

**SB 1374** by **Evers**; Farm Vehicles

**The Florida Senate**  
**COMMITTEE MEETING EXPANDED AGENDA**

**AGRICULTURE**  
**Senator Montford, Chair**  
**Senator Dean, Vice Chair**

**MEETING DATE:** Monday, April 13, 2015  
**TIME:** 4:00 —6:00 p.m.  
**PLACE:** 301 Senate Office Building

**MEMBERS:** Senator Montford, Chair; Senator Dean, Vice Chair; Senators Bullard, Galvano, Garcia, Grimsley, and Sobel

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
1	<b>SB 1374</b> Evers	Farm Vehicles; Authorizing the Department of Highway Safety and Motor Vehicles to enter into a reciprocity agreement with the State of Georgia and the State of Alabama relative to the traveling of farm vehicles across state lines, etc.  TR 03/19/2015 Favorable AG 04/13/2015 Favorable FP	Favorable Yeas 5 Nays 0
2	Presentation by Patrick Juneau, Claims Administrator, Deepwater Horizon Oil Spill		Presented

Other Related Meeting Documents

**The Florida Senate**  
**BILL ANALYSIS AND FISCAL IMPACT STATEMENT**

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

---

Prepared By: The Professional Staff of the Committee on Agriculture

---

BILL: SB 1374

INTRODUCER: Senator Evers

SUBJECT: Farm Vehicles

DATE: April .14, 2015

REVISED: \_\_\_\_\_

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Jones</u>	<u>Eichin</u>	<u>TR</u>	<b>Favorable</b>
2.	<u>Akhavein</u>	<u>Becker</u>	<u>AG</u>	<b>Favorable</b>
3.	_____	_____	<u>FP</u>	_____

---

**I. Summary:**

SB 1374 authorizes the Department of Highway Safety and Motor Vehicles (DHSMV) to enter into an agreement of reciprocity with the respective departments of the State of Georgia and Alabama regarding the traveling of farm vehicles across state lines.

**II. Present Situation:**

Federal regulations of farm vehicles allow some flexibility for a state to make choices regarding the application of laws, as well as exemptions to laws, in its jurisdiction. Federal regulations do not allow an exemption to a law made by one state to apply in another state unless there is an agreement of reciprocity between the two states.

**Interstate Reciprocity Agreements for Farm Vehicles<sup>1</sup>**

Numerous states have reciprocity agreements regarding farm vehicles. Reciprocity agreements can include provisions related to the licensing, movement, taxing, registration, regulation, and fees of farm vehicles licensed in this state and operating on the highways of another state, and those licensed in another state and operating in this state. After being authorized by state law, a

---

<sup>1</sup> See The States of New Jersey and Delaware, and the State of New Jersey and the Commonwealth of Pennsylvania, *Reciprocal Agreement Regarding the Exemption From Commercial Driver License Requirements for Farmers*, available at: <http://www.state.nj.us/agriculture/divisions/md/pdf/delcdlfarmers.pdf> and <http://www.state.nj.us/agriculture/divisions/md/pdf/panjcdlreciprocity.pdf> ; the States of Nebraska and Kansas and the States of Kansas and Oklahoma, *Declaration of Interstate Reciprocity Agreement*, available at: <http://www.ksrevenue.org/pdf/KsNebReciprocity.pdf> and <http://www.ksrevenue.org/pdf/KsOkReciprocity.pdf> ; the States of Missouri and Iowa, *Memorandum of Understanding*, available at: <http://www.modot.org/mcs/documents/SignedMissouri.IowaCDLReciprocityAgreement.pdf> ; and the Iowa/Wisconsin Reciprocity Agreement, available at: <http://www.iowadot.gov/farmersafety/publications/Iowa-Wisconsin%20Farm%20Reciprocity.pdf> (last visited Mar. 24, 2015).

state entity may enter into an agreement of reciprocity with another state. These entities can include, but are not limited to:

- Motor Vehicle Commissions;
- Directors or Divisions of Vehicles;
- State Patrols; and
- State Departments, such as:
  - Department of Motor Vehicles;
  - Department of Transportation;
  - Department of Highway Safety; and
  - Department of Revenue

These agreements typically include information specifying:

- The terms of the agreement;
- The duration of the agreement; and
- The obligations of the parties involved.

Many agreements of reciprocity relative to the travel of farm vehicles across state lines primarily address the issue of CDL exemptions for farm vehicle operators.

### **Florida Department of Highway Safety & Motor Vehicles<sup>2</sup>**

The DHSMV has indicated that the bill creates duplicative statutory authority, as it currently enters into reciprocity agreements as authorized in s. 320.39, F.S., as follows:

(1) The Department of Highway Safety and Motor Vehicles may negotiate and consummate with the proper authorities of the several states of the United States or any foreign country reciprocal agreements whereby residents of such other states or foreign country operating motor vehicles properly licensed and registered in their respective states or foreign country may have such privileges and exemption in the operation of their motor vehicles in this state as residents of this state whose vehicles are properly registered in this state may have and enjoy in the operation of their motor vehicles in such other states or foreign country. However, nothing herein may be construed to relieve any motor vehicle owner or operator from complying with and abiding by all other applicable laws and rules relating to safety of operation of motor vehicles and the preservation of the highways of this state. In the making of such reciprocal agreements, such departments shall have due regard for the benefits to be achieved for and the convenience of motor vehicle owners and the citizens of this state.

(2) The Department of Highway Safety and Motor Vehicles is authorized to continue membership in the International Registration Plan, a reciprocal agreement among the states and the provinces of Canada which provides for proportional payment of license fees.

---

<sup>2</sup> Information for this analysis was submitted to the Senate Agriculture Committee on March 6, 2015, by the Department of Highway Safety and Motor Vehicles.

(3) No such reciprocal agreement consummated by the Department of Highway Safety and Motor Vehicles may become effective until approved by the Governor; and all such reciprocal agreements shall be made subject to cancellation at any time by the Legislature.

(4) The Department of Highway Safety and Motor Vehicles shall give proper publicity to the terms of every such reciprocal agreement.

Florida, Alabama, and Georgia are members of the International Registration Plan (IRP) and the Multistate Reciprocity Agreement (MRA). The IRP governs the operations of apportionable vehicles throughout the 59 member jurisdictions, while the MRA governs the interstate operations of non-apportioned vehicles throughout its 17 member jurisdictions. Florida also has separate reciprocity agreements with Alabama and Georgia governing the intrastate operations of non-apportioned vehicles.

### **III. Effect of Proposed Changes:**

**Section 1** creates s. 320.515, F.S., to authorize the DHSMV to enter into a reciprocal agreement with the respective departments of the State of Georgia and Alabama relative to the traveling of farm vehicles across state lines.

Generally, if adjoining states come to an agreement of reciprocity regarding the traveling of farm vehicles across state lines, it allows a greater degree of interstate commerce for farmers by being granted benefits or exemptions exclusive to one's home state in an adjoining state.

**Section 2** provides that this bill shall take effect July 1, 2015.

### **IV. Constitutional Issues:**

#### **A. Municipality/County Mandates Restrictions:**

None.

#### **B. Public Records/Open Meetings Issues:**

None.

#### **C. Trust Funds Restrictions:**

None.

### **V. Fiscal Impact Statement:**

#### **A. Tax/Fee Issues:**

None.

**B. Private Sector Impact:**

This bill may have a positive fiscal impact on farmers transporting crops or farming equipment and materials from Florida to Alabama or Georgia, and vice versa.

**C. Government Sector Impact:**

The bill does not appear to have a fiscal impact on state or local governments.

**VI. Technical Deficiencies:**

None.

**VII. Related Issues:**

None.

**VIII. Statutes Affected:**

This bill creates section 320.515 of the Florida Statutes.

**IX. Additional Information:****A. Committee Substitute – Statement of Changes:**

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

**B. Amendments:**

None.

By Senator Evers

2-01343-15

20151374\_\_

1 A bill to be entitled

2 An act relating to farm vehicles; creating s. 320.515,  
3 F.S.; authorizing the Department of Highway Safety and  
4 Motor Vehicles to enter into a reciprocity agreement  
5 with the State of Georgia and the State of Alabama  
6 relative to the traveling of farm vehicles across  
7 state lines; providing an effective date.  
8

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

10  
11 Section 1. Section 320.515, Florida Statutes, is created to  
12 read:

13 320.515 Farm vehicles; reciprocity agreements.-The  
14 Department of Highway Safety and Motor Vehicles of the state is  
15 hereby authorized to enter into an agreement of reciprocity with  
16 the respective departments of the State of Georgia and the State  
17 of Alabama relative to the traveling of farm vehicles across  
18 state lines.

19 Section 2. This act shall take effect July 1, 2015.



The Florida Senate

## Committee Agenda Request

**To:** Senator Montford  
Chair, Agriculture Committee

**Subject:** Committee Agenda Request

**Date:** March 19, 2015

---

I respectfully request that **Senate Bill 1374**, relating to Farm Vehicles, be placed on the:

- committee agenda at your earliest possible convenience.
- next committee agenda.

A handwritten signature in cursive script that reads "Greg Evers".

---

Senator Greg Evers  
Florida Senate, District 2



THE FLORIDA SENATE  
**APPEARANCE RECORD**

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

Meeting Date \_\_\_\_\_

Bill Number (if applicable) \_\_\_\_\_

Topic BP Spill

Name Patrick Juneau

Job Title Claims Administrator

Address Zimmer Street

Street

Phone \_\_\_\_\_

New Orleans, LA

City

State

Zip

Email \_\_\_\_\_

Speaking:  For  Against  Information

Waive Speaking:  In Support  Against  
(The Chair will read this information into the record.)

Representing \_\_\_\_\_

Appearing at request of Chair:  Yes  No

Lobbyist registered with Legislature:  Yes  No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

**This form is part of the public record for this meeting.**

THE FLORIDA SENATE  
**APPEARANCE RECORD**

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

4-13-15  
Meeting Date

\_\_\_\_\_  
Bill Number (if applicable)

Topic BP Oil

\_\_\_\_\_  
Amendment Barcode (if applicable)

Name Charles Wesley

Job Title Eagle Tide Films

Address 2312 Perch Pointe Ct.

Phone 310-429-4055

Street

Mobile  
City

AL  
State

36605  
Zip

Email \_\_\_\_\_

Speaking:  For  Against  Information

Waive Speaking:  In Support  Against  
(The Chair will read this information into the record.)

Representing \_\_\_\_\_

Appearing at request of Chair:  Yes  No

Lobbyist registered with Legislature:  Yes  No

*While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.*

**This form is part of the public record for this meeting.**

THE FLORIDA SENATE

APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

Apr. 13, 2015

Meeting Date

presentation  
Bill Number (if applicable)

Topic BP Oil spill claims

Name Donald Gedeon

Job Title Accountant

Address 7213 Emerson Dr.

Street

Panama City

City

FL

State

32408

Zip

Phone 850-628-3771

Email Gedeon CPA@Live.com

Speaking:  For  Against  Information

Waive Speaking:  In Support  Against  
(The Chair will read this information into the record.)

Representing \_\_\_\_\_

Appearing at request of Chair:  Yes  No

Lobbyist registered with Legislature:  Yes  No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

THE FLORIDA SENATE  
**APPEARANCE RECORD**

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

4-13-15  
Meeting Date

presentation  
Bill Number (if applicable)

Topic Deep Water Horizon Claims (BP Oil Spill)

Amendment Barcode (if applicable)

Name William Price

Job Title Attorney

Address 438 N. Cove Blvd  
Street

Phone (850) 215-2195

Panama City FL 32401  
City State Zip

Email bill@billpricelaw.com

Speaking:  For  Against  Information

Waive Speaking:  In Support  Against  
(The Chair will read this information into the record.)

Representing Various claimants

Appearing at request of Chair:  Yes  No

Lobbyist registered with Legislature:  Yes  No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

THE FLORIDA SENATE  
**APPEARANCE RECORD**

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

4/13/2015  
Meeting Date

presentation  
Bill Number (if applicable)

Topic BP CLAIMS

✓  
Amendment Barcode (if applicable)

Name TROY JASON BRANHAM

Job Title ELECTRONICS TECHNICIAN

Address 3601 OAK KNOLL COURT

Phone 850 774-9391

PANAMA CITY BCH FL 32408  
City State Zip

Email NUYDUR@CLOUD.COM

Speaking:  For  Against  Information

Waive Speaking:  In Support  Against  
(The Chair will read this information into the record.)

Representing \_\_\_\_\_

Appearing at request of Chair:  Yes  No

Lobbyist registered with Legislature:  Yes  No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

**This form is part of the public record for this meeting.**

THE FLORIDA SENATE

APPEARANCE RECORD

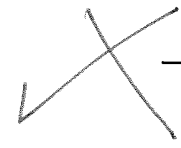
(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

4/13/15

Meeting Date

Bill Number (if applicable)

Topic BP oil claim



Amendment Barcode (if applicable)

Name TriStar Hospitality (David Patel)

Job Title owner

Address Richard Jackson Blvd

Phone 850 345 7213

Street

Panama City Beach, FL 32412

City

State

Zip

Email

Speaking:  For  Against  Information

Waive Speaking:  In Support  Against  
(The Chair will read this information into the record.)

Representing claim for TriStar Hospitality

Appearing at request of Chair:  Yes  No

Lobbyist registered with Legislature:  Yes  No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

THE FLORIDA SENATE  
**APPEARANCE RECORD**

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

Meeting Date \_\_\_\_\_ Bill Number (if applicable) \_\_\_\_\_  
Topic BP information Amendment Barcode (if applicable) \_\_\_\_\_  
Name William H. Smith

Job Title MANAGER  
Address 322 E Co Hwy 30A Phone 850 585-8768  
Street

Laurel Hill FL 32567 Email 6smith@pelicanproperty.com  
City State Zip

Speaking:  For  Against  Information  
Waive Speaking:  In Support  Against  
(The Chair will read this information into the record.)

Representing \_\_\_\_\_

Appearing at request of Chair:  Yes  No Lobbyist registered with Legislature:  Yes  No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

# CourtSmart Tag Report

Room: SB 301

Case:

Type:

Caption: Senate Agriculture Committee

Judge:

Started: 4/13/2015 4:06:09 PM

Ends: 4/13/2015 5:14:50 PM

Length: 01:08:42

4:06:13 PM Meeting called to order by Chair Montford  
4:06:25 PM Roll call by Administrative Assistant, Joyce Butler  
4:06:29 PM Quorum present  
4:06:57 PM Comments from Chair Montford, Senator Bullard and Garcia excused from today's meeting  
4:07:14 PM Introduction of Tab 1, SB 1374 by Chair Montford  
4:07:39 PM Explanation of Tab 1, SB 1374, Farm Vehicles by Senator Evers  
4:10:12 PM Comments from Chair Montford  
4:10:26 PM Question from Senator Sobel  
4:10:35 PM Response from Senator Evers  
4:11:14 PM Follow-up question from Senator Sobel  
4:11:20 PM Response from Senator Evers  
4:11:38 PM Additional question from Senator Sobel  
4:11:44 PM Response from Senator Evers  
4:11:49 PM Senator Evers waives closing  
4:11:58 PM Roll call on SB 1374 by Administrative Assistant, Joyce Butler  
4:12:08 PM SB 1374 passes favorably  
4:12:37 PM Introduction of Tab 2, Deepwater Horizon Oil Spill by Chair Montford  
4:13:16 PM Speaker Mr. Patrick Juneau, Claims Administrator, Deepwater Horizon Oil Spill  
4:26:15 PM Comments from Chair Montford  
4:27:12 PM Comments from Senator Gaetz  
4:27:21 PM Question from Senator Dean  
4:27:29 PM Response from Mr. Juneau  
4:28:03 PM Question from Senator Sobel  
4:28:11 PM Response from Mr. Juneau  
4:28:52 PM Follow-up question from Senator Sobel  
4:28:58 PM Response from Mr. Juneau  
4:30:22 PM Question from Senator Gaetz  
4:30:27 PM Response from Mr. Juneau  
4:30:49 PM Follow-up question from Senator Gaetz  
4:31:14 PM Response from Mr. Juneau  
4:32:38 PM Additional question from Senator Gaetz  
4:32:43 PM Response from Mr. Juneau  
4:33:20 PM Follow-up question from Senator Gaetz  
4:33:39 PM Response from Mr. Juneau  
4:34:58 PM Additional question from Senator Gaetz  
4:35:19 PM Response from Mr. Juneau  
4:39:55 PM Comments/additional question from Senator Gaetz  
4:40:09 PM Response from Mr. Juneau  
4:41:39 PM Additional question from Senator Gaetz  
4:43:07 PM Response from Mr. Juneau  
4:45:52 PM Question from Chair Montford  
4:46:08 PM Response from Mr. Juneau  
4:49:08 PM Comments/follow--up question from Chair Montford  
4:49:15 PM Response from Mr. Juneau  
4:50:48 PM Comments from Chair Montford regarding thanks to Mr. Juneau  
4:51:59 PM Comments from Senator Sobel  
4:52:05 PM Response from Mr. Juneau  
4:52:20 PM Follow-up question from Senator Sobel  
4:53:15 PM Response from Mr. Juneau  
4:55:33 PM Comments from Mr. Juneau  
4:56:38 PM Speaker Mr. Donald Gedeon, Accountant  
5:00:38 PM Speaker Mr. William Price, Attorney



**5:02:51 PM** Meeting stopped because of no quorum  
**5:02:56 PM** Meeting restarted, quorum present  
**5:05:33 PM** Speaker Mr. Troy Jason Branham, Electronics Technician  
**5:07:24 PM** Speaker Richard (David) Patel, Tristar Hospitality  
**5:07:43 PM** Speaker Mr. William Smith, Manager  
**5:10:17 PM** Comments from Chair Montford  
**5:10:51 PM** Speaker Mr. Charles Wesley, Eagle Tide Films, Mobile, AL  
**5:14:25 PM** Comments from Chair Montford  
**5:14:39 PM** Senator Dean moves to rise, without objection



## THE FLORIDA SENATE

Tallahassee, Florida 32399-1100

### COMMITTEES:

Agriculture, *Vice Chair*  
Appropriations Subcommittee on Education  
Appropriations Subcommittee on General  
Government  
Education  
Environmental Preservation and Conservation  
Military Affairs, Space, and Domestic Security

### JOINT COMMITTEE:

Joint Administrative Procedures Committee

**SENATOR DWIGHT BULLARD**

39th District

April 8, 2015

Chairman Montford,

I am requesting to be excused from our Agriculture Committee meeting on Monday, April 13th, 2015 at 4:00 pm due to an event that will be held in my district. Thank you for your consideration.

Sincerely,

*Dwight M. Bullard*

State Senator, District 39

REPLY TO:

- 10720 Caribbean Boulevard, #435, Cutler Bay, Florida 33189
- 218 Senate Office Building, 404 South Monroe Street, Tallahassee, Florida 32399-1100 (850) 487-5039

Senate's Website: [www.flsenate.gov](http://www.flsenate.gov)

**DON GAETZ**  
President of the Senate

**GARRETT RICHTER**  
President Pro Tempore

**The Florida Senate**  
State Senator René García  
38<sup>th</sup> District

**Please reply to:**

**District Office:**

1490 West 68 Street  
Suite # 201  
Hialeah, FL. 33014  
Phone# (305) 364-3100

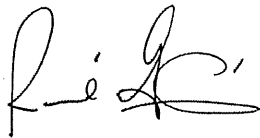
April 13, 2015

The Honorable Senator Bill Montford  
Chair, Committee on Agriculture  
335 Knott Building  
404 S. Monroe Street  
Tallahassee, FL 32399-1100

Dear Senator Montford:

Please excuse my absence to the Agriculture committee meeting today, as I had an urgent matter to attend to in my district.

Sincerely,



State Senator René García  
District 38  
RG:JT

CC: Katherine Becker