### Committee/Subcommittee Action

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Committee/Subcommittee hearing bill: Transportation & Infrastructure Subcommittee
Representative Payne offered the following:

**Amendment (with title amendment)**

Remove everything after the enacting clause and insert:

Section 1. Subsections (55) through (101) of section 316.003, Florida Statutes, are renumbered as subsections (56) through (102), respectively, present subsection (59) is amended, and a new subsection (55) is added to that section, 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:

(55) PLATOON.—A group of two individual truck tractor semi-trailer combinations, transporting property in quantities
that do not require placards, traveling in a unified manner at
electronically coordinated speeds at following distances that
are closer than provided in s. 316.0895(2).

PRIVATE ROAD OR DRIVEWAY.—Except as otherwise
provided in paragraph (82)(b) or, any privately owned way
or place used for vehicular travel by the owner and those having
express or implied permission from the owner, but not by other
persons.

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repealed.

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

316.0897 Platoons.—

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

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

Section 4. Paragraph (k) of subsection (2) of section
316.302, Florida Statutes, is renumbered as paragraph (a) and
present subsection (1) and paragraphs (a), (c), (d), (f), and
(j) of subsection (2) are amended to read:

316.302 Commercial motor vehicles; safety regulations;
transporters and shippers of hazardous materials; enforcement.—
(1) Except as otherwise provided in subsection (3):

(a) All owners and drivers of commercial motor vehicles that are operated on the public highways of this state while engaged in interstate commerce are subject to the rules and regulations contained in 49 C.F.R. parts 382, 383, 385, 386, and 390-397.

(b) Except as otherwise provided in this section, all owners or drivers of commercial motor vehicles that are engaged in intrastate commerce are subject to the rules and regulations contained in 49 C.F.R. parts 382, 383, 385, 386, and 390-397, with the exception of 49 C.F.R. s. 390.5 as it relates to the definition of bus, as such rules and regulations existed on December 31, 2018.

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

(d) Except as provided in s. 316.215(5), and except as provided in s. 316.228 for rear overhang lighting and flagging requirements for intrastate operations, the requirements of this section supersede all other safety requirements of this chapter for commercial motor vehicles.
(e) Except as provided in 49 C.F.R. 395.1 or as otherwise provided in this section, a person who operates a commercial motor vehicle solely in intrastate commerce not transporting hazardous materials in amounts that require placarding pursuant to 49 C.F.R. part 172 need not comply with Electronic Logging Device and Hours of Service Support Documents provided in 49 C.F.R. until December 31, 2019.

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

(c) Except as provided in 49 C.F.R. s. 395.1, a person who operates a commercial motor vehicle solely in intrastate commerce not transporting any hazardous material in amounts that require placarding pursuant to 49 C.F.R. part 172 may not drive after having been on duty more than 70 hours in any period of 7 consecutive days or more than 80 hours in any period of 8 consecutive days if the motor carrier operates every day of the week. Thirty-four consecutive hours off duty shall constitute the end of any such period of 7 or 8 consecutive days. This weekly limit does not apply to a person who operates a commercial motor vehicle solely within this state while transporting, during harvest periods, any unprocessed agricultural products or unprocessed food or fiber that is
subject to seasonal harvesting from place of harvest to the
first place of processing or storage or from place of harvest
directly to market or while transporting livestock, livestock
feed, or farm supplies directly related to growing or harvesting
agricultural products. Upon request of the Department of Highway
Safety and Motor Vehicles, motor carriers shall furnish time
records or other written verification to that department so that
the Department of Highway Safety and Motor Vehicles can
determine compliance with this subsection. These time records
must be furnished to the Department of Highway Safety and Motor
Vehicles within 2 days after receipt of that department's
request. Falsification of such information is subject to a civil
penalty not to exceed $100. The provisions of This paragraph
does de not apply to operators of farm labor vehicles operated
during a state of emergency declared by the Governor or operated
pursuant to s. 570.07(21) r and does de not apply to drivers of
utility service vehicles as defined in 49 C.F.R. s. 395.2.

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

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

(j) A person who is otherwise qualified as a driver under 49 C.F.R. part 391, who operates a commercial motor vehicle in intrastate commerce only, and who does not transport hazardous materials in amounts that require placarding pursuant to 49 C.F.R. part 172, is exempt from the requirements of 49 C.F.R. part 391, subpart E, ss. 391.41(b)(3) and 391.43(e), relating to diabetes.

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

316.303 Television receivers.—

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

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

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

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

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

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

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

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

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

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

(1)

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

2. A vehicle that has an apportioned registration shall be issued an annual license plate and a cab card denoting that denote the declared gross vehicle weight for each apportioned jurisdiction in which the vehicle is authorized to operate. This subparagraph expires upon implementation of a new operating system for apportioned vehicle registrations.

3. Upon implementation of an new operating system for apportioned vehicle registration, a vehicle registered in accordance with the International Registration Plan shall be issued a license plate for a 5-year period, an annual cab card denoting the declared gross vehicle weight for each apportioned jurisdiction, and an annual validation sticker showing the month and year of expiration. The validation sticker shall be placed in the center of the license plate. The license plate and validation sticker shall be issued based on the applicant's appropriate renewal period. The fee for the initial validation sticker and any renewed validation sticker is $28. This fee shall be deposited into the Highway Safety Operating Trust Fund. A damaged or worn license plate may be replaced at no charge by applying to the department and surrendering the current license
4.2 In order to retain the efficient administration of the taxes and fees imposed by this chapter, the 80-cent fee increase in the replacement fee imposed by chapter 2009-71, Laws of Florida, is negated as provided in s. 320.0804.

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

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

(5) Upon the issuance of an original license plate, the applicant shall pay a fee of $28 to be deposited in the Highway Safety Operating Trust Fund. Upon implementation of a new operating system for apportioned vehicle registrations, this subsection does not apply to a vehicle registered under the International Registration Plan.

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

320.131 Temporary tags.—

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

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

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

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

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

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

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

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

(h) The issuance of a tag using this method must be
reported to the department within 2 business days, not including
weekends or state holidays, after the issuance of the tag. The
county tax collector shall keep a record of each temporary tag issued. The record must include the date of issuance, tag number issued, vehicle identification number, and vehicle description.

(i) This subsection is repealed October 1, 2022, unless saved from repeal through reenactment by the Legislature.

Section 10. Subsection (1) of section 655.960, Florida Statutes, is amended to read:

655.960 Definitions; ss. 655.960-655.965.—As used in this section and ss. 655.961-655.965, unless the context otherwise requires:

(1) "Access area" means any paved walkway or sidewalk which is within 50 feet of any automated teller machine. The term does not include any street or highway open to the use of the public, as defined in s. 316.003(82)(a) or (b), including any adjacent sidewalk, as defined in s. 316.003.

Section 11. Paragraph (a) of subsection (2) of section 812.014, Florida Statutes, is amended to read:

812.014 Theft.—

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

2. If the property stolen is cargo valued at $50,000 or more that has entered the stream of interstate or intrastate commerce from the shipper's loading platform to the consignee's receiving dock; or
3. If the offender commits any grand theft and:
   a. In the course of committing the offense the offender uses a motor vehicle as an instrumentality, other than merely as a getaway vehicle, to assist in committing the offense and thereby damages the real property of another; or
   b. In the course of committing the offense the offender causes damage to the real or personal property of another in excess of $1,000; or
   c. In the course of committing the offense the offender uses any type of device to defeat, block, disable, jam, or interfere with a global positioning system or similar system designed to identify the location of the cargo or the vehicle or trailer carrying the cargo,

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

Section 12. Paragraphs (i) and (j) are added to subsection (1) of section 322.61, Florida Statutes, to read:

322.61 Disqualification from operating a commercial motor vehicle.—
(1) A person who, for offenses occurring within a 3-year period, is convicted of two of the following serious traffic violations or any combination thereof, arising in separate
incidents committed in a commercial motor vehicle shall, in
addition to any other applicable penalties, be disqualified from
operating a commercial motor vehicle for a period of 60 days. A
holder of a commercial driver license or commercial learner's
permit who, for offenses occurring within a 3-year period, is
convicted of two of the following serious traffic violations, or
any combination thereof, arising in separate incidents committed
in a noncommercial motor vehicle shall, in addition to any other
applicable penalties, be disqualified from operating a
commercial motor vehicle for a period of 60 days if such
convictions result in the suspension, revocation, or
cancellation of the licenseholder's driving privilege:
(i) Texting while driving a commercial motor vehicle as
prohibited by 49 C.F.R. 392.80.
(j) Using a hand-held mobile telephone while driving a
commercial motor vehicle, as prohibited by 49 C.F.R. 390.82.

Section 13. This act shall take effect October 1, 2019.

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

Remove everything before the enacting clause and insert:
An act relating to commercial motor vehicles; amending
s. 316.003, F.S.; defining the term "platoon";
repealing s. 316.0896, F.S., relating to the assistive
truck platooning technology pilot project; creating s. 316.0897, F.S.; exempting the operator of a nonlead vehicle in a platoon from provisions relating to following too closely; authorizing a platoon to be operated on a roadway in this state after an operator provides notification to the Department of Transportation and the Department of Highway Safety and Motor Vehicles; amending s. 316.302, F.S.; revising regulations to which owners and drivers of commercial motor vehicles are subject; revising requirements for electronic logging devices and support documents for certain intrastate motor carriers; deleting a limitation on a civil penalty for falsification of certain time records; deleting a requirement that a motor carrier maintain certain documentation of driving times; providing an exemption from specified provisions for a person who operates a commercial motor vehicle with a certain gross vehicle weight, gross vehicle weight rating, and gross combined weight rating; deleting the exemption from such provisions for a person transporting petroleum products; removing an exemption from certain requirements; amending s. 316.303, F.S.; exempting an operator of a certain platoon vehicle from the prohibition on the active display of television or
video; amending s. 320.01, F.S.; revising the
definition of the term "apportionable vehicle";
amending s. 320.06, F.S.; providing for future repeal
of issuance of a certain annual license plate and cab
card to a vehicle that has an apportioned
registration; revising information required to appear
on the cab card; providing requirements for license
plates, cab cards, and validation stickers for
vehicles registered in accordance with the
International Registration Plan; authorizing a damaged
or worn license plate to be replaced at no charge
under certain circumstances; amending s. 320.0607,
F.S.; providing an exemption from a certain fee for
vehicles registered under the International
Registration Plan; amending s. 320.131, F.S.;
authorizing the Department of Highway Safety and Motor
Vehicles to partner with a county tax collector to
conduct a Fleet Vehicle Temporary Tag pilot program
for certain purposes; providing program requirements;
providing for future repeal; amending s. 655.960,
F.S.; conforming a cross-reference; amending s.
812.014, F.S.; providing a criminal penalty for an
offender committing grand theft who uses a device to
interfere with a global positioning or similar system;
amending s. 322.61, F.S.; providing that texting and
using a hand-held mobile device while driving are disqualifying offenses from operating a commercial motor vehicle under certain circumstances; providing an effective date.