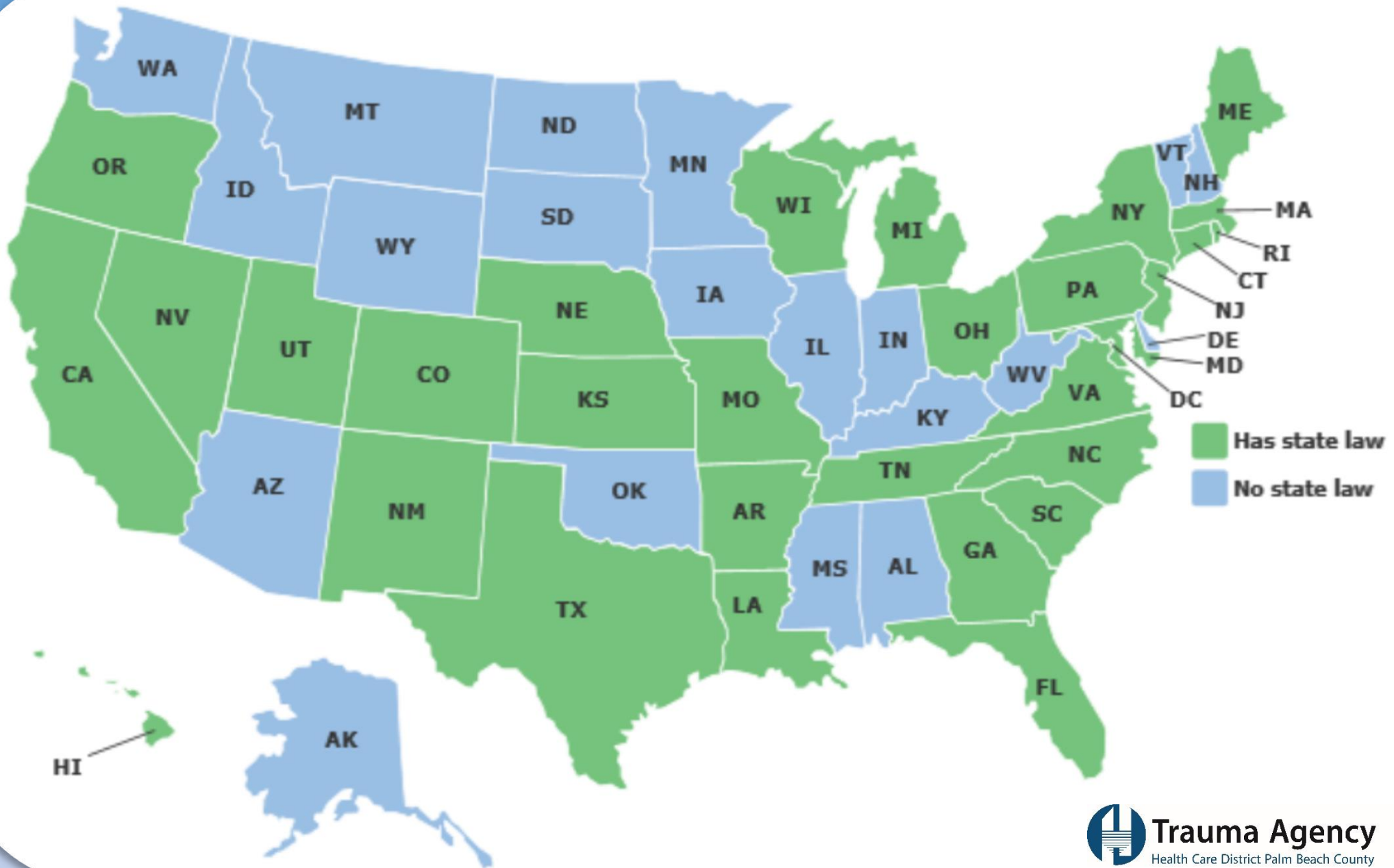
What is a Cargo Bed

- **an open, usually rectangular cargo area or platform at the rear of truck. a pickup truck with a short bed.**





- <https://youtu.be/lwW18Vsp8lk>



The Old Law - 2005



- **(2) No person shall ride on any vehicle upon any portion thereof not designed or intended for the use of passengers. This provision shall not apply to an employee engaged in the necessary discharge of a duty or to a person or persons riding within truck bodies in space intended for merchandise. Any person who violates the provisions of this subsection shall be cited for a nonmoving violation, punishable as provided in chapter 318.**

2006 - Concessions to Get it Passed



Truck Passengers

2003 Florida Traffic Crash Statistics

TABLE 16 Passengers Riding in Beds of Trucks by Age and Truck Types

Age Groups	Light (Pickup) Trucks				All Types of Trucks			
	Killed	%	Injured	%	Killed	%	Injured	%
0-4	0	0.00	9	3.38	0	0.00	10	3.31
5-9	0	0.00	13	4.89	0	0.00	14	4.64
10-14	0	0.00	33	12.41	0	0.00	35	11.59
15-19	3	30.00	88	33.08	3	30.00	90	29.80
20-24	1	10.00	31	11.65	1	10.00	34	11.26
25-34	2	20.00	29	10.90	2	20.00	41	13.58
35-44	2	20.00	21	7.89	2	20.00	26	8.61
45-54	1	10.00	14	5.26	1	10.00	17	5.63
55-64	0	0.00	6	2.26	0	0.00	11	3.64
65-74	0	0.00	1	0.38	0	0.00	2	0.66
75-84	0	0.00	0	0.00	0	0.00	0	0.00
85+	0	0.00	0	0.00	0	0.00	0	0.00
Unknown	1	10.00	21	7.89	1	10.00	22	7.28
TOTAL	10	100	266	100	10	100	302	100

Truck Passengers

2004 Florida Traffic Crash Statistics

TABLE 16 Passengers Riding in Beds of Trucks by Age and Truck Types

Age Groups	Light (Pickup) Trucks				All Types of Trucks			
	Killed	%	Injured	%	Killed	%	Injured	%
0-4	0	0.00	6	2.34	0	0.00	6	2.14
5-9	0	0.00	16	6.25	0	0.00	16	5.71
10-14	1	6.67	38	14.84	1	5.88	38	13.57
15-19	4	26.67	63	24.61	4	23.53	65	23.21
20-24	1	6.67	35	13.67	2	11.76	38	13.57
25-34	4	26.67	32	12.50	4	23.53	39	13.93
35-44	1	6.67	23	8.98	1	5.88	29	10.36
45-54	3	20.00	14	5.47	4	23.53	16	5.71
55-64	1	6.67	5	1.95	1	5.88	6	2.14
65-74	0	0.00	1	0.39	0	0.00	1	0.36
75-84	0	0.00	0	0.00	0	0.00	0	0.00
85+	0	0.00	1	0.39	0	0.00	1	0.36
Unknown	0	0.00	22	8.59	0	0.00	25	8.93
TOTAL	15	100	256	100	17	100	280	100

Truck Passengers

2005 Florida Traffic Crash Statistics

TABLE 16 Passengers Riding in Beds of Trucks by Age and Truck Types

Age Groups	Light (Pickup) Trucks				All Types of Trucks*			
	Killed	%	Injured	%	Killed	%	Injured	%
0-4	0	0.00	6	2.54	0	0.00	6	2.26
5-9	0	0.00	17	7.20	0	0.00	17	6.42
10-14	0	0.00	22	9.32	0	0.00	22	8.30
15-19	3	21.43	59	25.00	3	20.00	60	22.64
20-24	4	28.57	28	11.86	4	26.67	29	10.94
25-34	0	0.00	36	15.25	1	6.67	44	16.60
35-44	4	28.57	25	10.59	4	26.67	31	11.70
45-54	3	21.43	15	6.36	3	20.00	24	9.06
55-64	0	0.00	6	2.54	0	0.00	8	3.02
65-74	0	0.00	2	0.85	0	0.00	3	1.13
75-84	0	0.00	1	0.42	0	0.00	1	0.38
85+	0	0.00	0	0.00	0	0.00	0	0.00
Unknown	0	0.00	19	8.05	0	0.00	20	7.55
TOTAL	14	100	236	100	15	100	265	100

* All Types of Trucks include light (pickup), medium, and heavy trucks. It does not include truck-tractor (cab).

Truck Passengers

2006 Florida Traffic Crash Statistics

TABLE 16 Passengers Riding In Beds of Trucks by Age and Truck Types

Age Groups	Light (Pickup) Trucks				All Types of Trucks*			
	Killed	%	Injured	%	Killed	%	Injured	%
0-4	0	0.00	10	4.39	0	0.00	10	3.76
5-9	0	0.00	18	7.89	0	0.00	18	6.77
10-14	0	0.00	24	10.53	0	0.00	24	9.02
15-19	2	25.00	58	25.44	2	25.00	63	23.68
20-24	1	12.50	35	15.35	1	12.50	42	15.79
25-34	1	12.50	32	14.04	1	12.50	38	14.29
35-44	2	25.00	24	10.53	2	25.00	36	13.53
45-54	1	12.50	13	5.70	1	12.50	16	6.02
55-64	0	0.00	1	0.44	0	0.00	3	1.13
65-74	1	12.50	4	1.75	1	12.50	4	1.50
75-84	0	0.00	0	0.00	0	0.00	0	0.00
85-89	0	0.00	0	0.00	0	0.00	0	0.00
90+	0	0.00	0	0.00	0	0.00	0	0.00
Unknown	0	0.00	9	3.95	0	0.00	12	4.51
TOTAL	8	100	228	100	8	100	266	100

* All Types of Trucks include light (pickup), medium, and heavy trucks. It does not include truck-tractor (cab).

Truck Passengers

2007 Florida Traffic Crash Statistics

TABLE 16 Passengers Riding in Beds of Trucks by Age and Truck Types

Age Groups	Light (Pickup) Trucks				All Types of Trucks*			
	Killed	%	Injured	%	Killed	%	Injured	%
0-4	0	0.00	4	1.95	0	0.00	4	1.86
5-9	0	0.00	13	6.34	0	0.00	14	6.51
10-14	1	14.29	24	11.71	1	12.50	24	11.16
15-19	2	28.57	61	29.76	2	25.00	61	28.37
20-24	1	14.29	23	11.22	1	12.50	24	11.16
25-34	2	28.57	22	10.73	2	25.00	25	11.63
35-44	0	0.00	18	8.78	0	0.00	20	9.30
45-54	0	0.00	15	7.32	1	12.50	18	8.37
55-64	0	0.00	5	2.44	0	0.00	5	2.33
65-74	0	0.00	2	0.98	0	0.00	2	0.93
75-84	1	14.29	0	0.00	1	12.50	0	0.00
85-89	0	0.00	0	0.00	0	0.00	0	0.00
90+	0	0.00	0	0.00	0	0.00	0	0.00
Unknown	0	0.00	18	8.78	0	0.00	18	8.37
TOTAL	7	100	205	100	8	100	215	100

* All Types of Trucks include light (pickup), medium, and heavy trucks. It does not include truck-tractor (cab).

Truck Passengers

2008 Florida Traffic Crash Statistics

TABLE 16 Passengers Riding in Beds of Trucks by Age and Truck Types

Age Groups	Light (Pickup) Trucks				All Types of Trucks*			
	Killed	%	Injured	%	Killed	%	Injured	%
0-4	0	0	5	3.54	0	0	8	4.67
5-9	0	0	9	6.38	0	0	10	5.84
10-14	0	0	11	7.8	0	0	11	6.43
15-19	1	12.5	37	26.24	1	11.11	39	22.8
20-24	1	12.5	29	20.56	1	11.11	31	18.12
25-34	3	37.5	14	9.92	3	33.33	22	12.86
35-44	3	37.5	10	7.09	3	33.33	15	8.77
45-54	0	0	16	11.34	1	11.11	18	10.52
55-64	0	0	6	4.25	0	0	9	5.26
65-74	0	0	0	0	0	0	1	0.58
75-84	0	0	0	0	0	0	0	0
85-89	0	0	0	0	0	0	1	0.58
90+	0	0	0	0	0	0	0	0
Unknown	0	0	4	2.83	0	0	6	3.5
TOTAL	8	100	141	100	9	100	171	100

* All Types of Trucks include light (pickup), medium, and heavy trucks. It does not include truck-tractor (cab).

Truck Passengers

2009 Florida Traffic Crash Statistics

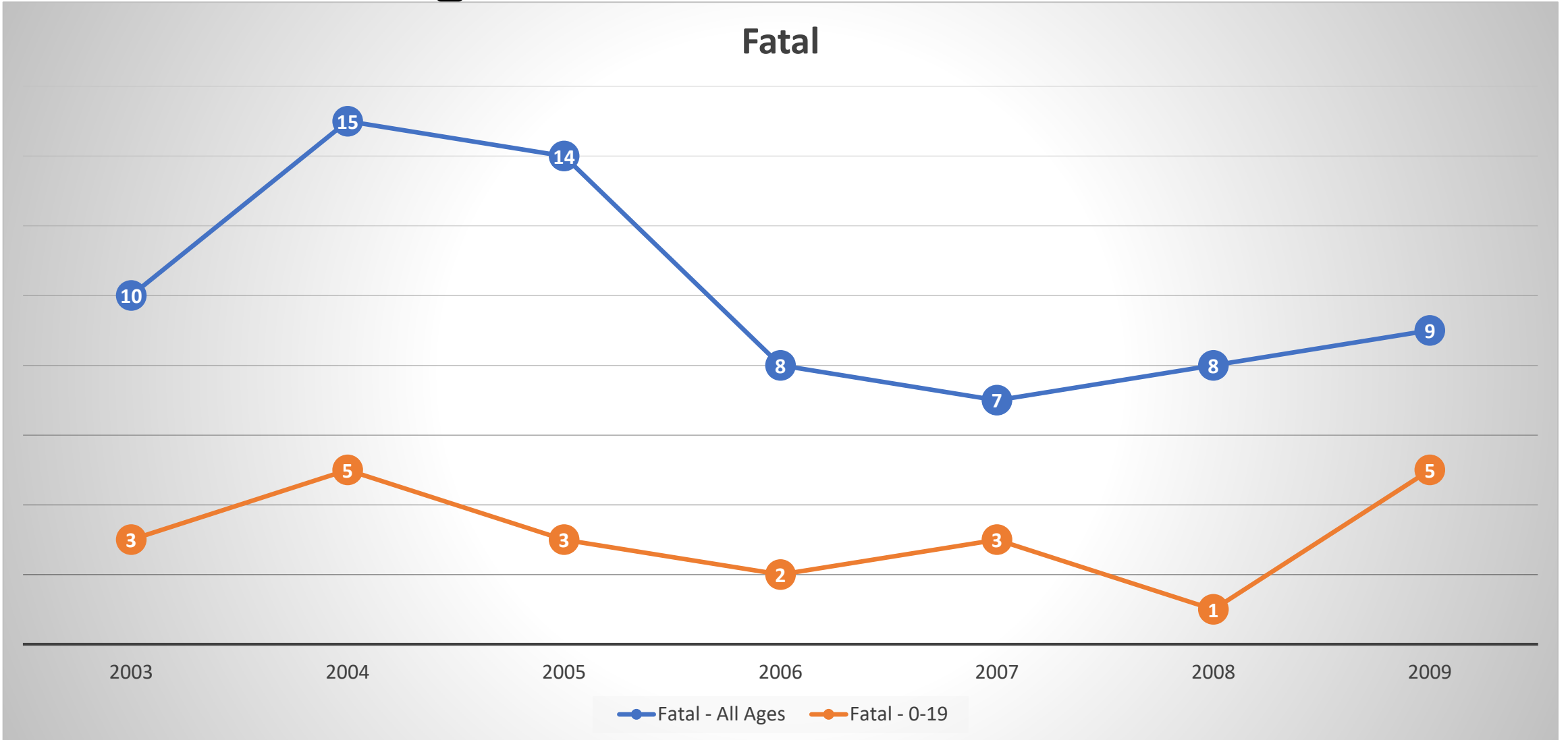
TABLE 16 Passengers Riding in Beds of Trucks by Age and Truck Types

Age Groups	Light (Pickup) Trucks				All Types of Trucks*			
	Killed	%	Injured	%	Killed	%	Injured	%
0-4	0	0	1	0.68	0	0	1	0.57
5-9	0	0	9	6.12	0	0	9	5.14
10-14	0	0	12	8.16	0	0	12	6.86
15-19	5	55.56	42	28.57	5	55.56	47	26.86
20-24	1	11.11	23	15.65	1	11.11	27	15.43
25-34	0	0	17	11.57	0	0	20	11.43
35-44	1	11.11	19	12.92	1	11.11	27	15.43
45-54	2	22.22	16	10.89	2	22.22	21	12
55-64	0	0	6	4.08	0	0	8	4.57
65-74	0	0	0	0	0	0	1	0.57
75-84	0	0	0	0	0	0	0	0
85-89	0	0	0	0	0	0	0	0
90+	0	0	0	0	0	0	0	0
Unknown	0	0	2	1.36	0	0	2	1.14
TOTAL	9	100	147	100	9	100	175	100

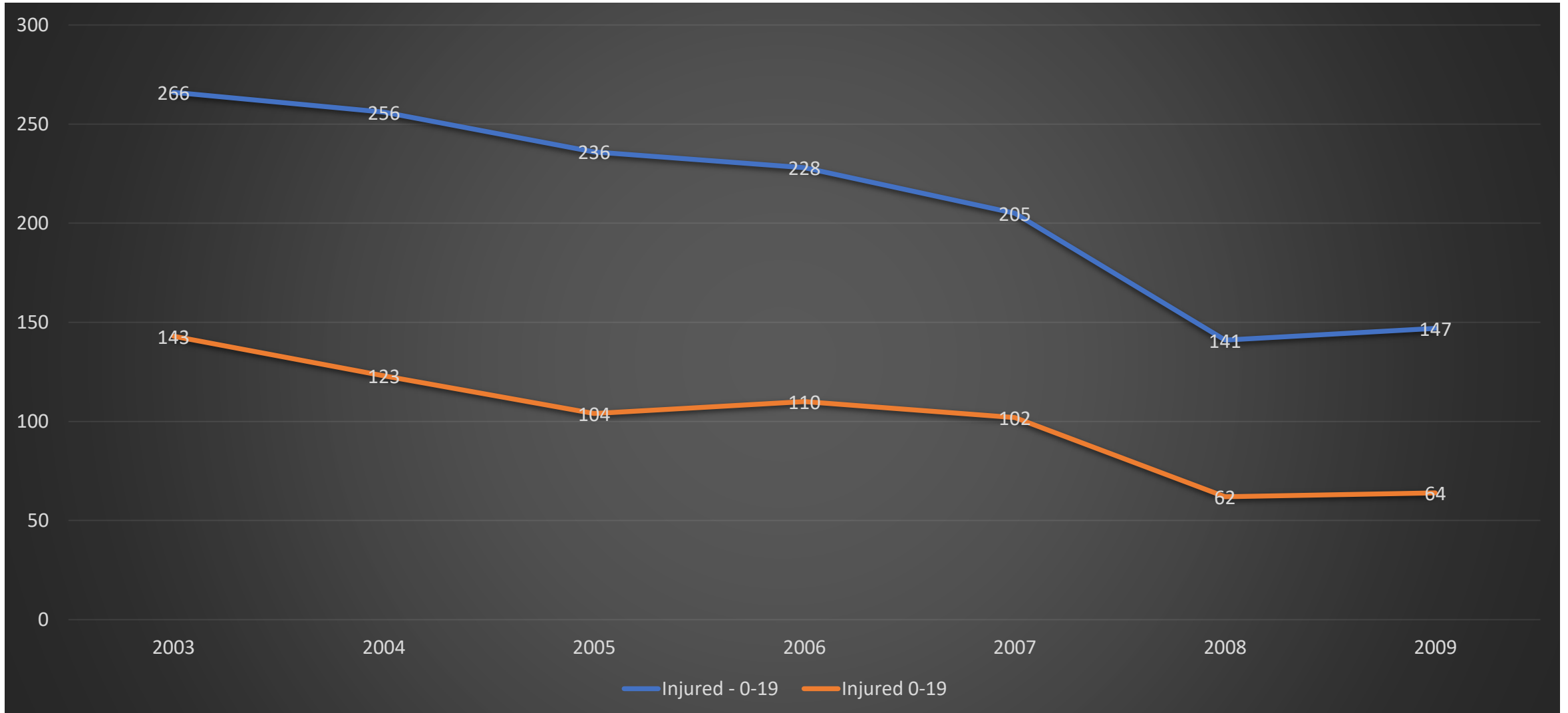
*All Types of trucks include light, medium, and heavy trucks. Does not include a tractor trailer cab.

Fatal in Cargo Bed: 2003 thru 2009

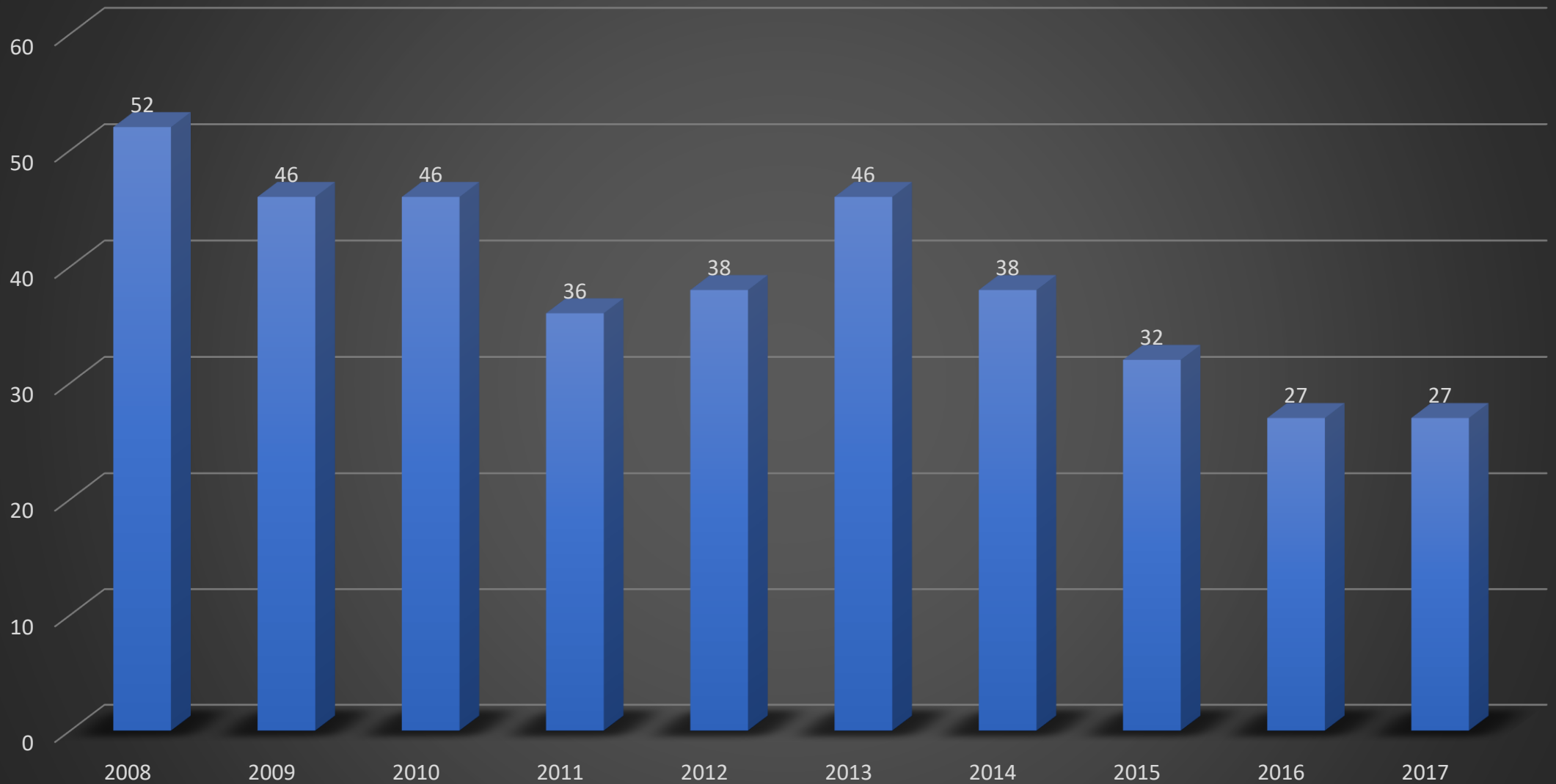
Fatal



Injured in Cargo Bed: 2003 - 2009



US Cargo Area Deaths



■ US Cargo Area Deaths

Personal Observations





The Next Move

- **FLHSMV: Crash Reports -----> We Need Data Again!!**
 - **FIRES Dead → Biospatial**
- **Research and Review other State Language: IHS**
- **Formulate Draft Language**
 - **Find a Sponsor under Each Roof**
 - **Educate the Legislators (Aides)**
- **Advocacy Support**

Law Enhancement Challenges: Kids



Law Enhancement Challenges: Adults



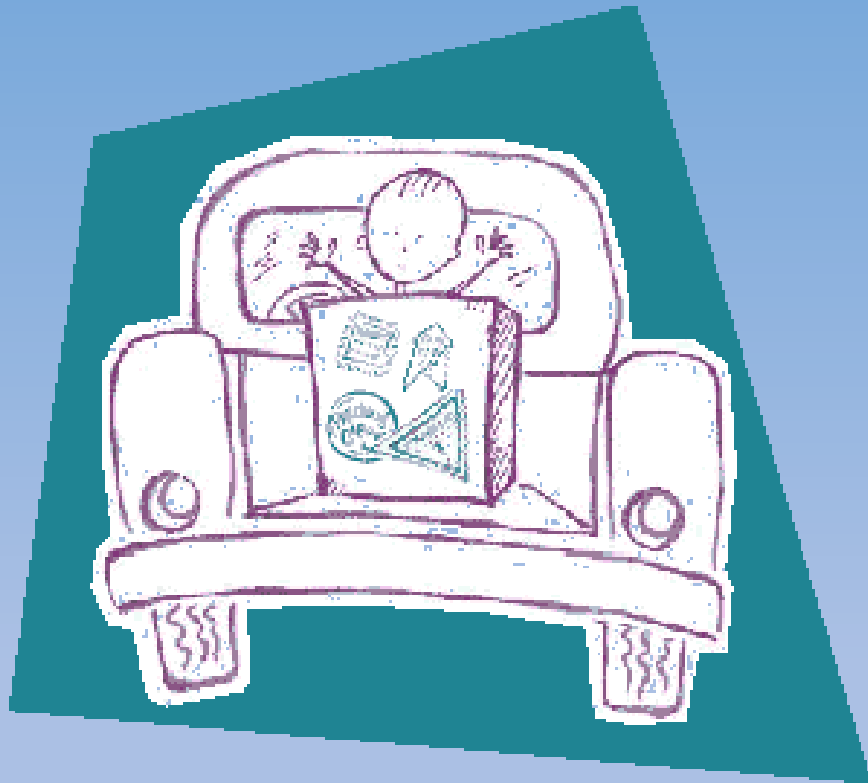
Can You Ride In the Back of a



Pickup Truck? (Answers per State)


- <https://www.iihs.org/topics/seat-belts/cargo-area-restrictions-laws>

Until then: Education



kids aren't cargo

KIDS AREN'T CARGO
Children Placed At High Risk In Pickup Trucks



The National Highway Traffic Safety Administration (NHTSA) warns that kids don't belong in the cargo areas of pickup trucks. A number of states already have laws or restrictions on carrying passengers in the cargo area of a pickup truck.

Trucks are becoming a popular form of transportation for family travel. Unfortunately, occupant protection inside the cab is limited by space, number of safety belts, and the fact that pickup trucks are not required to meet all passenger car safety standards. Space limitations often lead parents to allow children to ride in the cargo area.

Each year more than 200 people die as a result of riding in the cargo area of pickup trucks. More than half of these deaths are children and teenagers.

The Facts


- The cargo area of a pickup truck, with or without a canopy, has proven to be a source of injuries and death to children and adults. In addition to the possibility of being ejected, passengers riding in covered cargo beds are exposed to carbon monoxide from exhaust fumes.
- Ejection from the cargo area during a collision was the major cause of injury and death for pickup truck passengers.
- Most noncollision deaths were caused by falls due to swerving, braking, or rough roads. In one third of these cases, the victim was standing up, sitting on the tailgate, or "horsing around."

These safety tips from NHTSA are aimed at making your next ride in a pickup safer:

- Child safety seats must not be used on side-facing jump seats.
- Child safety seats must have at least 80 percent of the safety seat base on the bench seat. Installing a tether strap to the vehicle frame may prevent the safety seat from moving too far forward and the child from hitting his or her head on the front seat in a crash.
- A rear-facing child seat must never be secured in either the center or right front seat, if a pickup is equipped with a passenger air bag and does not have an air bag on-off switch.
- If there is no other seating available, children over one year of age must be properly secured in a forward-facing child restraint or vehicle lap and shoulder belt positioned as far back from the dashboard as possible.
- All children should ride in properly installed child safety seats or lap and shoulder belts appropriate for their size.

FOR FURTHER INFORMATION:
TRAUMA SERVICES
ST. MARY'S MEDICAL CENTER
WEST PALM BEACH, FL
561.882.6013

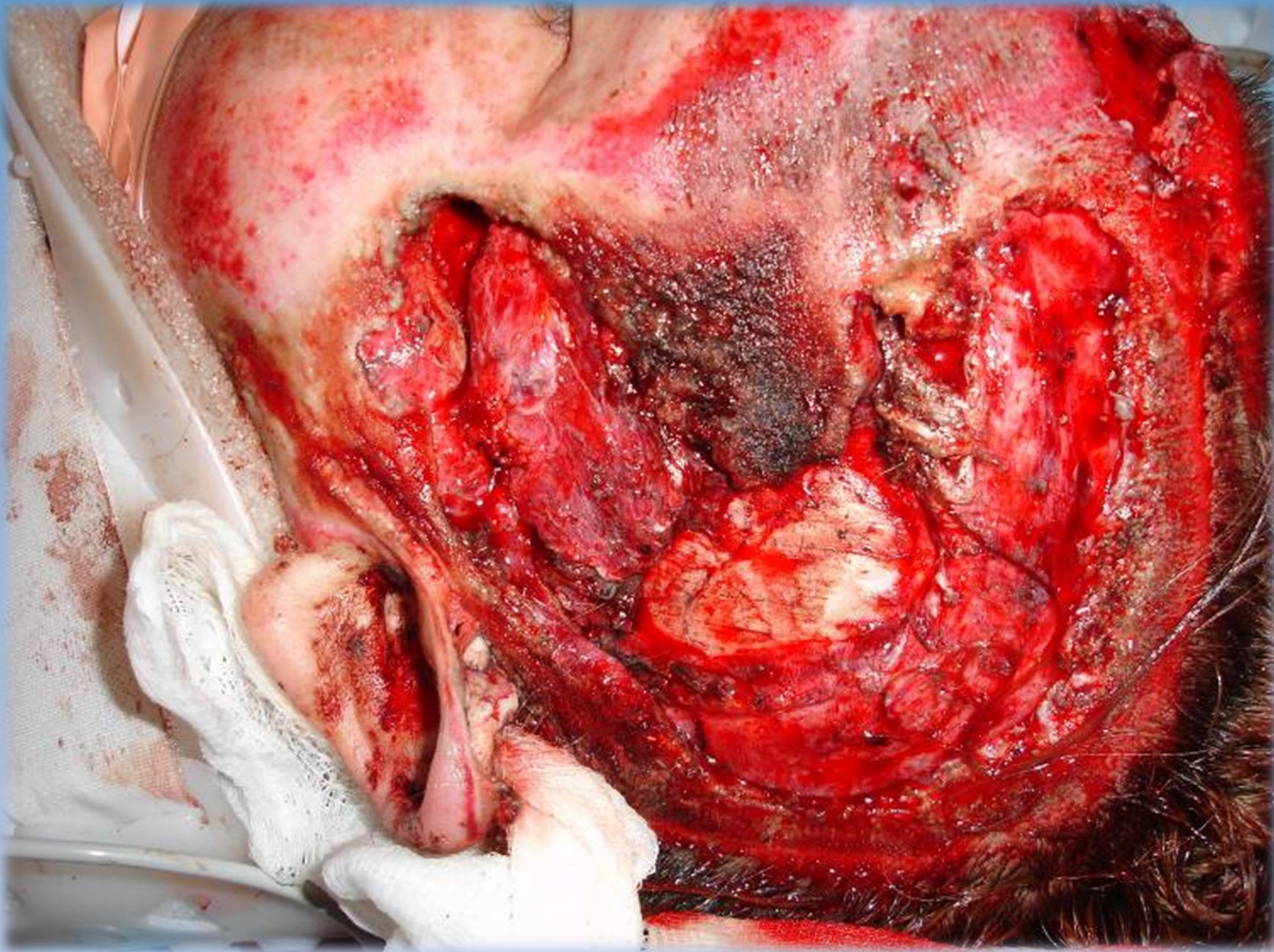
May be reproduced. (2/98)

 U.S. Department of Transportation





114217006







??QUESTIONS ??

Thank you for your time.

Buckle Up!

David A. Summers

