

1 A bill to be entitled
 2 An act relating to motor vehicles; amending ss. 316.003,
 3 320.01, and 322.01, F.S., relating to traffic control,
 4 vehicle registration and titling, and driver licensing;
 5 providing that vehicles engaged in the occasional
 6 transportation of personal property to and from a closed-
 7 course motorsport facility are not commercial motor
 8 vehicles under certain circumstances; providing an
 9 effective date.

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11 Be It Enacted by the Legislature of the State of Florida:

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13 Section 1. Subsection (66) of section 316.003, Florida
 14 Statutes, is amended to read:

15 316.003 Definitions.--The following words and phrases,
 16 when used in this chapter, shall have the meanings respectively
 17 ascribed to them in this section, except where the context
 18 otherwise requires:

19 (66) COMMERCIAL MOTOR VEHICLE.--Any self-propelled or
 20 towed vehicle used on the public highways in commerce to
 21 transport passengers or cargo, if such vehicle:

22 (a) Has a gross vehicle weight rating of 10,000 pounds or
 23 more;

24 (b) Is designed to transport more than 15 passengers,
 25 including the driver; or

26 (c) Is used in the transportation of materials found to be
 27 hazardous for the purposes of the Hazardous Materials
 28 Transportation Act, as amended (49 U.S.C. ss. 1801 et seq.).

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 30 Vehicles engaged in the occasional transportation of personal
 31 property to and from a closed-course motorsport facility, as
 32 defined in s. 549.09(1), are not included in this definition if
 33 the underlying activities are not undertaken for profit and
 34 corporate sponsorship is not involved. As used in this
 35 subsection, "corporate sponsorship" means any payment, donation,
 36 gratuity, in-kind service, or any other benefit provided to or
 37 derived by a person in relation to the underlying activity other
 38 than the display of product or corporate names, logos, or other
 39 graphic information on the property being transported.

40 Section 2. Subsection (26) of section 320.01, Florida
 41 Statutes, is amended to read:

42 320.01 Definitions, general.--As used in the Florida
 43 Statutes, except as otherwise provided, the term:

44 (26) "Commercial motor vehicle" means any vehicle which is
 45 not owned or operated by a governmental entity, which uses
 46 special fuel or motor fuel on the public highways, and which has
 47 a gross vehicle weight of 26,001 pounds or more, or has three or
 48 more axles regardless of weight, or is used in combination when
 49 the weight of such combination exceeds 26,001 pounds gross
 50 vehicle weight. Vehicles engaged in the occasional
 51 transportation of personal property to and from a closed-course
 52 motorsport facility, as defined in s. 549.09(1), are not
 53 included in this definition if the underlying activities are not
 54 undertaken for profit and corporate sponsorship is not involved.
 55 As used in this subsection, "corporate sponsorship" means any
 56 payment, donation, gratuity, in-kind service, or any other

57 benefit provided to or derived by a person in relation to the
 58 underlying activity other than the display of product or
 59 corporate names, logos, or other graphic information on the
 60 property being transported.

61 Section 3. Subsection (8) of section 322.01, Florida
 62 Statutes, is amended to read:

63 322.01 Definitions.--As used in this chapter:

64 (8) "Commercial motor vehicle" means any motor vehicle or
 65 motor vehicle combination used on the streets or highways,
 66 which:

67 (a) Has a gross vehicle weight rating of 26,001 pounds or
 68 more;

69 (b) Is designed to transport more than 15 persons,
 70 including the driver; or

71 (c) Is transporting hazardous materials and is required to
 72 be placarded in accordance with Title 49 C.F.R. part 172,
 73 subpart F.

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 75 Vehicles engaged in the occasional transportation of personal
 76 property to and from a closed-course motorsport facility, as
 77 defined in s. 549.09(1), are not included in this definition if
 78 the underlying activities are not undertaken for profit and
 79 corporate sponsorship is not involved. As used in this
 80 subsection, "corporate sponsorship" means any payment, donation,
 81 gratuity, in-kind service, or any other benefit provided to or
 82 derived by a person in relation to the underlying activity other
 83 than the display of product or corporate names, logos, or other
 84 graphic information on the property being transported.

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Section 4. This act shall take effect July 1, 2008.