

1 A bill to be entitled
 2 An act relating to common carrier motor vehicles; creating
 3 s. 316.255, F.S.; requiring the use of SunPass electronic
 4 toll collection system when carrying passengers; defining
 5 the term "common carrier"; providing for application;
 6 providing penalties; 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. Section 316.255, Florida Statutes, is created
 11 to read:

12 316.255 Common carrier transporting passengers; SunPass
 13 required.--

14 (1) (a) A common carrier hired for the purpose of
 15 transporting passengers may not drive or operate, or cause to be
 16 driven or operated, on any road or bridge toll facility in this
 17 state any motor vehicle carrying such passengers unless the
 18 motor vehicle is equipped with the SunPass toll collection
 19 system.

20 (b) For purposes of this section, "common carrier" means
 21 any person, firm, or corporation that undertakes for hire, as a
 22 regular business, the transportation by motor vehicle of persons
 23 from place to place, offering its services to all who choose to
 24 employ it and pay its charges.

25 (c) This section does not apply in a county where the
 26 SunPass toll collection system is not in use.

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27 | (2) A violation of this section is a noncriminal traffic
28 | infraction, punishable as a nonmoving violation as provided in
29 | chapter 318.

30 | Section 2. This act shall take effect October 1, 2009.