

## HOUSE OF REPRESENTATIVES STAFF ANALYSIS

**BILL #:** CS/HB 1255 Motor Vehicles  
**SPONSOR(S):** Economic Expansion & Infrastructure and Evers  
**TIED BILLS:** **IDEN./SIM. BILLS:** SB 1946

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REFERENCE	ACTION	ANALYST	STAFF DIRECTOR
1) <u>Committee on Infrastructure</u>	<u>9 Y, 1 N</u>	<u>Creamer</u>	<u>Miller</u>
2) <u>Economic Expansion &amp; Infrastructure Council</u>	<u>14 Y, 0 N, As CS</u>	<u>Creamer</u>	<u>Tinker</u>
3) _____	_____	_____	_____
4) _____	_____	_____	_____
5) _____	_____	_____	_____

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### SUMMARY ANALYSIS

CS/HB 1255 revises restrictions on use of certain agriculture-related vehicles and provides conditions for use of agricultural equipment and implements of husbandry. The bill authorizes that the width and height limitations of this section shall not apply to farming or agricultural equipment, whether self-propelled, pulled, or hauled, when temporarily operated during daylight hours upon a public road which is not a limited access facility and the width and height limitations may be exceeded by such equipment without a permit.

The bill has an effective date of July 1, 2008.

## FULL ANALYSIS

### I. SUBSTANTIVE ANALYSIS

#### A. HOUSE PRINCIPLES ANALYSIS:

The bill does not implicate any of the House Principles.

#### B. EFFECT OF PROPOSED CHANGES:

##### Current Situation

Section 316.515, F.S., provides that straight trucks, agricultural tractors, and cotton module movers, not exceeding 50 feet in length, or any combination of up to three implements of husbandry, including the towing power unit, and any single agricultural trailer with a load, or any agricultural implements attached to a towing power unit not exceeding 130 inches in width, or a self-propelled agricultural implement or an agricultural tractor not exceeding 130 inches in width, is authorized for the purpose of transporting peanuts, grains, soybeans, cotton, hay, straw, or other perishable farm products from their point of production to and from the first point of change of custody or of long-term storage, or for the purpose of moving such equipment to be issued overwidth permits by DOT.

Section 316.515, F.S., provides that equipment not exceeding 136 inches in width and not capable of speeds exceeding 20 miles per hour that are used exclusively for harvesting forestry products is authorized, without a permit, for the purpose of transporting equipment from one point of harvest to another point of harvest, not to exceed 10 miles. Such vehicles must be operated during daylight hours only, in accordance with all safety requirements prescribed by s. 316.2295(5) and (6), F.S.

In addition, current law authorizes DOT to issue overwidth permits for implements of husbandry greater than 130 inches, but not more than 170 inches, in width and overlength permits for cotton module movers greater than 50 feet but not more than 55 feet in overall length for a fee of \$25 for a trip permit or \$250 for an annual blanket permit.

All vehicles included in this section must comply with all safety requirements prescribed by s. 316.2295(5) and (6), F.S., and DOT rules. These requirements include, but are not limited to:

- Every farm tractor and every self-propelled unit of farm equipment or implement of husbandry manufactured or assembled after January 1, 1972, shall be equipped with vehicular hazard-warning lights visible from a distance of not less than 1,000 feet to the front and rear in normal sunlight, which shall be displayed whenever any such vehicle is operated upon a highway.
- Every farm tractor and every self-propelled unit of farm equipment or implement of husbandry manufactured or assembled after January 1, 1972, shall at all times, and every other such motor vehicle shall at all times mentioned in s. 316.217, be equipped with lamps and reflectors as follows:
  - At least two headlamps;
  - At least one red lamp visible when lighted from a distance of not less than 1,000 feet to the rear mounted as far to the left of the center of the vehicle as practicable; and
  - At least two red reflectors visible from all distances within 600 feet to 100 feet to the rear when directly in front of lawful lower beams of headlamps;

- In addition to the requirements above, every combination of farm tractor and towed farm equipment or towed implement of husbandry shall at all times be equipped with lamps and reflectors as follows:
  - If the towed unit or its load extends more than 4 feet to the rear of the tractor or obscures any light thereon, the unit shall be equipped on the rear with at least two red reflectors visible from all distances within 600 feet to 100 feet to the rear when directly in front of lawful lower beams of headlamps.
  - If the towed unit of such combination extends more than 4 feet to the left of the centerline of the tractor, the unit shall be equipped on the front with an amber reflector visible from all distances within 600 feet to 100 feet to the front when directly in front of lawful lower beams of headlamps. This reflector shall be so positioned to indicate, as nearly as practicable, the extreme left projection of the towed unit.
- Every farm tractor and every self-propelled unit of farm equipment or implement of husbandry designed for operation at speeds not in excess of 25 miles per hour shall at all times be equipped with a slow moving vehicle emblem mounted on the rear, except for:
  - When the towed unit or any load thereon obscures the slow moving vehicle emblem on the farm tractor, the towed unit shall be equipped with a slow moving vehicle emblem. In such cases, the towing vehicle need not display the emblem.
  - When the slow moving vehicle emblem on the farm tractor unit is not obscured by the towed unit or its load, then either or both may be equipped with the required emblem, but it shall be sufficient if either has it.

### Proposed Changes

CS/HB 1255 revises restrictions in current law authorizing agricultural equipment and implements of husbandry. The width and height limitations of this section shall not apply to farming or agricultural equipment, whether self-propelled, pulled, or hauled, when temporarily operated during daylight hours upon a public road which is not a limited access facility as defined in s. 334.03(13), and the width and height limitations may be exceeded by such equipment without a permit.

However, to be eligible for this exemption, the equipment shall be operated within a radius of 50 miles of the real property owned, rented, or leased by the equipment owner; however, equipment being delivered by a dealer to a purchaser shall not be subject to the 50-mile limitation. Farming or agricultural equipment greater than 174 inches in width must have one warning lamp mounted on each side of the equipment to denote the width and must have a slow moving vehicle sign. Warning lamps required by this paragraph must be visible from the front and rear of the vehicle and must be visible from a distance of 1000 feet. In addition, the bill requires the operator of equipment to verify that the route used has adequate clearance for the equipment.

All vehicles included in these proposed changes must comply with all safety requirements prescribed by s. 316.2295(5) and (6), F.S., and DOT rules.

### C. SECTION DIRECTORY:

Section 1. Amends s. 316,515, F.S., revising restrictions on use of certain agriculture-related vehicles; providing for exemptions from width and height limitations for certain farming or agricultural equipment; providing conditions for use of such equipment; authorizing certain movements without a Department of Transportation overwidth permit; providing lighting requirements for certain overwidth equipment.

Section 2. Provides an effective date.

## II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

### A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

None.

2. Expenditures:

None.

### B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

None.

2. Expenditures:

None.

### C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

None.

### D. FISCAL COMMENTS:

None.

## III. COMMENTS

### A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision:

None.

2. Other:

None.

### B. RULE-MAKING AUTHORITY:

None.

### C. DRAFTING ISSUES OR OTHER COMMENTS:

None.

### D. STATEMENT OF THE SPONSOR

No statement submitted.

## IV. AMENDMENTS/COUNCIL SUBSTITUTE CHANGES

On April 11, 2008, the Council on Economic Expansion and Infrastructure reported one amendment as favorable. The amendment revised the bill to exempt certain farming or agricultural equipment from the width and height limitations under specific circumstances.