



298788

CHAMBER ACTION

<u>Senate</u>	.	<u>House</u>
Comm: RCS	.	
4/21/2008	.	
	.	
	.	

1 The Committee on Judiciary (Gaetz) recommended the following
 2 **amendment:**

Senate Amendment (with title amendment)

Delete lines 25-99

and insert:

7 (8) This section only applies to contract carriers
 8 transporting railroad employees within this state.

9 (a) Each driver for such contract carrier must hold a
 10 commercial driver's license.

11 (b) Such contract carriers shall perform alcohol and drug
 12 testing on drivers before employment, on suspicion of drug or
 13 alcohol use, and randomly at least once every 365 days.

14 (c) Such contract carrier operators must not perform duties
 15 in excess of 14 hours per shift, with a total driving time of 12
 16 hours, and shall have a minimum of 10 hours of rest between
 17 shifts.



298788

18 (d) Such contract carriers shall keep logs, signed by both
19 the employee and the employer on a weekly basis, of hours of
20 service recording time on duty, driving time, and total time
21 worked per shift. The logs shall be kept by the contract carrier
22 for a minimum of 3 years.

23 (e) Such contract carrier companies shall maintain a
24 minimum liability insurance coverage of \$1.5 million per vehicle
25 and equivalent uninsured and underinsured motorist coverage.

26 (f) The Department of Transportation may adopt rules for
27 the implementation and administration of this subsection.

28 (g) The Department of Transportation shall inform contract
29 carriers transporting railroad employees in this state of
30 applicable requirements and statutes.

31 (9) ~~(8)~~ For the purpose of enforcing this section, any law
32 enforcement officer of the Department of Transportation or duly
33 appointed agent who holds a current safety inspector
34 certification from the Commercial Vehicle Safety Alliance may
35 require the driver of any commercial vehicle operated on the
36 highways of this state to stop and submit to an inspection of the
37 vehicle or the driver's records. If the vehicle or driver is
38 found to be operating in an unsafe condition, or if any required
39 part or equipment is not present or is not in proper repair or
40 adjustment, and the continued operation would present an unduly
41 hazardous operating condition, the officer may require the
42 vehicle or the driver to be removed from service pursuant to the
43 North American Uniform Out-of-Service Criteria, until corrected.
44 However, if continuous operation would not present an unduly
45 hazardous operating condition, the officer may give written
46 notice requiring correction of the condition within 14 days.



298788

47 (a) Any member of the Florida Highway Patrol or any law
 48 enforcement officer employed by a sheriff's office or municipal
 49 police department authorized to enforce the traffic laws of this
 50 state pursuant to s. 316.640 who has reason to believe that a
 51 vehicle or driver is operating in an unsafe condition may, as
 52 provided in subsection (11) ~~(10)~~, enforce the provisions of this
 53 section.

54 (b) Any person who fails to comply with an officer's
 55 request to submit to an inspection under this subsection commits
 56 a violation of s. 843.02 if the person resists the officer
 57 without violence or a violation of s. 843.01 if the person
 58 resists the officer with violence.

59
 60 ===== T I T L E A M E N D M E N T =====

61 And the title is amended as follows:

62 Delete lines 4-11

63 and insert:

64 carriers employed by railroad companies; requiring the