

1 A bill to be entitled
2 An act relating to commercial motor vehicles; amending
3 s. 316.003, F.S.; deleting the definition of the term
4 "driver-assistive truck platooning technology";
5 defining the term "platoon"; repealing s. 316.0896,
6 F.S., relating to the assistive truck platooning
7 technology pilot project; creating s. 316.0897, F.S.;
8 exempting the operator of a nonlead vehicle in a
9 platoon from provisions relating to following too
10 closely; authorizing a platoon to be operated on a
11 roadway in this state after an operator provides
12 notification to the Department of Transportation and
13 the Department of Highway Safety and Motor Vehicles;
14 amending s. 316.302, F.S.; revising regulations to
15 which owners and drivers of commercial motor vehicles
16 are subject; delaying the requirement for electronic
17 logging devices and support documents for certain
18 intrastate motor carriers; deleting a limitation on a
19 civil penalty for falsification of certain time
20 records; deleting a requirement that a motor carrier
21 maintain certain documentation of driving times;
22 providing an exemption from specified provisions for a
23 person who operates a commercial motor vehicle with a
24 certain gross vehicle weight, gross vehicle weight
25 rating, and gross combined weight rating; deleting the

26 exemption from such provisions for a person
27 transporting petroleum products; amending s. 316.303,
28 F.S.; conforming provisions to changes made by the
29 act; amending s. 320.01, F.S.; revising the definition
30 of the term "apportionable vehicle"; amending s.
31 320.06, F.S.; providing for future repeal of issuance
32 of a certain annual license plate and cab card to a
33 vehicle that has an apportioned registration; revising
34 information required to appear on the cab card;
35 providing requirements for license plates, cab cards,
36 and validation stickers for vehicles registered in
37 accordance with the International Registration Plan;
38 authorizing a damaged or worn license plate to be
39 replaced at no charge under certain circumstances;
40 amending s. 320.0607, F.S.; providing an exemption
41 from a certain fee for vehicles registered under the
42 International Registration Plan; amending s. 320.131,
43 F.S.; authorizing the Department of Highway Safety and
44 Motor Vehicles to partner with a county tax collector
45 to conduct a Fleet Vehicle Temporary Tag pilot program
46 for certain purposes; providing program requirements;
47 providing for future repeal; amending s. 812.014,
48 F.S.; providing a criminal penalty for an offender
49 committing grand theft who uses a device to interfere
50 with a global positioning or similar system; providing

51 an effective date.

52

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

54

55 Section 1. Subsections (21) through (52) of section
 56 316.003, Florida Statutes, are renumbered as subsections (20)
 57 through (51), respectively, present subsection (20) is amended,
 58 and a new subsection (52) is added to that section, to read:

59 316.003 Definitions.—The following words and phrases, when
 60 used in this chapter, shall have the meanings respectively
 61 ascribed to them in this section, except where the context
 62 otherwise requires:

63 ~~(20) DRIVER ASSISTIVE TRUCK PLATOONING TECHNOLOGY. Vehicle~~
 64 ~~automation and safety technology that integrates sensor array,~~
 65 ~~wireless vehicle to vehicle communications, active safety~~
 66 ~~systems, and specialized software to link safety systems and~~
 67 ~~synchronize acceleration and braking between two vehicles while~~
 68 ~~leaving each vehicle's steering control and systems command in~~
 69 ~~the control of the vehicle's driver in compliance with the~~
 70 ~~National Highway Traffic Safety Administration rules regarding~~
 71 ~~vehicle to vehicle communications.~~

72 (52) PLATOON.—A group of individual motor vehicles
 73 traveling in a unified manner at electronically coordinated
 74 speeds at following distances that are closer than provided in
 75 s. 316.0895(2).

76 Section 2. Section 316.0896, Florida Statutes, is
 77 repealed.

78 Section 3. Section 316.0897, Florida Statutes, is created
 79 to read:

80 316.0897 Platoons.—

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

83 (2) A platoon may be operated on a roadway in this state
 84 after an operator provides notification to the Department of
 85 Transportation and the Department of Highway Safety and Motor
 86 Vehicles.

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

90 316.302 Commercial motor vehicles; safety regulations;
 91 transporters and shippers of hazardous materials; enforcement.—

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

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

97 (b) Except as otherwise provided in this section, all
 98 owners or drivers of commercial motor vehicles that are engaged
 99 in intrastate commerce are subject to the rules and regulations
 100 contained in 49 C.F.R. parts 382, 383, 385, and 390-397, ~~with~~

101 ~~the exception of 49 C.F.R. s. 390.5 as it relates to the~~
102 ~~definition of bus,~~ as such rules and regulations existed on
103 December 31, 2017 ~~2012~~.

104 (c) The emergency exceptions provided by 49 C.F.R. s.
105 392.82 also apply to communications by utility drivers and
106 utility contractor drivers during a Level 1 activation of the
107 State Emergency Operations Center, as provided in the Florida
108 Comprehensive Emergency Management plan, or during a state of
109 emergency declared by executive order or proclamation of the
110 Governor.

111 (d) Except as provided in ~~s. 316.215(5), and except as~~
112 ~~provided in~~ s. 316.228 for rear overhang lighting and flagging
113 requirements for intrastate operations, the requirements of this
114 section supersede all other safety requirements of this chapter
115 for commercial motor vehicles.

116 (e) For motor carriers engaged in intrastate commerce who
117 are not carrying hazardous materials in amounts that require
118 placards, the requirement for electronic logging devices and
119 hours of service support documents shall take effect December
120 31, 2018.

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

126 (c) Except as provided in 49 C.F.R. s. 395.1, a person who
127 operates a commercial motor vehicle solely in intrastate
128 commerce not transporting any hazardous material in amounts that
129 require placarding pursuant to 49 C.F.R. part 172 may not drive
130 after having been on duty more than 70 hours in any period of 7
131 consecutive days or more than 80 hours in any period of 8
132 consecutive days if the motor carrier operates every day of the
133 week. Thirty-four consecutive hours off duty shall constitute
134 the end of any such period of 7 or 8 consecutive days. This
135 weekly limit does not apply to a person who operates a
136 commercial motor vehicle solely within this state while
137 transporting, during harvest periods, any unprocessed
138 agricultural products or unprocessed food or fiber that is
139 subject to seasonal harvesting from place of harvest to the
140 first place of processing or storage or from place of harvest
141 directly to market or while transporting livestock, livestock
142 feed, or farm supplies directly related to growing or harvesting
143 agricultural products. Upon request of the Department of Highway
144 Safety and Motor Vehicles, motor carriers shall furnish time
145 records or other written verification to that department so that
146 the Department of Highway Safety and Motor Vehicles can
147 determine compliance with this subsection. These time records
148 must be furnished to the Department of Highway Safety and Motor
149 Vehicles within 2 days after receipt of that department's
150 request. Falsification of such information is subject to a civil

151 penalty ~~not to exceed \$100. The provisions of~~ This paragraph
152 does ~~de~~ not apply to operators of farm labor vehicles operated
153 during a state of emergency declared by the Governor or operated
154 pursuant to s. 570.07(21)~~7~~ and does ~~de~~ not apply to drivers of
155 utility service vehicles as defined in 49 C.F.R. s. 395.2.

156 (d) A person who operates a commercial motor vehicle
157 solely in intrastate commerce not transporting any hazardous
158 material in amounts that require placarding pursuant to 49
159 C.F.R. part 172 within a 150 air-mile radius of the location
160 where the vehicle is based need not comply with 49 C.F.R. s.
161 395.8~~7~~ if the requirements of 49 C.F.R. s. 395.1(e)(1)(ii),
162 (iii)(A) and (C), ~~395.1(e)(1)(iii)~~ and (v) are met. ~~If a driver~~
163 ~~is not released from duty within 12 hours after the driver~~
164 ~~arrives for duty, the motor carrier must maintain documentation~~
165 ~~of the driver's driving times throughout the duty period.~~

166 (f) A person who operates a commercial motor vehicle
167 having a ~~declared~~ gross vehicle weight, gross vehicle weight
168 rating, and gross combined weight rating of less than 26,001
169 pounds solely in intrastate commerce and who is not transporting
170 hazardous materials in amounts that require placarding pursuant
171 to 49 C.F.R. part 172~~7~~, ~~or who is transporting petroleum products~~
172 ~~as defined in s. 376.301~~, is exempt from subsection (1).
173 However, such person must comply with 49 C.F.R. parts 382, 392,
174 and 393~~7~~ and with 49 C.F.R. ss. 396.3(a)(1) and 396.9.

175 Section 5. Subsection (3) of section 316.303, Florida

176 Statutes, is amended to read:

177 316.303 Television receivers.—

178 (3) This section does not prohibit the use of an
 179 electronic display used in conjunction with a vehicle navigation
 180 system; an electronic display used by an operator of a vehicle
 181 equipped with autonomous technology, as defined in s. 316.003;
 182 or an electronic display used by an operator of a platoon
 183 ~~vehicle equipped and operating with driver-assistive truck~~
 184 ~~platooning technology~~, as defined in s. 316.003.

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

187 320.01 Definitions, general.—As used in the Florida
 188 Statutes, except as otherwise provided, the term:

189 (24) "Apportionable vehicle" means any vehicle, except
 190 recreational vehicles, vehicles displaying restricted plates,
 191 city pickup and delivery vehicles, ~~buses used in transportation~~
 192 ~~of chartered parties~~, and government-owned vehicles, which is
 193 used or intended for use in two or more member jurisdictions
 194 that allocate or proportionally register vehicles and which is
 195 used for the transportation of persons for hire or is designed,
 196 used, or maintained primarily for the transportation of property
 197 and:

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

200 (b) Is a power unit having three or more axles, regardless

201 of weight; or

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

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205 Vehicles, or combinations thereof, having a gross vehicle weight
 206 of 26,000 pounds or less and two-axle vehicles may be
 207 proportionally registered.

208 Section 7. Paragraph (b) of subsection (1) of section
 209 320.06, Florida Statutes, is amended to read:

210 320.06 Registration certificates, license plates, and
 211 validation stickers generally.—

212 (1)

213 (b)1. Registration license plates bearing a graphic symbol
 214 and the alphanumeric system of identification shall be issued
 215 for a 10-year period. At the end of the 10-year period, upon
 216 renewal, the plate shall be replaced. The department shall
 217 extend the scheduled license plate replacement date from a 6-
 218 year period to a 10-year period. The fee for such replacement is
 219 \$28, \$2.80 of which shall be paid each year before the plate is
 220 replaced, to be credited toward the next \$28 replacement fee.
 221 The fees shall be deposited into the Highway Safety Operating
 222 Trust Fund. A credit or refund may not be given for any prior
 223 years' payments of the prorated replacement fee if the plate is
 224 replaced or surrendered before the end of the 10-year period,
 225 except that a credit may be given if a registrant is required by

226 the department to replace a license plate under s.
227 320.08056(8)(a). With each license plate, a validation sticker
228 shall be issued showing the owner's birth month, license plate
229 number, and the year of expiration or the appropriate renewal
230 period if the owner is not a natural person. The validation
231 sticker shall be placed on the upper right corner of the license
232 plate. The license plate and validation sticker shall be issued
233 based on the applicant's appropriate renewal period. The
234 registration period is 12 months, the extended registration
235 period is 24 months, and all expirations occur based on the
236 applicant's appropriate registration period.

237 2. Before October 1, 2019, a vehicle that has an
238 apportioned registration shall be issued an annual license plate
239 and a cab card denoting ~~that denote~~ the declared gross vehicle
240 weight ~~for each apportioned jurisdiction in which the vehicle is~~
241 ~~authorized to operate.~~

242 3. Beginning October 1, 2019, a vehicle registered in
243 accordance with the International Registration Plan shall be
244 issued a license plate for a 5-year period, an annual cab card
245 denoting the declared gross vehicle weight, and an annual
246 validation sticker showing the month and year of expiration. The
247 validation sticker shall be placed in the center of the license
248 plate. The license plate and validation sticker shall be issued
249 based on the applicant's appropriate renewal period. The fee for
250 the initial validation sticker and any renewed validation

251 sticker is \$28. This fee shall be deposited into the Highway
252 Safety Operating Trust Fund. A damaged or worn license plate may
253 be replaced at no charge by applying to the department and
254 surrendering the current license plate.

255 ~~4.2.~~ In order to retain the efficient administration of
256 the taxes and fees imposed by this chapter, the 80-cent fee
257 increase in the replacement fee imposed by chapter 2009-71, Laws
258 of Florida, is negated as provided in s. 320.0804.

259 Section 8. Subsection (5) of section 320.0607, Florida
260 Statutes, is amended to read:

261 320.0607 Replacement license plates, validation decal, or
262 mobile home sticker.—

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

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

270 320.131 Temporary tags.—

271 (10) The department may partner with a county tax
272 collector to conduct a Fleet Vehicle Temporary Tag pilot program
273 to provide temporary tags to fleet companies to allow them to
274 operate fleet vehicles awaiting a permanent registration and
275 title.

276 (a) The department shall establish a memorandum of
277 understanding that allows up to three companies to participate
278 in the pilot program and receive multiple temporary tags for
279 company fleet vehicles.

280 (b) To participate in the program, a fleet company must
281 have at least 3,500 fleet vehicles registered in this state
282 which qualify to be registered as fleet vehicles pursuant to s.
283 320.0657.

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

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

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

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

294 (g) Upon a finding by the department that a temporary tag
295 has been misused by a fleet company under this program, the
296 department may terminate the memorandum of understanding with
297 the company, invalidate all temporary tags issued to the company
298 under the program, and require such company to return any unused
299 temporary tags.

300 (h) This subsection is repealed October 1, 2021, unless

301 saved from repeal through reenactment by the Legislature.

302 Section 10. Paragraph (a) of subsection (2) of section
303 812.014, Florida Statutes, is amended to read:

304 812.014 Theft.—

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

308 2. If the property stolen is cargo valued at \$50,000 or
309 more that has entered the stream of interstate or intrastate
310 commerce from the shipper's loading platform to the consignee's
311 receiving dock; or

312 3. If the offender commits any grand theft and:

313 a. In the course of committing the offense the offender
314 uses a motor vehicle as an instrumentality, other than merely as
315 a getaway vehicle, to assist in committing the offense and
316 thereby damages the real property of another; ~~or~~

317 b. In the course of committing the offense the offender
318 causes damage to the real or personal property of another in
319 excess of \$1,000; or

320 c. In the course of committing the offense the offender
321 uses any type of device to defeat, block, disable, jam, or
322 interfere with a global positioning system or similar system
323 designed to identify the location of the cargo or the vehicle or
324 trailer carrying the cargo,

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326 | the offender commits grand theft in the first degree, punishable
327 | as a felony of the first degree, as provided in s. 775.082, s.
328 | 775.083, or s. 775.084.

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