

By Senator Geller

31-241-07

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A bill to be entitled

An act relating to commercial motor vehicles;
creating s. 316.570, F.S.; providing
definitions; requiring a minimum amount of
insurance coverage for persons engaged in
retrofitting, rebuilding, or modifying
commercial trucks, truck tractors, or heavy
trucks into dump trucks; providing safety
standards; providing penalties; providing an
effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Section 316.570, Florida Statutes, is
created to read:

316.570 Rebuilt, modified, or retrofitted dump
trucks.--

(1) As used in this section, the term:

(a) "Dump truck" means any motor vehicle having a net
weight of more than 5,000 pounds which is registered on the
basis of gross vehicle weight in accordance with s. 320.08(4)
and which is properly equipped with a container used for
transporting and dumping various materials, resources, or
items.

(b) "Person" means any form of corporation, limited
liability company, partnership, association, cooperative,
joint venture, business trust, sole proprietorship, or
self-employed person conducting business in this state.

(2) Any person engaged in retrofitting, rebuilding, or
modifying commercial trucks, truck tractors, or heavy trucks,
as defined in s. 320.01, into dump trucks must:

1 (a) Have evidence of insurance coverage under a
2 commercial liability insurance policy with limits of at least
3 \$1 million per accident and \$1 million annual aggregate.

4 Evidence of such insurance policy must be available at all
5 reasonable hours for inspection by any law enforcement
6 officer; and

7 (b) Ensure that each retrofitted, rebuilt, or modified
8 dump truck complies with all federal safety standards provided
9 in 49 C.F.R. s. 393.

10 (3) Any person who violates paragraph (2)(a) or
11 paragraph (2)(b) commits a misdemeanor of the second degree,
12 punishable as provided in s. 775.082 or s. 775.083. Any person
13 who violates paragraph (2)(a) or paragraph (2)(b) a second
14 time commits a misdemeanor of the first degree, punishable as
15 provided in s. 775.082 or s. 775.083. Any person who violates
16 paragraph (2)(a) or paragraph (2)(b) a third or subsequent
17 time commits a felony of the third degree, punishable as
18 provided in s. 775.082, s. 775.083, or s. 775.084.

19 Section 2. This act shall take effect October 1, 2007.

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22 SENATE SUMMARY

23 Requires persons engaged in retrofitting, rebuilding, or
24 modifying commercial trucks, truck tractors, or heavy
25 trucks into dump trucks to have evidence of a commercial
26 liability insurance policy having minimum limits of \$1
27 million per accident and \$1 million annual aggregate.
28 Establishes safety standards for such trucks. Provides
29 penalties.
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