By Senator Geller

31-115-05

1	A bill to be entitled
2	An act relating to commercial motor vehicles;
3	creating s. 316.570, F.S.; providing
4	definitions; requiring a minimum amount of
5	insurance coverage for persons engaged in
6	retrofitting, rebuilding, or modifying
7	commercial trucks, truck tractors, or heavy
8	trucks into dump trucks; providing safety
9	standards; providing penalties; providing an
10	effective date.
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12	Be It Enacted by the Legislature of the State of Florida:
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14	Section 1. Section 316.570, Florida Statutes, is
15	created to read:
16	316.570 Rebuilt, modified, or retrofitted dump
17	trucks
18	(1) As used in this section, the term:
19	(a) "Dump truck" means any motor vehicle with a net
20	weight of more than 5,000 pounds which is registered on the
21	basis of gross vehicle weight in accordance with s. 320.08(4)
22	and is properly equipped with a container used for
23	transporting and dumping various materials, resources, or
24	<u>items.</u>
25	(b) "Person" means any form of corporation, limited
26	liability company, partnership, association, cooperative,
27	joint venture, business trust, sole proprietorship, or
28	self-employed person conducting business in this state.
29	(2) Any person engaged in retrofitting, rebuilding, or
30	modifying commercial trucks, truck tractors, or heavy trucks,
31	as defined in s. 320.01, into dump trucks must have evidence

1	of insurance coverage under a commercial liability insurance
2	policy with limits of at least \$1 million per accident and \$1
3	million annual aggregate. Evidence of such insurance policy
4	must be available at all reasonable hours for inspection by
5	any law enforcement officer.
6	(3) Any person engaged in retrofitting, rebuilding, or
7	modifying commercial trucks, truck tractors, or heavy trucks,
8	as defined in s. 320.01, into dump trucks must ensure that the
9	retrofitted, rebuilt, or modified dump truck complies with all
10	federal safety standards provided in 49 C.F.R. s. 393.
11	(4) Any person who violates this section commits a
12	misdemeanor of the second degree, punishable as provided in s.
13	775.082 or s. 775.083. Any person who violates this section a
14	second time commits a misdemeanor of the first degree,
15	punishable as provided in s. 775.082 or s. 775.083. Any person
16	who violates this section a third or subsequent time commits a
17	felony of the third degree, punishable as provided in s.
18	775.082, s. 775.083, or s. 775.084.
19	Section 2. This act shall take effect October 1, 2005.
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22	SENATE SUMMARY
23	Requires persons engaged in retrofitting, rebuilding, or modifying commercial trucks, truck-tractors, or heavy
24	trucks into dump trucks to have evidence of a commercial liability insurance policy with minimum limits of \$1
25	million per accident and \$1 million aggregate.
26	Establishes safety standards for such trucks. Provides penalties.
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