

By Senator Geller

31-267-04

1                                   A bill to be entitled  
2           An act relating to commercial motor vehicles;  
3           creating s. 316.570, F.S.; providing  
4           definitions; requiring a minimum amount of  
5           insurance coverage for persons engaged in  
6           retrofitting, rebuilding, or modifying  
7           commercial trucks, truck tractors, or heavy  
8           trucks into dump trucks; providing safety  
9           standards; providing penalties; providing an  
10          effective date.

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

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

16           316.570 Rebuilt, modified, or retrofitted dump  
17 trucks.--

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

19           (a) "Dump truck" means any motor vehicle with a net  
20 weight of more than 5,000 pounds which is registered on the  
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  
24 items.

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

29           (2) Any person engaged in retrofitting, rebuilding, or  
30 modifying commercial trucks, truck tractors, or heavy trucks,  
31 as defined in s. 320.01, into dump trucks must have evidence

1 that he or she is insured under a garage liability insurance  
2 policy that includes, at a minimum, \$1 million combined  
3 single-limit liability coverage, including bodily injury and  
4 property damage protection, and \$500,000 personal injury  
5 protection. Evidence of such insurance policy must be  
6 available at all reasonable hours for inspection by any law  
7 enforcement officer.

8 (3) Any person engaged in retrofitting, rebuilding, or  
9 modifying commercial trucks, truck tractors, or heavy trucks,  
10 as defined in s. 320.01, into dump trucks must ensure that  
11 each such retrofitted, rebuilt, or modified dump truck  
12 complies with all federal safety standards provided in 49  
13 C.F.R. s. 393.

14 (4) Any person who violates subsection (2) or  
15 subsection (3) commits a misdemeanor of the second degree,  
16 punishable as provided in s. 775.082 or s. 775.083. Any person  
17 who violates subsection (2) or subsection (3) a second time  
18 commits a misdemeanor of the first degree, punishable as  
19 provided in s. 775.082 or s. 775.083. Any person who violates  
20 subsection (2) or subsection (3) a third or subsequent time  
21 commits a felony of the third degree, punishable as provided  
22 in s. 775.082, s. 775.083, or s. 775.084.

23 Section 2. This act shall take effect October 1, 2004.

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26 SENATE SUMMARY

27 Requires insurance coverage for persons engaged in  
28 retrofitting, rebuilding, or modifying commercial trucks,  
29 truck tractors, or heavy trucks into dump trucks.  
30 Provides safety standards. Provides penalties.