

By Senator Crist

12-00890-10

2010872__

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

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

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

21 316.530 Towing requirements.—

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

12-00890-10

2010872__

30 ~~provided in s. 316.555.~~

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

33 316.535 Maximum weights.—

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

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

52 320.08 License taxes.—Except as otherwise provided herein,
53 there are hereby levied and imposed annual license taxes for the
54 operation of motor vehicles, mopeds, motorized bicycles as
55 defined in s. 316.003(2), and mobile homes, as defined in s.
56 320.01, which shall be paid to and collected by the department
57 or its agent upon the registration or renewal of registration of
58 the following:

12-00890-10

2010872

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

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

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

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

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

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

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

12-00890-10

2010872

88 follows:

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

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

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

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

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

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

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

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

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

116 (f) A hearse or ambulance: \$40.50 flat, of which \$10.50

12-00890-10

2010872__

117 shall be deposited into the General Revenue Fund.

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