

By Senator Brandes

22-01308B-13

20131054

1 A bill to be entitled
2 An act relating to the Department of Highway Safety
3 and Motor Vehicles; amending s. 316.302, F.S.;
4 providing that owners or drivers of certain commercial
5 motor vehicles are subject to specific federal
6 commercial driver license standards; providing that
7 commercial motor vehicles transporting hazardous
8 material are subject to federal regulations relating
9 to the designation of approval and certification
10 agencies; deleting exemptions from commercial motor
11 vehicle rules for the transportation of liquefied
12 petroleum gas; providing an effective date.

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14 Be It Enacted by the Legislature of the State of Florida:

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16 Section 1. Paragraph (b) of subsection (1), paragraph (a)
17 of subsection (4), and subsection (9) of section 316.302,
18 Florida Statutes, are amended to read:

19 316.302 Commercial motor vehicles; safety regulations;
20 transporters and shippers of hazardous materials; enforcement.-

21 (1)

22 (b) Except as otherwise provided in this section, all
23 owners or drivers of commercial motor vehicles that are engaged
24 in intrastate commerce are subject to the rules and regulations
25 contained in 49 C.F.R. parts 382, 383, 385, and 390-397, with
26 the exception of 49 C.F.R. s. 390.5 as it relates to the
27 definition of bus, ~~as such rules and regulations existed on~~
28 ~~October 1, 2011.~~

29 (4) (a) Except as provided in this subsection, all

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30 commercial motor vehicles transporting any hazardous material on
31 any road, street, or highway open to the public, whether engaged
32 in interstate or intrastate commerce, and any person who offers
33 hazardous materials for such transportation, are subject to the
34 regulations contained in 49 C.F.R. part 107, subpart F, subpart
35 G, and 49 C.F.R. parts 171, 172, 173, 177, 178, and 180.
36 Effective July 1, 1997, the exceptions for intrastate motor
37 carriers provided in 49 C.F.R. 173.5 and 173.8 are hereby
38 adopted.

39 ~~(9) (a) This section is not applicable to the transporting~~
40 ~~of liquefied petroleum gas. The rules and regulations applicable~~
41 ~~to the transporting of liquefied petroleum gas on the highways,~~
42 ~~roads, or streets of this state shall be only those adopted by~~
43 ~~the Department of Agriculture and Consumer Services under~~
44 ~~chapter 527. However, transporters of liquefied petroleum gas~~
45 ~~must comply with the requirements of 49 C.F.R. parts 393 and~~
46 ~~396.9.~~

47 ~~(b) This section does not apply to a any nonpublic sector~~
48 ~~bus.~~

49 Section 2. This act shall take effect July 1, 2013.