

**The Florida Senate**  
**BILL ANALYSIS AND FISCAL IMPACT STATEMENT**

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Transportation and Economic Development Appropriations  
 Committee

BILL: CS/CS/SB 1946

INTRODUCER: Agriculture Committee and Senator Baker

SUBJECT: Agricultural Equipment/Forestry Products/Highways

DATE: April 15, 2008 REVISED: \_\_\_\_\_

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Davis	Meyer	TR	<b>Favorable</b>
2.	Robinson	Poole	AG	<b>Fav/CS</b>
3.	Weaver	Noble	TA	<b>Fav/CS</b>
4.				
5.				
6.				

**Please see Section VIII. for Additional Information:**

- |                              |                                     |   |
|------------------------------|-------------------------------------|---|
| A. COMMITTEE SUBSTITUTE..... | <input checked="" type="checkbox"/> | Statement of Substantial Changes        |
| B. AMENDMENTS.....           | <input type="checkbox"/>            | Technical amendments were recommended   |
|                              | <input type="checkbox"/>            | Amendments were recommended             |
|                              | <input type="checkbox"/>            | Significant amendments were recommended |

**I. Summary:**

This committee substitute revises restrictions on use of certain agriculture-related vehicles and provides conditions for the use of agricultural equipment and implements of husbandry.

The Department of Transportation (DOT) will lose approximately \$43,000 in recurring revenue through the elimination of overwidth permits.

This committee substitute amends s. 316.515, F.S.

**II. Present Situation:**

Section 316.515(5)(a), F.S., provides 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(5)(b), F.S., provides equipment not exceeding 136 inches in width and not capable of speeds exceeding 20 miles per hour 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 s. 316.515(5), F.S., must comply with all safety requirements prescribed by s. 316.2295, 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, F.S., 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.

### III. Effect of Proposed Changes:

The committee substitute revises restrictions in current law authorizing agricultural equipment and implements of husbandry. Specifically the bill:

**Section 1** amends section 316.515, F.S. Agricultural vehicles including straight trucks, agricultural tractors, cotton module movers, not exceeding 50 feet in length, any combination of up to and including three implements of husbandry, including the towing power unit, any single agricultural trailer, any agricultural implements attached to a towing power unit, or a self propelled agricultural implement or an agricultural tractor are no longer required to be within 130 inches in width. In addition, the Florida Department of Transportation is no longer required to issue overwidth permits for implements of husbandry greater than 130 inches, but not more than 170 inches, in width.

(c) The existing width and height restrictions of this section do not apply to farming or agricultural equipment, whether the equipment is self-propelled, pulled or hauled. This applies only if such movement is performed during daylight hours upon a public road which is not a limited access facility as defined in s. 334.03(13). In addition, the equipment must be operated within a radius of 50 miles of the property of the equipment owner. Farming and agricultural equipment greater than 174 inches in width is required to have one warning lamp mounted on each side of the equipment and is to be visible from the front and rear at a distance of 1000 feet. A slow moving vehicle sign will also be required. The operator of the vehicle is responsible for verifying that the route used has adequate clearance for the equipment.

**Section 2.** This act shall take effect July 1, 2008.

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.

**IV. Constitutional Issues:**

## A. Municipality/County Mandates Restrictions:

None.

## B. Public Records/Open Meetings Issues:

None.

## C. Trust Funds Restrictions:

None.

**V. Fiscal Impact Statement:**

## A. Tax/Fee Issues:

None.

## B. Private Sector Impact:

There will be a positive fiscal impact in the private sector that is equal to the previous cost of purchasing a permit for oversized farming or agricultural vehicles.

## C. Government Sector Impact:

According to the Florida Department of Transportation, this committee substitute has a negative fiscal impact of approximately \$43,000 on the State Transportation Trust Fund because it is no longer required to issue overwidth permits.

**VI. Technical Deficiencies:**

None.

**VII. Related Issues:**

None.

**VIII. Additional Information:**

## A. Committee Substitute – Statement of Substantial Changes:

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

**CS by Agriculture Committee on April 3, 2008:**

The committee substitute differs from the bill in that the Committee Substitute provides that the existing width and height restrictions of this section do not apply to farming or agricultural equipment, whether the equipment is self-propelled, pulled or hauled. This applies only if such movement is performed during daylight hours upon a public road which is not a limited access facility as defined in s. 334.03(13). In addition, the

equipment must be operated within a radius of 50 miles of the property of the equipment owner. Farming and agricultural equipment greater than 174 inches in width is required to have one warning lamp mounted on each side of the equipment and this should be visible from the front and rear of the vehicle at a distance of 1000 feet. A slow moving vehicle sign will also be required. The operator of the vehicle is responsible for verifying that the route used has adequate clearance for the equipment.

In addition, the committee substitute provides that a vehicle or combination of vehicles moving agricultural or forestry products from harvest to the first point of market or processing may not weigh in excess of 84,000 pounds, including all enforcement tolerances, when the movement of the products is not upon any highway designated as a part of the National System of Interstate and Defense Highways.

**CS by Transportation and Economic Development Appropriations on April 15, 2008:**

The committee substitute expands eligibility for a permit exemption to equipment owners who operate within a radius of 50 miles of the real property they own, rent or lease.

In addition the committee substitute removes language which provides that a vehicle or combination of vehicles moving agricultural or forestry products from harvest to the first point of market or processing may not weigh in excess of 84,000 pounds, including all enforcement tolerances, when the movement of the products is not upon any highway designated as a part of the National System of Interstate and Defense Highways.

**B. Amendments:**

None.