



570956

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
03/18/2014	.	
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The Committee on Agriculture (Grimsley) recommended the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

Section 1. Effective October 1, 2014, subsection (7) of
section 316.545, Florida Statutes, is amended to read:

316.545 Weight and load unlawful; special fuel and motor
fuel tax enforcement; inspection; penalty; review.—

(7) There is created within the Department of
Transportation the Commercial Motor Vehicle Review Board,



570956

11 consisting of three permanent members who shall be the Secretary
12 of the Department of Transportation, the executive director of
13 the Department of Highway Safety and Motor Vehicles, and the
14 Commissioner of Agriculture, or their authorized
15 representatives, and three additional members appointed pursuant
16 to paragraph (b), which may review any penalty imposed upon any
17 vehicle or person under the provisions of this chapter relating
18 to weights imposed on the highways by the axles and wheels of
19 motor vehicles, to special fuel and motor fuel tax compliance,
20 or to violations of safety regulations.

21 (a) The Secretary of ~~the Department of~~ Transportation or
22 his or her authorized representative shall be the chair of the
23 review board.

24 (b) The Governor shall appoint a fourth member from the
25 road construction industry and a fifth member from the trucking
26 industry, and the Commissioner of Agriculture shall appoint a
27 sixth member from the agriculture industry. Each member
28 appointed under this paragraph must be a registered voter and
29 citizen of the state and must possess business experience in the
30 private sector. Members appointed pursuant to this paragraph
31 shall each serve a 2-year term. A vacancy occurring during the
32 term of a member appointed under this paragraph shall be filled
33 only for the balance of the unexpired term. Members of the board
34 appointed under this paragraph may be removed from office by the
35 Governor for misconduct, malfeasance, misfeasance, or
36 nonfeasance in office ~~Each permanent member of the review board~~
37 ~~may designate one additional person to be a member of the review~~
38 ~~board.~~

39 (c) Each member, before entering upon his or her official



570956

40 duties, shall take and subscribe to an oath before an official
41 authorized by law to administer oaths that he or she will
42 honestly, faithfully, and impartially perform the duties
43 devolving upon him or her in office as a member of the review
44 board and that he or she will not neglect any duties imposed
45 upon him or her by s. 316.3025, s. 316.550, or this section ~~The~~
46 ~~review board may execute its responsibilities by meeting as a~~
47 ~~single group or as subgroups consisting of one authorized~~
48 ~~representative of each permanent member.~~

49 (d) The chair of the review board is responsible for the
50 administrative functions of the review board.

51 (e) Four members of the board shall constitute a quorum,
52 and the vote of three members including the chair, or otherwise
53 four members, shall be necessary for any action taken by the
54 board. A vacancy on the board shall not impair the right of a
55 quorum of the board to exercise all of the rights and perform
56 all of the duties of the board.

57 (f) ~~(e)~~ The review board may hold sessions and conduct
58 proceedings at any place within the state.

59 Section 2. The appointment of additional members to the
60 Commercial Motor Vehicle Review Board in accordance with changes
61 made by this act to s. 316.545, Florida Statutes, shall be made
62 no later than September 1, 2014, for terms beginning October 1,
63 2014.

64 Section 3. Except as otherwise expressly provided in this
65 act, this act shall take effect July 1, 2014.

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

68 And the title is amended as follows:



570956

69 Delete everything before the enacting clause
70 and insert:

71 A bill to be entitled
72 An act relating to the Commercial Motor Vehicle Review
73 Board; amending s. 316.545, F.S.; revising membership
74 of the board; providing for appointment of additional
75 members by the Governor and the Commissioner of
76 Agriculture; providing for terms of the additional
77 members; providing qualifications for such members;
78 providing for removal of members by the Governor under
79 certain circumstances; providing for action by a
80 quorum of the board; requiring that the additional
81 appointments be made by a specified date; providing
82 effective dates.