

By the Committee on Transportation and Senators Baker and Oelrich

596-02182-09

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1                                   A bill to be entitled  
 2           An act relating to commercial motor vehicles; amending  
 3           s. 316.545, F.S.; increasing the maximum weight limits  
 4           on certain vehicles to compensate for weight increases  
 5           that result from the installation of idle-reduction  
 6           technologies; providing an effective date.

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

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 10           Section 1. Subsection (3) of section 316.545, Florida  
 11   Statutes, is amended to read:

12           316.545 Weight and load unlawful; special fuel and motor  
 13   fuel tax enforcement; inspection; penalty; review.—

14           (3) Any person who violates the overloading provisions of  
 15   this chapter shall be conclusively presumed to have damaged the  
 16   highways of this state by reason of such overloading, which  
 17   damage is hereby fixed as follows:

18           (a) When the excess weight is 200 pounds or less than the  
 19   maximum herein provided, the penalty shall be \$10;

20           (b) Five cents per pound for each pound of weight in excess  
 21   of the maximum herein provided when the excess weight exceeds  
 22   200 pounds. However, whenever the gross weight of the vehicle or  
 23   combination of vehicles does not exceed the maximum allowable  
 24   gross weight, the maximum fine for the first 600 pounds of  
 25   unlawful axle weight shall be \$10;

26           (c) For a vehicle equipped with fully functional idle-  
 27   reduction technology, any penalty shall be calculated by  
 28   reducing the actual gross vehicle weight or the internal bridge  
 29   weight by the certified weight of the idle-reduction technology

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30 or by 400 pounds, whichever is less. The vehicle operator must  
31 present written certification of the weight of the idle-  
32 reduction technology and must demonstrate or certify that the  
33 idle-reduction technology is fully functional at all times. This  
34 calculation is not allowed for vehicles described in s.  
35 316.535(6);

36 (d)~~(e)~~ An apportioned motor vehicle, as defined in s.  
37 320.01, operating on the highways of this state without being  
38 properly licensed and registered shall be subject to the  
39 penalties as herein provided; and

40 (e)~~(d)~~ Vehicles operating on the highways of this state  
41 from nonmember International Registration Plan jurisdictions  
42 which are not in compliance with the provisions of s. 316.605  
43 shall be subject to the penalties as herein provided.

44 Section 2. This act shall take effect July 1, 2009.