



896054

LEGISLATIVE ACTION

Senate	.	House
Comm: WD	.	
03/10/2009	.	
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The Committee on Transportation (Baker) recommended the following:

**Senate Amendment (with title amendment)**

Delete lines 8 - 9  
and insert:

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

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

(3) Any person who violates the overloading provisions of this chapter shall be conclusively presumed to have damaged the highways of this state by reason of such overloading, which



896054

12 damage is hereby fixed as follows:

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

15 (b) Five cents per pound for each pound of weight in excess  
16 of the maximum herein provided when the excess weight exceeds  
17 200 pounds. However, whenever the gross weight of the vehicle or  
18 combination of vehicles does not exceed the maximum allowable  
19 gross weight, the maximum fine for the first 600 pounds of  
20 unlawful axle weight shall be \$10;

21 (c) For a vehicle equipped with fully functional idle-  
22 reduction technology, any penalty shall be calculated by  
23 reducing the actual gross vehicle weight or the internal bridge  
24 weight by the certified weight of the idle-reduction technology  
25 or by 400 pounds, whichever is less. The vehicle operator must  
26 present written certification of the weight of the idle-  
27 reduction technology and must demonstrate or certify that the  
28 idle-reduction technology is fully functional at all times. This  
29 calculation is not allowed for vehicles described in s.  
30 316.535(6);

31 (d)~~(e)~~ An apportioned motor vehicle, as defined in s.  
32 320.01, operating on the highways of this state without being  
33 properly licensed and registered shall be subject to the  
34 penalties as herein provided; and

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

39  
40 ===== T I T L E A M E N D M E N T =====



896054

41 And the title is amended as follows:

42 Delete lines 2 - 4

43 and insert:

44 An act relating to commercial motor vehicles; amending  
45 s. 316.545, F.S.; increasing the maximum weight limits  
46 on certain vehicles to compensate for weight increases  
47 that result from the installation of idle-reduction  
48 technologies; providing an effective date.