



CHAMBER ACTION

The Committee on Transportation recommends the following:

Committee Substitute

Remove the entire bill and insert:

A bill to be entitled

An act relating to commercial motor vehicles; creating s. 316.570, F.S.; providing definitions; requiring a minimum amount of insurance coverage for persons engaged in retrofitting, rebuilding, or modifying commercial trucks, truck tractors, or heavy trucks into dump trucks; requiring compliance with specified federal safety standards; providing penalties; providing an effective date.

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

Section 1. Section 316.570, Florida Statutes, is created to read:

316.570 Rebuilt, modified, or retrofitted dump trucks.--

(1) As used in this section, the term:

(a) "Dump truck" means any straight truck with a net weight of more than 5,000 pounds which is registered on the basis of gross vehicle weight in accordance with s. 320.08(4)



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29 and which is equipped with a cargo carrying body designed to
30 pivot upward to empty the load.

31 (b) "Person" means any form of corporation, limited
32 liability company, partnership, association, cooperative, joint
33 venture, business trust, sole proprietorship, or self-employed
34 person who conducts business in this state.

35 (2) Any person engaged in retrofitting, rebuilding, or
36 modifying commercial trucks, truck tractors, or heavy trucks, as
37 defined in s. 320.01, into dump trucks must have evidence that
38 he or she is insured under a garage liability insurance policy
39 that includes, at a minimum, \$1 million combined single-limit
40 liability coverage, including bodily injury and property damage
41 protection, and \$500,000 personal injury protection. Evidence of
42 such insurance policy must be available at all reasonable hours
43 for inspection by any law enforcement officer.

44 (3) Any person engaged in retrofitting, rebuilding, or
45 modifying commercial trucks, truck tractors, or heavy trucks, as
46 defined in s. 320.01, into dump trucks must ensure that such
47 retrofitted, rebuilt, or modified dump trucks comply with all
48 federal safety standards provided in 49 C.F.R. s. 393.

49 (4) Any person who violates subsection (2) or subsection
50 (3) commits a misdemeanor of the second degree, punishable as
51 provided in s. 775.082 or s. 775.083. Any person who violates
52 subsection (2) or subsection (3) a second time commits a
53 misdemeanor of the first degree, punishable as provided in s.
54 775.082 or s. 775.083. Any person who violates subsection (2) or
55 subsection (3) a third or subsequent time commits a felony of



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56 | the third degree, punishable as provided in s. 775.082, s.
57 | 775.083, or s. 775.084.

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