



HB 0957

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A bill to be entitled
 An act relating to commercial motor vehicles; prohibiting the Department of Highway Safety and Motor Vehicles from issuing a motor vehicle registration or title to a commercial motor vehicle if the gross vehicle weight of the vehicle has been changed; requiring the department to reissue the registration and title upon presentation of an affidavit of change from the original manufacturer or final-stage manufacturer; defining the terms "original manufacturer" and "final-stage manufacturer"; requiring the department to revoke the registration and title of a commercial motor vehicle if the vehicle's indicated gross vehicle weight is incorrect; providing penalties for knowingly operating a commercial motor vehicle without notifying the department and obtaining a reissued registration and title if the vehicle's gross vehicle weight has been changed; providing an effective date.

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

Section 1. Change in gross vehicle weight of a commercial motor vehicle; requirements; penalties.--

(1) The Department of Highway Safety and Motor Vehicles may not issue a motor vehicle registration or title to a commercial motor vehicle if the gross vehicle weight of the commercial motor vehicle has been changed unless an affidavit of change is obtained from the original manufacturer or final-stage manufacturer stating that the vehicle conforms to federal safety standards. Upon presentation of an affidavit of change, the department shall reissue the motor vehicle registration and



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31 title, which must indicate the vehicle's correct gross vehicle
32 weight. As used in this section, the term:

33 (a) "Final-stage manufacturer" means a manufacturer that
34 performs manufacturing operations on an incomplete vehicle so
35 that it becomes a complete vehicle and may be used for its
36 intended purpose.

37 (b) "Original manufacturer" means any person, whether a
38 resident or nonresident of this state, who manufactures or
39 assembles motor vehicles or who manufactures or installs on
40 previously assembled truck chassis special bodies or equipment
41 that, when installed, form an integral part of the motor vehicle
42 and that constitute a major manufacturing alteration. The term
43 includes a central or principal sales corporation or other
44 entity through which, by contractual agreement or otherwise,
45 such products are distributed.

46 (2) If the Department of Highway Safety and Motor Vehicles
47 determines that the motor vehicle registration or title for a
48 commercial motor vehicle does not indicate the correct gross
49 vehicle weight, the department shall notify the owner that his
50 or her registration and title are revoked.

51 (3)(a) Any person who knowingly operates a commercial
52 motor vehicle after the gross vehicle weight has been changed
53 without notifying the Department of Highway Safety and Motor
54 Vehicles and presenting an affidavit of change commits a
55 misdemeanor of the first degree, punishable as provided in s.
56 775.082 or s. 775.083, Florida Statutes.

57 (b) Upon a third or subsequent conviction for a violation
58 of paragraph (a), the department shall revoke the person's
59 commercial driver license.

60 Section 2. This act shall take effect October 1, 2003.