

By Senator Wasserman Schultz

34-391-03

1 A bill to be entitled
 2 An act relating to commercial motor vehicles;
 3 prohibiting the Department of Highway Safety
 4 and Motor Vehicles from issuing a motor vehicle
 5 registration or title to a commercial motor
 6 vehicle if the gross vehicle weight of the
 7 vehicle has been changed; requiring the
 8 department to reissue the registration and
 9 title upon presentation of an affidavit of
 10 change from the original manufacturer or
 11 final-stage manufacturer; defining the terms
 12 "original manufacturer" and "final-stage
 13 manufacturer"; requiring the department to
 14 revoke the registration and title of a
 15 commercial motor vehicle if the vehicle's
 16 indicated gross vehicle weight is incorrect;
 17 providing penalties for knowingly operating a
 18 commercial motor vehicle without notifying the
 19 department and obtaining a reissued
 20 registration and title if the vehicle's gross
 21 vehicle weight has been changed; providing an
 22 effective date.

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 24 Be It Enacted by the Legislature of the State of Florida:
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26 Section 1. Change in gross vehicle weight of a
 27 commercial motor vehicle; requirements; penalties.--
 28 (1) The Department of Highway Safety and Motor
 29 Vehicles may not issue a motor vehicle registration or title
 30 to a commercial motor vehicle if the gross vehicle weight of
 31 the commercial motor vehicle has been changed unless an

1 affidavit of change is obtained from the original manufacturer
2 or final-stage manufacturer stating that the vehicle conforms
3 to federal safety standards. Upon presentation of an affidavit
4 of change, the department shall reissue the motor vehicle
5 registration and title, which must indicate the vehicle's
6 correct gross vehicle weight. As used in this section, the
7 term:

8 (a) "Final-stage manufacturer" means a manufacturer
9 that performs manufacturing operations on an incomplete
10 vehicle so that it becomes a complete vehicle and may be used
11 for its intended purpose.

12 (b) "Original manufacturer" means any person, whether
13 a resident or nonresident of this state, who manufactures or
14 assembles motor vehicles or who manufactures or installs on
15 previously assembled truck chassis special bodies or equipment
16 that, when installed, form an integral part of the motor
17 vehicle and that constitute a major manufacturing alteration.
18 The term includes a central or principal sales corporation or
19 other entity through which, by contractual agreement or
20 otherwise, such products are distributed.

21 (2) If the Department of Highway Safety and Motor
22 Vehicles determines that the motor vehicle registration or
23 title for a commercial motor vehicle does not indicate the
24 correct gross vehicle weight, the department shall notify the
25 owner that his or her registration and title are revoked.

26 (3)(a) Any person who knowingly operates a commercial
27 motor vehicle after the gross vehicle weight has been changed
28 without notifying the Department of Highway Safety and Motor
29 Vehicles and presenting an affidavit of change commits a
30 misdemeanor of the first degree, punishable as provided in s.
31 775.082 or s. 775.083.

