



390462

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
01/19/2012	.	
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The Committee on Transportation (Evers) recommended the following:

**Senate Amendment (with title amendment)**

Between lines 488 and 489  
insert:

Section 7. Paragraph (c) of subsection (2) of section 316.302, Florida Statutes, is amended to read:

316.302 Commercial motor vehicles; safety regulations; transporters and shippers of hazardous materials; enforcement.-  
(2)

(c) Except as provided in 49 C.F.R. s. 395.1, a person who operates a commercial motor vehicle solely in intrastate commerce not transporting any hazardous material in amounts that



13 require placarding pursuant to 49 C.F.R. part 172 may not drive  
14 after having been on duty more than 70 hours in any period of 7  
15 consecutive days or more than 80 hours in any period of 8  
16 consecutive days if the motor carrier operates every day of the  
17 week. Thirty-four consecutive hours off duty shall constitute  
18 the end of any such period of 7 or 8 consecutive days. This  
19 weekly limit does not apply to a person who operates a  
20 commercial motor vehicle solely within this state while  
21 transporting, during harvest periods, any unprocessed  
22 agricultural products or unprocessed food or fiber that is  
23 subject to seasonal harvesting from place of harvest to the  
24 first place of processing or storage or from place of harvest  
25 directly to market or while transporting livestock, livestock  
26 feed, or farm supplies directly related to growing or harvesting  
27 agricultural products. Upon request of the Department of  
28 Transportation, motor carriers shall furnish time records or  
29 other written verification to that department so that the  
30 Department of Transportation can determine compliance with this  
31 subsection. These time records must be furnished to the  
32 Department of Transportation within 2 days after receipt of that  
33 department's request. Falsification of such information is  
34 subject to a civil penalty not to exceed \$100. The provisions of  
35 this paragraph do not apply to operators of farm labor vehicles  
36 operated during a state of emergency declared by the Governor or  
37 operated pursuant to s. 570.07(21), and do not apply to drivers  
38 of utility service vehicles as defined in 49 C.F.R. s. 395.2.

39  
40 ===== T I T L E A M E N D M E N T =====  
41 And the title is amended as follows:



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42           Delete line 38  
43 and insert:  
44           intent in doing so; amending s. 316.302, F.S.;  
45           providing that certain restrictions on the number of  
46           consecutive hours that a commercial motor vehicle may  
47           operate do not apply to a farm labor vehicle operated  
48           during a state of emergency or during an emergency  
49           pertaining to agriculture; amending s. 316.3026, F.S.;