



463268

LEGISLATIVE ACTION

Senate

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House

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Floor: 4/AD/2R

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04/24/2009 02:45 PM

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Senator Baker moved the following:

Senate Amendment (with title amendment)

Between lines 99 and 100

insert:

Section 3. 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 damage is hereby fixed as follows:



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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 from
36 nonmember International Registration Plan jurisdictions which
37 are not in compliance with the provisions of s. 316.605 shall be
38 subject to the penalties as herein provided.

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

41 And the title is amended as follows:



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42 Between lines 18 and 19
43 insert:
44 amending s. 316.545, F.S.; providing for a reduction in the
45 gross weight of certain vehicles equipped with idle-reduction
46 technologies when calculating a penalty for exceeding maximum
47 weight limits; requiring the operator to provide certification
48 of the weight of the idle-reduction technology and to
49 demonstrate or certify that the idle-reduction technology is
50 fully functional at all times;