

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 conducting 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 of insurance coverage under a commercial liability insurance
2 policy with limits of at least \$1 million per accident and \$1
3 million annual aggregate. Evidence of such insurance policy
4 must be available at all reasonable hours for inspection by
5 any law enforcement officer.

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

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

20 Section 2. This act shall take effect October 1, 2005.
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