

HB 257

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1 A bill to be entitled
2 An act relating to wreckers; amending s. 316.530, F.S.;
3 revising provisions of an exception to penalties for
4 exceeding weight limits; providing that the exception does
5 not apply to load limits for bridges and culverts when
6 those limits are posted; amending s. 316.535, F.S.;
7 providing that wreckers are subject to certain safety and
8 operational requirements; providing certain wreckers with
9 an exception to conditions for an exception to certain
10 total gross load weight limits; providing wreckers with an
11 exception to gross weight limits; amending s. 320.08,
12 F.S.; providing that specified license tax provisions
13 apply to wreckers used for certain purposes; providing an
14 effective date.

15
16 Be It Enacted by the Legislature of the State of Florida:

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18 Section 1. Subsection (3) of section 316.530, Florida
19 Statutes, is amended to read:

20 316.530 Towing requirements.--

21 (3) Whenever a motor vehicle becomes disabled upon the
22 highways of this state and a wrecker or tow truck is required to
23 remove it to a repair shop or other appropriate location, if the
24 combined weights of those two vehicles and the loads thereon
25 exceed the maximum allowable weights as established by s.
26 316.535, no penalty shall be assessed either vehicle or driver.
27 However, this exception shall not apply to the posted load

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28 | limits for bridges and culverts ~~established by the department as~~
 29 | ~~provided in s. 316.555.~~

30 | Section 2. Subsection (6) of section 316.535, Florida
 31 | Statutes, is amended to read:

32 | 316.535 Maximum weights.--

33 | (6) Dump trucks, concrete mixing trucks, trucks engaged in
 34 | waste collection and disposal, wreckers, and fuel oil and
 35 | gasoline trucks designed and constructed for special type work
 36 | or use, when operated as a single unit, shall be subject to all
 37 | safety and operational requirements of law, except that any such
 38 | vehicle need not conform to the axle spacing requirements of
 39 | this section provided that such vehicle shall be limited to a
 40 | total gross load, including the weight of the vehicle, of 20,000
 41 | pounds per axle plus scale tolerances and shall not exceed 550
 42 | pounds per inch width tire surface plus scale tolerances except
 43 | for a wrecker towing a wrecked, disabled, or replacement vehicle
 44 | as provided in s. 316.530. No vehicle operating pursuant to this
 45 | section, except a wrecker, shall exceed a gross weight,
 46 | including the weight of the vehicle and scale tolerances, of
 47 | 70,000 pounds. Any vehicle violating the weight provisions of
 48 | this section shall be penalized as provided in s. 316.545.

49 | Section 3. Subsection (5) of section 320.08, Florida
 50 | Statutes, is amended to read:

51 | 320.08 License taxes.--Except as otherwise provided
 52 | herein, there are hereby levied and imposed annual license taxes
 53 | for the operation of motor vehicles, mopeds, motorized bicycles
 54 | as defined in s. 316.003(2), and mobile homes, as defined in s.
 55 | 320.01, which shall be paid to and collected by the department

56 or its agent upon the registration or renewal of registration of
 57 the following:

58 (5) SEMITRAILERS, FEES ACCORDING TO GROSS VEHICLE WEIGHT;
 59 SCHOOL BUSES; SPECIAL PURPOSE VEHICLES.--

60 (a)1. A semitrailer drawn by a GVW truck tractor by means
 61 of a fifth-wheel arrangement: \$13.50 flat per registration year
 62 or any part thereof, of which \$3.50 shall be deposited into the
 63 General Revenue Fund.

64 2. A semitrailer drawn by a GVW truck tractor by means of
 65 a fifth-wheel arrangement: \$68 flat per permanent registration,
 66 of which \$18 shall be deposited into the General Revenue Fund.

67 (b) A motor vehicle equipped with machinery and designed
 68 for the exclusive purpose of well drilling, excavation,
 69 construction, spraying, or similar activity, and which is not
 70 designed or used to transport loads other than the machinery
 71 described above over public roads: \$44 flat, of which \$11.50
 72 shall be deposited into the General Revenue Fund.

73 (c) A school bus used exclusively to transport pupils to
 74 and from school or school or church activities or functions
 75 within their own county: \$41 flat, of which \$11 shall be
 76 deposited into the General Revenue Fund.

77 (d) A wrecker, as defined in s. 320.01(40), which is used
 78 to tow a vessel as defined in s. 327.02(39), a disabled,
 79 abandoned, stolen-recovered, or impounded motor vehicle as
 80 defined in s. 320.01(38), or a replacement motor vehicle as
 81 defined in s. 320.01(39): \$41 flat, of which \$11 shall be
 82 deposited into the General Revenue Fund.

83 (e) A wrecker that is used to tow any nondisabled motor
 84 vehicle, ~~regardless of whether such motor vehicle is a disabled~~
 85 ~~motor vehicle, a replacement motor vehicle,~~ a vessel, or any
 86 other cargo, unless used as defined in paragraph (d), as
 87 follows:

88 1. Gross vehicle weight of 10,000 pounds or more, but less
 89 than 15,000 pounds: \$118 flat, of which \$31 shall be deposited
 90 into the General Revenue Fund.

91 2. Gross vehicle weight of 15,000 pounds or more, but less
 92 than 20,000 pounds: \$177 flat, of which \$46 shall be deposited
 93 into the General Revenue Fund.

94 3. Gross vehicle weight of 20,000 pounds or more, but less
 95 than 26,000 pounds: \$251 flat, of which \$65 shall be deposited
 96 into the General Revenue Fund.

97 4. Gross vehicle weight of 26,000 pounds or more, but less
 98 than 35,000 pounds: \$324 flat, of which \$84 shall be deposited
 99 into the General Revenue Fund.

100 5. Gross vehicle weight of 35,000 pounds or more, but less
 101 than 44,000 pounds: \$405 flat, of which \$105 shall be deposited
 102 into the General Revenue Fund.

103 6. Gross vehicle weight of 44,000 pounds or more, but less
 104 than 55,000 pounds: \$772 flat, of which \$200 shall be deposited
 105 into the General Revenue Fund.

106 7. Gross vehicle weight of 55,000 pounds or more, but less
 107 than 62,000 pounds: \$915 flat, of which \$237 shall be deposited
 108 into the General Revenue Fund.

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109 | 8. Gross vehicle weight of 62,000 pounds or more, but less
110 | than 72,000 pounds: \$1,080 flat, of which \$280 shall be
111 | deposited into the General Revenue Fund.

112 | 9. Gross vehicle weight of 72,000 pounds or more: \$1,322
113 | flat, of which \$343 shall be deposited into the General Revenue
114 | Fund.

115 | (f) A hearse or ambulance: \$40.50 flat, of which \$10.50
116 | shall be deposited into the General Revenue Fund.

117 | Section 4. This act shall take effect July 1, 2010.