

By Senator Hutson

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1                   A bill to be entitled  
2       An act relating to farm vehicles; amending s. 316.003,  
3       F.S.; defining the term "covered farm vehicle" for  
4       purposes of the Florida Uniform Traffic Control Law;  
5       amending s. 316.302, F.S.; revising requirements for a  
6       person who operates a commercial motor vehicle solely  
7       in intrastate commerce while transporting agricultural  
8       products; providing exemptions for covered farm  
9       vehicles from specified federal regulations relating  
10      to controlled substances and alcohol use and testing,  
11      commercial driver licenses, physical qualifications  
12      and examinations, hours of service of drivers, and  
13      inspection, repair, and maintenance; providing for  
14      application of such exemptions to out-of-state farm  
15      vehicles under certain circumstances; providing  
16      applicability; amending s. 322.53, F.S.; exempting the  
17      driver of a covered farm vehicle from commercial  
18      driver license requirements; providing an effective  
19      date.

20  
21 Be It Enacted by the Legislature of the State of Florida:

22  
23       Section 1. Subsection (94) is added to section 316.003,  
24       Florida Statutes, to read:

25       316.003 Definitions.—The following words and phrases, when  
26       used in this chapter, shall have the meanings respectively  
27       ascribed to them in this section, except where the context  
28       otherwise requires:

29       (94) COVERED FARM VEHICLE.—A straight truck or articulated

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30 vehicle that is:

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

34 (b) Operated by the owner or operator of a farm or ranch or  
 35 by an employee or family member of an owner or operator of a  
 36 farm or ranch.

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

39 (d) Not used in for-hire motor carrier operations; however,  
 40 for-hire motor carrier operations do not include the operation  
 41 of a vehicle meeting the requirements of paragraphs (a)-(c) by a  
 42 tenant pursuant to a crop share farm lease agreement to  
 43 transport the landlord's portion of the crops under that  
 44 agreement.

45 Section 2. Paragraph (e) of subsection (2) of section  
 46 316.302, Florida Statutes, is amended, and paragraph (1) is  
 47 added to that subsection, to read:

48 316.302 Commercial motor vehicles; safety regulations;  
 49 transporters and shippers of hazardous materials; enforcement.-

50 (2)

51 (e) A person who operates a commercial motor vehicle solely  
 52 in intrastate commerce is exempt from subsection (1) while  
 53 transporting agricultural products, including horticultural or  
 54 forestry products, from farm or harvest place to the first place  
 55 of processing or storage, or from farm or harvest place directly  
 56 to market. However, such person must comply with 49 C.F.R. parts  
 57 ~~382, 392, and 393, and with 49 C.F.R. ss. 396.3(a)(1) and 396.9.~~  
 58 A vehicle or combination of vehicles operated pursuant to this

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59 paragraph having a gross vehicle weight of 26,001 pounds or more  
60 or having three or more axles on the power unit, regardless of  
61 weight, must display the name of the vehicle owner or motor  
62 carrier and the municipality or town where the vehicle is based  
63 on each side of the power unit in letters that contrast with the  
64 background and that are readable from a distance of 50 feet. A  
65 person who violates this vehicle identification requirement may  
66 be assessed a penalty as provided in s. 316.3025(3)(a).

67 (1)1. A covered farm vehicle, as defined in s. 316.003, and  
68 the operator of such vehicle are exempt from requirements  
69 relating to controlled substances and alcohol use and testing in  
70 49 C.F.R. part 382; commercial driver licenses in 49 C.F.R. part  
71 383; physical qualifications and examinations in 49 C.F.R. part  
72 391, subpart E; hours of service of drivers in 49 C.F.R. part  
73 395; and inspection, repair, and maintenance in 49 C.F.R. part  
74 396.

75 2. The exemptions under subparagraph 1. apply to a covered  
76 farm vehicle registered with a license plate or other  
77 designation issued by another state and to the operator of such  
78 vehicle if:

79 a. The vehicle has a gross vehicle weight of 26,001 pounds  
80 or less; or

81 b. If the vehicle has a gross vehicle weight of more than  
82 26,001 pounds, the vehicle is being operated within 150 air  
83 miles of the farm or ranch with respect to which the vehicle is  
84 being operated.

85 3. The exemptions in this paragraph do not apply to a  
86 vehicle transporting hazardous materials in an amount that  
87 requires a placard.

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88 Section 3. Paragraph (c) of subsection (2) of section  
89 322.53, Florida Statutes, is amended to read:

90 322.53 License required; exemptions.—

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

93 (c)1. Farmers transporting agricultural products, farm  
94 supplies, or farm machinery to or from their farms and within  
95 150 miles of their farms, if the vehicle operated under this  
96 exemption is not used in the operations of a common or contract  
97 motor carrier.

98 2. The driver of a covered farm vehicle as defined in s.  
99 316.003.

100 Section 4. This act shall take effect upon becoming a law.