

Amendment No.

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	_____	(Y/N)
ADOPTED AS AMENDED	_____	(Y/N)
ADOPTED W/O OBJECTION	_____	(Y/N)
FAILED TO ADOPT	_____	(Y/N)
WITHDRAWN	_____	(Y/N)
OTHER		

1 Committee/Subcommittee hearing bill: Government Accountability
 2 Committee

3 Representative Payne offered the following:

4

5 **Amendment (with title amendment)**

6 Remove everything after the enacting clause and insert:

7 Section 1. Subsections (21) through (52) of section
 8 316.003, Florida Statutes, are renumbered as subsections (20)
 9 through (51), respectively, present subsection (20) is amended,
 10 and a new subsection (52) is added to that section, to read:

11 316.003 Definitions.—The following words and phrases, when
 12 used in this chapter, shall have the meanings respectively
 13 ascribed to them in this section, except where the context
 14 otherwise requires:

15 ~~(20) DRIVER-ASSISTIVE TRUCK PLATOONING TECHNOLOGY.—Vehicle~~
 16 ~~automation and safety technology that integrates sensor array,~~

Amendment No.

17 ~~wireless vehicle-to-vehicle communications, active safety~~
18 ~~systems, and specialized software to link safety systems and~~
19 ~~synchronize acceleration and braking between two vehicles while~~
20 ~~leaving each vehicle's steering control and systems command in~~
21 ~~the control of the vehicle's driver in compliance with the~~
22 ~~National Highway Traffic Safety Administration rules regarding~~
23 ~~vehicle-to-vehicle communications.~~

24 (52) PLATOON.—A group of individual motor vehicles
25 traveling in a unified manner at electronically coordinated
26 speeds at following distances that are closer than provided in
27 s. 316.0895(2).

28 Section 2. Section 316.0896, Florida Statutes, is
29 repealed.

30 Section 3. Section 316.0897, Florida Statutes, is created
31 to read:

32 316.0897 Platoons.—

33 (1) Section 316.0895 does not apply to the operator of a
34 nonlead vehicle in a platoon, as defined in s. 316.003.

35 (2) A platoon may be operated on a roadway in this state
36 after an operator provides notification to the Department of
37 Transportation and the Department of Highway Safety and Motor
38 Vehicles.

39 Section 4. Subsection (1) and paragraphs (a), (c), (d),
40 and (f) of subsection (2) of section 316.302, Florida Statutes,
41 are amended to read:

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Amendment No.

42 316.302 Commercial motor vehicles; safety regulations;
43 transporters and shippers of hazardous materials; enforcement.-

44 (1) Except as otherwise provided in subsection (3):

45 (a) All owners and drivers of commercial motor vehicles
46 that are operated on the public highways of this state while
47 engaged in interstate commerce are subject to the rules and
48 regulations contained in 49 C.F.R. parts 382, 385, and 390-397.

49 (b) Except as otherwise provided in this section, all
50 owners or drivers of commercial motor vehicles that are engaged
51 in intrastate commerce are subject to the rules and regulations
52 contained in 49 C.F.R. parts 382, 383, 385, and 390-397,~~with~~
53 ~~the exception of 49 C.F.R. s. 390.5 as it relates to the~~
54 ~~definition of bus,~~ as such rules and regulations existed on
55 December 31, 2017 ~~2012~~.

56 (c) The emergency exceptions provided by 49 C.F.R. s.
57 392.82 also apply to communications by utility drivers and
58 utility contractor drivers during a Level 1 activation of the
59 State Emergency Operations Center, as provided in the Florida
60 Comprehensive Emergency Management plan, or during a state of
61 emergency declared by executive order or proclamation of the
62 Governor.

63 (d) Except as provided in ~~s. 316.215(5), and except as~~
64 ~~provided in~~ s. 316.228 for rear overhang lighting and flagging
65 requirements for intrastate operations, the requirements of this

Amendment No.

66 section supersede all other safety requirements of this chapter
67 for commercial motor vehicles.

68 (e) For motor carriers engaged in intrastate commerce who
69 are not carrying hazardous materials in amounts that require
70 placards, the requirement for electronic logging devices and
71 hours of service support documents shall take effect December
72 31, 2018.

73 (2) (a) A person who operates a commercial motor vehicle
74 solely in intrastate commerce not transporting any hazardous
75 material in amounts that require placarding pursuant to 49
76 C.F.R. part 172 need not comply with 49 C.F.R. ss. 391.11(b) (1)
77 and 395.3 ~~395.3(a) and (b)~~.

78 (c) Except as provided in 49 C.F.R. s. 395.1, a person who
79 operates a commercial motor vehicle solely in intrastate
80 commerce not transporting any hazardous material in amounts that
81 require placarding pursuant to 49 C.F.R. part 172 may not drive
82 after having been on duty more than 70 hours in any period of 7
83 consecutive days or more than 80 hours in any period of 8
84 consecutive days if the motor carrier operates every day of the
85 week. Thirty-four consecutive hours off duty shall constitute
86 the end of any such period of 7 or 8 consecutive days. This
87 weekly limit does not apply to a person who operates a
88 commercial motor vehicle solely within this state while
89 transporting, during harvest periods, any unprocessed
90 agricultural products or unprocessed food or fiber that is

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Published On: 2/7/2018 6:17:40 PM

Amendment No.

91 subject to seasonal harvesting from place of harvest to the
92 first place of processing or storage or from place of harvest
93 directly to market or while transporting livestock, livestock
94 feed, or farm supplies directly related to growing or harvesting
95 agricultural products. Upon request of the Department of Highway
96 Safety and Motor Vehicles, motor carriers shall furnish time
97 records or other written verification to that department so that
98 the Department of Highway Safety and Motor Vehicles can
99 determine compliance with this subsection. These time records
100 must be furnished to the Department of Highway Safety and Motor
101 Vehicles within 2 days after receipt of that department's
102 request. Falsification of such information is subject to a civil
103 penalty ~~not to exceed \$100. The provisions of This paragraph~~
104 does ~~de~~ not apply to operators of farm labor vehicles operated
105 during a state of emergency declared by the Governor or operated
106 pursuant to s. 570.07(21)~~7~~ and does ~~de~~ not apply to drivers of
107 utility service vehicles as defined in 49 C.F.R. s. 395.2.

108 (d) A person who operates a commercial motor vehicle
109 solely in intrastate commerce not transporting any hazardous
110 material in amounts that require placarding pursuant to 49
111 C.F.R. part 172 within a 150 air-mile radius of the location
112 where the vehicle is based need not comply with 49 C.F.R. s.
113 395.8~~7~~ if the requirements of 49 C.F.R. s. 395.1(e)(1)(ii),
114 (iii)(A) and (C), 395.1(e)(1)(iii) and (v) are met. ~~If a driver~~
115 ~~is not released from duty within 12 hours after the driver~~

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Published On: 2/7/2018 6:17:40 PM

Amendment No.

116 ~~arrives for duty, the motor carrier must maintain documentation~~
117 ~~of the driver's driving times throughout the duty period.~~

118 (f) A person who operates a commercial motor vehicle
119 having a ~~declared~~ gross vehicle weight, gross vehicle weight
120 rating, and gross combined weight rating of less than 26,001
121 pounds solely in intrastate commerce and who is not transporting
122 hazardous materials in amounts that require placarding pursuant
123 to 49 C.F.R. part 172, ~~or who is transporting petroleum products~~
124 ~~as defined in s. 376.301~~, is exempt from subsection (1).
125 However, such person must comply with 49 C.F.R. parts 382, 392,
126 and 393, and with 49 C.F.R. ss. 396.3(a)(1) and 396.9.

127 Section 5. Subsection (3) of section 316.303, Florida
128 Statutes, is amended to read:

129 316.303 Television receivers.—

130 (3) This section does not prohibit the use of an
131 electronic display used in conjunction with a vehicle navigation
132 system; an electronic display used by an operator of a vehicle
133 equipped with autonomous technology, as defined in s. 316.003;
134 or an electronic display used by an operator of a platoon
135 ~~vehicle equipped and operating with driver-assistive truck~~
136 ~~platooning technology~~, as defined in s. 316.003.

137 Section 6. Subsection (24) of section 320.01, Florida
138 Statutes, is amended to read:

139 320.01 Definitions, general.—As used in the Florida
140 Statutes, except as otherwise provided, the term:

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Published On: 2/7/2018 6:17:40 PM

Amendment No.

141 (24) "Apportionable vehicle" means any vehicle, except
142 recreational vehicles, vehicles displaying restricted plates,
143 city pickup and delivery vehicles, ~~buses used in transportation~~
144 ~~of chartered parties~~, and government-owned vehicles, which is
145 used or intended for use in two or more member jurisdictions
146 that allocate or proportionally register vehicles and which is
147 used for the transportation of persons for hire or is designed,
148 used, or maintained primarily for the transportation of property
149 and:

150 (a) Is a power unit having a gross vehicle weight in
151 excess of 26,000 pounds;

152 (b) Is a power unit having three or more axles, regardless
153 of weight; or

154 (c) Is used in combination, when the weight of such
155 combination exceeds 26,000 pounds gross vehicle weight.

156
157 Vehicles, or combinations thereof, having a gross vehicle weight
158 of 26,000 pounds or less and two-axle vehicles may be
159 proportionally registered.

160 Section 7. Paragraph (b) of subsection (1) of section
161 320.06, Florida Statutes, are amended to read:

162 320.06 Registration certificates, license plates, and
163 validation stickers generally.-

164 (1)

Amendment No.

165 (b)1. Registration license plates bearing a graphic symbol
166 and the alphanumeric system of identification shall be issued
167 for a 10-year period. At the end of the 10-year period, upon
168 renewal, the plate shall be replaced. The department shall
169 extend the scheduled license plate replacement date from a 6-
170 year period to a 10-year period. The fee for such replacement is
171 \$28, \$2.80 of which shall be paid each year before the plate is
172 replaced, to be credited toward the next \$28 replacement fee.
173 The fees shall be deposited into the Highway Safety Operating
174 Trust Fund. A credit or refund may not be given for any prior
175 years' payments of the prorated replacement fee if the plate is
176 replaced or surrendered before the end of the 10-year period,
177 except that a credit may be given if a registrant is required by
178 the department to replace a license plate under s.
179 320.08056(8)(a). With each license plate, a validation sticker
180 shall be issued showing the owner's birth month, license plate
181 number, and the year of expiration or the appropriate renewal
182 period if the owner is not a natural person. The validation
183 sticker shall be placed on the upper right corner of the license
184 plate. The license plate and validation sticker shall be issued
185 based on the applicant's appropriate renewal period. The
186 registration period is 12 months, the extended registration
187 period is 24 months, and all expirations occur based on the
188 applicant's appropriate registration period.

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Published On: 2/7/2018 6:17:40 PM

Amendment No.

189 2. Before October 1, 2019, a vehicle that has an
190 apportioned registration shall be issued an annual license plate
191 and a cab card denoting ~~that denote~~ the declared gross vehicle
192 weight ~~for each apportioned jurisdiction in which the vehicle is~~
193 ~~authorized to operate.~~

194 3. Beginning October 1, 2019, a vehicle registered in
195 accordance with the International Registration Plan shall be
196 issued a license plate for a 5-year period, an annual cab card
197 denoting the declared gross vehicle weight, and an annual
198 validation sticker showing the month and year of expiration. The
199 validation sticker shall be placed in the center of the license
200 plate. The license plate and validation sticker shall be issued
201 based on the applicant's appropriate renewal period. The fee for
202 the initial validation sticker and any renewed validation
203 sticker is \$28. This fee shall be deposited into the Highway
204 Safety Operating Trust Fund. A damaged or worn license plate may
205 be replaced at no charge by applying to the department and
206 surrendering the current license plate.

207 4.2. In order to retain the efficient administration of
208 the taxes and fees imposed by this chapter, the 80-cent fee
209 increase in the replacement fee imposed by chapter 2009-71, Laws
210 of Florida, is negated as provided in s. 320.0804.

211
212 Section 8. Subsection (5) of section 320.0607, Florida
213 Statutes, is amended to read:

795895 - h1189-strike.docx

Published On: 2/7/2018 6:17:40 PM

Amendment No.

214 320.0607 Replacement license plates, validation decal, or
215 mobile home sticker.—

216 (5) Upon the issuance of an original license plate, the
217 applicant shall pay a fee of \$28 to be deposited in the Highway
218 Safety Operating Trust Fund. Beginning October 1, 2019, this
219 subsection does not apply to a vehicle registered under the
220 International Registration Plan.

221 Section 9. Subsection (10) is added to section 320.131,
222 Florida Statutes, to read:

223 320.131 Temporary tags.—

224 (10) Beginning October 1, 2018, the department may partner
225 with a county tax collector to conduct a Fleet Vehicle Temporary
226 Tag pilot program to provide temporary tags to fleet companies
227 to allow them to operate fleet vehicles awaiting a permanent
228 registration and title.

229 (a) The department shall establish a memorandum of
230 understanding that allows up to three companies to participate
231 in the pilot program and receive multiple temporary tags for
232 company fleet vehicles.

233 (b) To participate in the program, a fleet company must
234 have at least 3,500 fleet vehicles registered in this state
235 which qualify to be registered as fleet vehicles pursuant to s.
236 320.0657.

237 (c) The department may issue up to 50 temporary tags at a
238 time to an eligible fleet company if requested by such company.

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Published On: 2/7/2018 6:17:40 PM

Amendment No.

239 (d) A temporary tag issued under this subsection is for
240 exclusive use on a vehicle purchased for the company's fleet and
241 may not be used on any other vehicle.

242 (e) Each temporary tag may be used on only one vehicle,
243 and each vehicle may use only one temporary tag.

244 (f) Upon issuance of the vehicle's permanent license plate
245 and registration, the temporary tag becomes invalid and must be
246 removed from the vehicle and destroyed.

247 (g) Upon a finding by the department that a temporary tag
248 has been misused by a fleet company under this program, the
249 department may terminate the memorandum of understanding with
250 the company, invalidate all temporary tags issued to the company
251 under the program, and require such company to return any unused
252 temporary tags.

253 (h) This subsection is repealed October 1, 2021, unless
254 saved from repeal through reenactment by the Legislature.

255 Section 10. Paragraph (a) of subsection (2) of section
256 812.014, Florida Statutes, is amended to read:

257 812.014 Theft.—

258 (2)(a)1. If the property stolen is valued at \$100,000 or
259 more or is a semitrailer that was deployed by a law enforcement
260 officer; or

261 2. If the property stolen is cargo valued at \$50,000 or
262 more that has entered the stream of interstate or intrastate

Amendment No.

263 commerce from the shipper's loading platform to the consignee's
264 receiving dock; or
265 3. If the offender commits any grand theft and:
266 a. In the course of committing the offense the offender
267 uses a motor vehicle as an instrumentality, other than merely as
268 a getaway vehicle, to assist in committing the offense and
269 thereby damages the real property of another; ~~or~~
270 b. In the course of committing the offense the offender
271 causes damage to the real or personal property of another in
272 excess of \$1,000; or
273 c. In the course of committing the offense the offender
274 uses any type of device to defeat, block, disable, jam, or
275 interfere with a global positioning system or similar system
276 designed to identify the location of the cargo or the vehicle or
277 trailer carrying the cargo,
278
279 the offender commits grand theft in the first degree, punishable
280 as a felony of the first degree, as provided in s. 775.082, s.
281 775.083, or s. 775.084.

282 Section 11. This act shall take effect October 1, 2018.

284 -----

285 **T I T L E A M E N D M E N T**

286 Remove everything before the enacting clause and insert:

287 A bill to be entitled

Amendment No.

288 An act relating to commercial motor vehicles; amending
289 s. 316.003, F.S.; deleting the term "driver-assistive
290 truck platooning technology"; defining the term
291 "platoon"; repealing s. 316.0896, F.S., relating to
292 the assistive truck platooning technology pilot
293 project; creating s. 316.0897, F.S.; exempting the
294 operator of a nonlead vehicle in a platoon from
295 provisions relating to following too closely;
296 authorizing a platoon to be operated on a roadway in
297 this state after an operator provides notification to
298 the Department of Transportation and the Department of
299 Highway Safety and Motor Vehicles; amending s.
300 316.302, F.S.; revising regulations to which owners
301 and drivers of commercial motor vehicles are subject;
302 delaying the requirement for electronic logging
303 devices and support documents for certain intrastate
304 motor carriers; deleting a limitation on a civil
305 penalty for falsification of certain time records;
306 deleting a requirement that a motor carrier maintain
307 certain documentation of driving times; providing an
308 exemption from specified provisions for a person who
309 operates a commercial motor vehicle with a certain
310 gross vehicle weight, gross vehicle weight rating, and
311 gross combined weight rating; deleting the exemption
312 from such provisions for a person transporting

795895 - h1189-strike.docx

Published On: 2/7/2018 6:17:40 PM

Amendment No.

313 | petroleum products; amending s. 316.303, F.S.;

314 | conforming provisions to changes made by the act;

315 | amending s. 320.01, F.S.; revising the definition of

316 | the term "apportionable vehicle"; amending s. 320.06,

317 | F.S.; providing for future repeal of issuance of a

318 | certain annual license plate and cab card to a vehicle

319 | that has an apportioned registration; revising

320 | information required to appear on the cab card;

321 | providing requirements for license plates, cab cards,

322 | and validation stickers for vehicles registered in

323 | accordance with the International Registration Plan;

324 | authorizing a damaged or worn license plate to be

325 | replaced at no charge under certain circumstances;

326 | amending s. 320.0607, F.S.; providing an exemption

327 | from a certain fee for vehicles registered under the

328 | International Registration Plan; amending s. 320.131,

329 | F.S.; authorizing the department to partner with a

330 | county tax collector to conduct a Fleet Vehicle

331 | Temporary Tag pilot program for certain purposes;

332 | providing program requirements; providing for future

333 | repeal; amending s. 812.014, F.S.; providing a

334 | criminal penalty for an offender committing grand

335 | theft who uses a device to interfere with a global

336 | positioning or similar system; providing an effective

337 | date.

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