



450552

LEGISLATIVE ACTION

Senate	.	House
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Floor: WD	.	
03/01/2012 06:13 PM	.	
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Senator Hays moved the following:

Senate Amendment (with title amendment)

Between lines 180 and 181

insert:

Section 5. Paragraph (c) of subsection (4) of section 206.41, Florida Statutes, is amended to read:

206.41 State taxes imposed on motor fuel.—

(4)

(c)1. Any person who uses any motor fuel for agricultural, aquacultural, commercial fishing, or commercial aviation purposes on which fuel the tax imposed by paragraph (1) (e), paragraph (1) (f), or paragraph (1) (g) has been paid is entitled to a refund of such tax.



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14 2. For the purposes of this paragraph, "agricultural and
15 aquacultural purposes" means motor fuel used in any tractor,
16 vehicle, or other farm equipment which is used exclusively on a
17 farm or for processing farm products on the farm, and no part of
18 which fuel is used in any vehicle or equipment driven or
19 operated upon the public highways of this state. This
20 restriction does not apply to the movement of a farm vehicle, ~~or~~
21 farm equipment, citrus harvesting equipment, or citrus fruit
22 loaders between farms. The transporting of bees by water and the
23 operating of equipment used in the apiary of a beekeeper shall
24 be also deemed an agricultural purpose.

25 3. For the purposes of this paragraph, "commercial fishing
26 and aquacultural purposes" means motor fuel used in the
27 operation of boats, vessels, or equipment used exclusively for
28 the taking of fish, crayfish, oysters, shrimp, or sponges from
29 salt or fresh waters under the jurisdiction of the state for
30 resale to the public, and no part of which fuel is used in any
31 vehicle or equipment driven or operated upon the highways of
32 this state; however, the term may in no way be construed to
33 include fuel used for sport or pleasure fishing.

34 4. For the purposes of this paragraph, "commercial aviation
35 purposes" means motor fuel used in the operation of aviation
36 ground support vehicles or equipment, no part of which fuel is
37 used in any vehicle or equipment driven or operated upon the
38 public highways of this state.

39 Section 6. Paragraph (a) of subsection (5) of section
40 316.515, Florida Statutes, is amended to read:

41 316.515 Maximum width, height, length.-

42 (5) IMPLEMENTS OF HUSBANDRY AND FARM EQUIPMENT;



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43 AGRICULTURAL TRAILERS; FORESTRY EQUIPMENT; SAFETY REQUIREMENTS.-

44 (a) Notwithstanding any other provisions of law, straight
45 trucks, agricultural tractors, citrus harvesting equipment,
46 citrus fruit loaders, and cotton module movers, not exceeding 50
47 feet in length, or any combination of up to and including three
48 implements of husbandry, including the towing power unit, and
49 any single agricultural trailer with a load thereon or any
50 agricultural implements attached to a towing power unit, or a
51 self-propelled agricultural implement or an agricultural
52 tractor, is authorized for the purpose of transporting peanuts,
53 grains, soybeans, citrus, cotton, hay, straw, or other
54 perishable farm products from their point of production to the
55 first point of change of custody or of long-term storage, and
56 for the purpose of returning to such point of production, or for
57 the purpose of moving such tractors, movers, and implements from
58 one point of agricultural production to another, by a person
59 engaged in the production of any such product or custom hauler,
60 if such vehicle or combination of vehicles otherwise complies
61 with this section. The Department of Transportation may issue
62 overlength permits for cotton module movers greater than 50 feet
63 but not more than 55 feet in overall length. Such vehicles shall
64 be operated in accordance with all safety requirements
65 prescribed by law and rules of the Department of Transportation.

66
67 ===== T I T L E A M E N D M E N T =====

68 And the title is amended as follows:

69 Delete line 14

70 and insert:
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72 for farm signs; amending s. 206.41, F.S.; revising the
73 definition of the term "agricultural and aquacultural
74 purposes" for purposes of the required refund of state
75 taxes imposed on motor fuel used for such purposes;
76 amending s. 316.515, F.S.; revising the Florida
77 Uniform Traffic Control Law to authorize the use of
78 citrus harvesting equipment and citrus fruit loaders
79 to transport certain agricultural products and to
80 authorize the use of certain motor vehicles to
81 transport citrus; providing an effective date.