

By Senator Evers

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

22  
23 Be It Enacted by the Legislature of the State of Florida:

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25           Section 1. This act may be cited as the "Small Trucker  
26 Relief Act."

27           Section 2. Small trucking firms.-

28           (1) As used in this section, the term "small trucking firm"  
29 means a trucking enterprise that is family owned, has fewer than

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30 30 employees, or has fewer than 10 trucks in operation.

31 (2) The county tax collector's office shall act as agent  
32 for the Department of Highway Safety and Motor Vehicles in the  
33 issuance and renewal issuance of:

34 (a) Registration license plates for trucks owned by small  
35 trucking firms.

36 (b) Commercial driver's licenses for employees of small  
37 trucking firms.

38 (3) Notwithstanding any law to the contrary, a penalty or  
39 fine may not be assessed for a truck idling, if that truck is  
40 owned by a small trucking firm.

41 (4) Upon application by a small trucking firm, the  
42 Department of Environmental Protection shall issue the firm a  
43 waiver that exempts the firm from department rules and  
44 regulations restricting truck washing and allows the firm to  
45 wash trucks.

46 (5) An annual credit against the corporate tax imposed by  
47 chapter 220, Florida Statutes, shall be granted to any small  
48 trucking firm in an amount equal to the cost value of the time  
49 and amount of fuel consumed while idling. A small trucking firm  
50 may apply for the tax credit on forms furnished by the  
51 Department of Revenue.

52 (6) A person who engages in the theft of cargo or equipment  
53 from a small trucking firm commits a felony of the second  
54 degree, punishable as provided in s. 775.082, s. 775.083, or s.  
55 775.084, Florida Statutes, and, for each occurrence, shall be  
56 sentenced to a minimum term of 5 years in prison and fined  
57 \$100,000.

58 Section 3. Trucking workgroup.-

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

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

61       (a) The Secretary of Transportation, or the secretary's  
62 representative.

63       (b) One member, appointed by the Governor, who shall be an  
64 owner or employee of a small trucking firm as defined in section  
65 2.

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

68       (3) The workgroup shall identify rules and regulations that  
69 can be removed without affecting public safety and provide a  
70 report to the Governor, the President of the Senate, and the  
71 Speaker of the House of Representatives no later than October 1,  
72 2011.

73       Section 4. Department of Transportation truck inspections.-  
74 The Department of Transportation may inspect trucks randomly but  
75 may not use a target list to determine which trucks are  
76 inspected.

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