

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.

9
 10 Be It Enacted by the Legislature of the State of Florida:

11
 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 conducting 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 of
 28 insurance coverage under a commercial liability insurance policy

29 with limits of at least \$1 million per accident and \$1 million
30 annual aggregate. Evidence of such insurance policy must be
31 available at all reasonable hours for inspection by any law
32 enforcement officer.

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

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

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