

HB 0453

2004

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

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

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

14 316.570 Rebuilt, modified, or retrofitted dump trucks.--

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

16 (a) "Dump truck" means any motor vehicle with a net weight
 17 of more than 5,000 pounds which is registered on the basis of
 18 gross vehicle weight in accordance with s. 320.08(4) and is
 19 properly equipped with a container used for transporting and
 20 dumping various materials, resources, or items.

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

25 (2) Any person engaged in retrofitting, rebuilding, or
 26 modifying commercial trucks, truck tractors, or heavy trucks, as
 27 defined in s. 320.01, into dump trucks must have evidence that
 28 he or she is insured under a garage liability insurance policy
 29 that includes, at a minimum, \$1 million combined single-limit

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30 liability coverage, including bodily injury and property damage
31 protection, and \$500,000 personal injury protection. Evidence of
32 such insurance policy must be available at all reasonable hours
33 for inspection by any law enforcement officer.

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

39 (4) Any person who violates subsection (2) or subsection
40 (3) commits a misdemeanor of the second degree, punishable as
41 provided in s. 775.082 or s. 775.083. Any person who violates
42 subsection (2) or subsection (3) a second time commits a
43 misdemeanor of the first degree, punishable as provided in s.
44 775.082 or s. 775.083. Any person who violates subsection (2) or
45 subsection (3) a third or subsequent time commits a felony of
46 the third degree, punishable as provided in s. 775.082, s.
47 775.083, or s. 775.084.

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