A bill to be entitled
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; deleting 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. 322.61, F.S.; providing additional offenses for which a person may
be disqualified from operating a commercial motor
vehicle; 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; providing an effective
date.

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

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).

(60) PRIVATE ROAD OR DRIVEWAY.—Except as otherwise
provided in paragraph (82)(b) (81)(b), 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 redesignated as paragraph (j), and subsection (1) and present paragraphs (a), (c), (d), (f), and (j) of subsection (2) of that section 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
(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 395.3 395.3(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 do 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) and does 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 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(c), 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.—
(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. 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 registration.

3. Upon implementation of a 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 plate.

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 registration, 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. Paragraphs (g) and (h) of subsection (1) of section 322.61, Florida Statutes, are amended, and paragraphs (i) and (j) are added to that subsection, 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:

(g) Driving a commercial vehicle without the proper class of commercial driver license or commercial learner's permit or without the proper endorsement; or

(h) Driving a commercial vehicle without a commercial driver license or commercial learner's permit in possession, as
required by s. 322.03;

(i) Texting while driving a commercial motor vehicle, as prohibited by 49 C.F.R. 392.80; or

(j) Using a hand-held mobile telephone while driving a commercial motor vehicle, as prohibited by 49 C.F.R. 392.82.

Section 11. 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(81)(a) or (b), including any adjacent sidewalk, as defined in s. 316.003.

Section 12. 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 13. This act shall take effect October 1, 2019.