By Senator Geller

31-252-06

A bill to be entitled 2 An act relating to commercial motor vehicles; creating s. 316.570, F.S.; providing 3 definitions; requiring a minimum amount of 4 5 insurance coverage for persons engaged in 6 retrofitting, rebuilding, or modifying 7 commercial trucks, truck tractors, or heavy trucks into dump trucks; providing safety 8 standards; providing penalties; providing an 9 10 effective date. 11 12 Be It Enacted by the Legislature of the State of Florida: 13 Section 1. Section 316.570, Florida Statutes, is 14 created to read: 15 16 316.570 Rebuilt, modified, or retrofitted dump 17 trucks.--18 (1) As used in this section, the term: (a) "Dump truck" means any motor vehicle having a net 19 weight of more than 5,000 pounds which is registered on the 20 21 basis of gross vehicle weight in accordance with s. 320.08(4) 22 and is properly equipped with a container used for 23 transporting and dumping various materials, resources, or items. 2.4 (b) "Person" means any form of corporation, limited 25 liability company, partnership, association, cooperative, 26 27 joint venture, business trust, sole proprietorship, or 2.8 self-employed person conducting business in this state. (2) Any person engaged in retrofitting, rebuilding, or 29 modifying commercial trucks, truck tractors, or heavy trucks, 30 as defined in s. 320.01, into dump trucks must have evidence

1	of insurance coverage under a commercial liability insurance
2	policy with limits of at least \$1 million per accident and \$1
3	million annual aggregate. Evidence of such insurance policy
4	must be available at all reasonable hours for inspection by
5	any law enforcement officer.
6	(3) Any person engaged in retrofitting, rebuilding, or
7	modifying commercial trucks, truck tractors, or heavy trucks,
8	as defined in s. 320.01, into dump trucks must ensure that
9	each retrofitted, rebuilt, or modified dump truck complies
10	with all federal safety standards provided in 49 C.F.R. s.
11	<u>393.</u>
12	(4) Any person who violates subsection (2) or
13	subsection (3) commits a misdemeanor of the second degree,
14	punishable as provided in s. 775.082 or s. 775.083. Any person
15	who violates subsection (2) or subsection (3) a second time
16	commits a misdemeanor of the first degree, punishable as
17	provided in s. 775.082 or s. 775.083. Any person who violates
18	subsection (2) or subsection (3) a third or subsequent time
19	commits a felony of the third degree, punishable as provided
20	in s. 775.082, s. 775.083, or s. 775.084.
21	Section 2. This act shall take effect October 1, 2006.
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24	SENATE SUMMARY
25	Requires persons engaged in retrofitting, rebuilding, or
26	modifying commercial trucks, truck tractors, or heavy trucks into dump trucks to have evidence of a commercial
27	liability insurance policy having minimum limits of \$1 million per accident and \$1 million annual aggregate.
28	Establishes safety standards for such trucks. Provides penalties.
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