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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
01/21/2016	.	
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The Committee on Transportation (Simpson) recommended the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

Section 1. Subsection (94) is added to section 316.003,
Florida Statutes, to read:

316.003 Definitions.—The following words and phrases, when
used in this chapter, shall have the meanings respectively
ascribed to them in this section, except where the context
otherwise requires:



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11 (94) COVERED FARM VEHICLE.—A straight truck or articulated
12 vehicle that is:

13 (a) Registered in a state with a license plate or other
14 designation issued by that state that allows law enforcement
15 officers to identify it as a farm vehicle.

16 (b) Operated by the owner or operator of a farm or ranch or
17 by an employee or family member of an owner or operator of a
18 farm or ranch in accordance with s. 316.302(3).

19 (c) Used to transport agricultural commodities, livestock,
20 machinery, or supplies to or from a farm or ranch.

21 (d) Not used in for-hire motor carrier operations; however,
22 for-hire motor carrier operations do not include the operation
23 of a vehicle meeting the requirements of paragraphs (a)-(c) by a
24 tenant pursuant to a crop share farm lease agreement to
25 transport the landlord's portion of the crops under that
26 agreement.

27 Section 2. Current subsections (3) through (12) of section
28 316.302, Florida Statutes, are re-numbered as subsections (4)
29 through (13), respectively, and a new subsection (3) of that
30 section is created to read:

31 316.302 Commercial motor vehicles; safety regulations;
32 transporters and shippers of hazardous materials; enforcement.—

33 (3) Notwithstanding subsections (1) and (2), covered farm
34 vehicles, as defined in s. 316.003, and the operators of such
35 vehicles, are exempt from the requirements relating to
36 controlled substances and alcohol use and testing in 49 C.F.R.
37 part 382; commercial driver licenses in 49 C.F.R. part 383;
38 physical qualifications and examinations in 49 C.F.R. part 391,
39 subpart E; hours of service of drivers in 49 C.F.R. part 395;



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40 and inspection, repair, and maintenance in 49 C.F.R. part 396
41 when operating:

42 (a) Anywhere in the United States if the covered farm
43 vehicle has a gross vehicle weight or gross vehicle weight
44 rating, whichever is greater, of 26,001 pounds or less.

45 (b) Anywhere in the state of registration, or across state
46 lines within 150 air miles of the farm or ranch with respect to
47 which the vehicle is being operated, if the covered farm vehicle
48 has a gross vehicle weight or gross vehicle weight rating,
49 whichever is greater, of more than 26,001 pounds.

50
51 The provisions in this subsection do not apply to a vehicle
52 transporting hazardous materials in amounts that require
53 placarding pursuant to 49 C.F.R. part 172.

54 Section 3. Paragraph (c) of subsection (2) of section
55 322.53, Florida Statutes, is amended to read:

56 322.53 License required; exemptions.—

57 (2) The following persons are exempt from the requirement
58 to obtain a commercial driver license:

59 (c) 1. Farmers transporting agricultural products, farm
60 supplies, or farm machinery to or from their farms and within
61 150 miles of their farms, if the vehicle operated under this
62 exemption is not used in the operations of a common or contract
63 motor carrier.

64 2. The driver of a covered farm vehicles, as defined in s.
65 316.003, when operated in accordance with s. 316.302(3).

66 Section 4. This act shall take effect July 1, 2016.

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69 ===== T I T L E A M E N D M E N T =====

70 And the title is amended as follows:

71 Delete everything before the enacting clause

72 and insert:

73 A bill to be entitled

74 An act relating to farm vehicles; amending s. 316.003,
75 F.S.; defining the term "covered farm vehicle" for
76 purposes of the Florida Uniform Traffic Control Law;
77 amending s. 316.302, F.S.; providing exemptions for
78 covered farm vehicles and the operators of such
79 vehicles from specified federal regulations relating
80 to controlled substances and alcohol use and testing,
81 commercial driver licenses, physical qualifications
82 and examinations, hours of service of drivers, and
83 inspection, repair, and maintenance when operating
84 under certain conditions, notwithstanding specified
85 statutory provisions; providing applicability;
86 exempting the driver of a covered farm vehicle from
87 commercial driver license requirements; providing an
88 effective date.