

1                                   A bill to be entitled  
 2           An act relating to trucking; providing a short title;  
 3           defining the term "small trucking firm"; exempting trucks  
 4           owned by small trucking firms from laws that prohibit  
 5           idling; providing for a waiver from the Department of  
 6           Environmental Protection exempting such firms from rules  
 7           and regulations restricting truck washing; providing such  
 8           firms with a tax credit for the costs of idling; providing  
 9           penalties for theft from small trucking firms; creating  
 10          the Trucking Regulation Workgroup to identify certain  
 11          rules and regulations; providing for membership of the  
 12          workgroup; directing the workgroup to make a report to the  
 13          Governor and the Legislature by a certain date;  
 14          authorizing the Department of Transportation to randomly  
 15          inspect trucks and prohibiting the use of target lists for  
 16          such inspections; providing an effective date.

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

19  
 20           Section 1. This act may be cited as the "Small Trucker  
 21 Relief Act."

22           Section 2. Small trucking firms.-

23           (1) As used in this section, the term "small trucking  
 24 firm" means a trucking enterprise that is family owned, has  
 25 fewer than 30 employees, or has fewer than 10 trucks in  
 26 operation.

HB 1263

2011

27 (2) Notwithstanding any law to the contrary, a penalty or  
28 fine may not be assessed for a truck idling, if that truck is  
29 owned by a small trucking firm.

30 (3) Upon application by a small trucking firm, the  
31 Department of Environmental Protection shall issue the firm a  
32 waiver that exempts the firm from department rules and  
33 regulations restricting truck washing and allows the firm to  
34 wash trucks.

35 (4) An annual credit against the corporate tax imposed by  
36 chapter 220, Florida Statutes, shall be granted to any small  
37 trucking firm in an amount equal to the cost value of the time  
38 and amount of fuel consumed while idling. A small trucking firm  
39 may apply for the tax credit on forms furnished by the  
40 Department of Revenue.

41 (5) A person who engages in the theft of cargo or  
42 equipment from a small trucking firm commits a felony of the  
43 second degree, punishable as provided in s. 775.082, s. 775.083,  
44 or s. 775.084, and, for each occurrence, shall be sentenced to a  
45 minimum term of 5 years in prison and fined \$100,000.

46 Section 3. Trucking workgroup.—

47 (1) There is created the Trucking Regulation Workgroup.

48 (2) The workgroup shall consist of the following members:

49 (a) The secretary of the Department of Transportation, or  
50 the secretary's representative.

51 (b) One member, appointed by the Governor, who shall be an  
52 owner or employee of a small trucker firm as defined in section  
53 2.

HB 1263

2011

54 (c) One member, appointed by the Governor, who is a member  
55 of the Florida Trucking Association.

56 (3) The workgroup shall identify rules and regulations  
57 that can be removed without affecting public safety and provide  
58 a report to the Governor, the President of the Senate, and the  
59 Speaker of the House of Representatives no later than October 1,  
60 2011.

61 Section 4. Department of Transportation truck  
62 inspections.—The Department of Transportation may inspect trucks  
63 randomly but may not use a target list to determine which trucks  
64 are inspected.

65 Section 5. This act shall take effect July 1, 2011.