

CHAMBER ACTION

1 The Committee on Insurance recommends the following:

2
3 **Committee Substitute**

4 Remove the entire bill and insert:

5 A bill to be entitled

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

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

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

18 316.570 Rebuilt, modified, or retrofitted dump trucks.--

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

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

23 | properly equipped with a container used for transporting and
24 | dumping various materials, resources, or items.

25 | (b) "Person" means any form of corporation, limited
26 | liability company, partnership, association, cooperative, joint
27 | venture, business trust, sole proprietorship, or self-employed
28 | 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, as
31 | defined in s. 320.01, into dump trucks must have evidence that
32 | he or she is insured under a commercial liability insurance
33 | policy with limits of at least \$1 million per accident and \$1
34 | million annual aggregate. Evidence of such insurance policy must
35 | be available at all reasonable hours for inspection by any law
36 | enforcement officer.

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

42 | (4) Any person who violates subsection (2) or subsection
43 | (3) commits a misdemeanor of the second degree, punishable as
44 | provided in s. 775.082 or s. 775.083. Any person who violates
45 | subsection (2) or subsection (3) a second time commits a
46 | misdemeanor of the first degree, punishable as provided in s.
47 | 775.082 or s. 775.083. Any person who violates subsection (2) or
48 | subsection (3) a third or subsequent time commits a felony of
49 | the third degree, punishable as provided in s. 775.082, s.
50 | 775.083, or s. 775.084.

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