

Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	_____	(Y/N)
ADOPTED AS AMENDED	_____	(Y/N)
ADOPTED W/O OBJECTION	_____	(Y/N)
FAILED TO ADOPT	_____	(Y/N)
WITHDRAWN	_____	(Y/N)
OTHER		

1 Committee/Subcommittee hearing bill: Transportation & Highway
 2 Safety Subcommittee
 3 Representative Beshears offered the following:

Amendment (with title amendment)

Remove lines 14-72 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, consisting of three permanent members who shall be the secretary of the Department of Transportation, the executive director of the Department of Highway Safety and Motor Vehicles, and the Commissioner of Agriculture, or their authorized representatives, and three additional members appointed pursuant

Amendment No. 1

18 to paragraph (b) of this subsection, which may review any
19 penalty imposed upon any vehicle or person under the provisions
20 of this chapter relating to weights imposed on the highways by
21 the axles and wheels of motor vehicles, to special fuel and
22 motor fuel tax compliance, or to violations of safety
23 regulations.

24 (a) The secretary of the Department of Transportation or
25 his or her authorized representative shall be the chair of the
26 review board.

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

42 (c) Each member, before entering upon his or her official
43 duties, shall take and subscribe to an oath before an official

Amendment No. 1

44 authorized by law to administer oaths that he or she will
45 honestly, faithfully, and impartially perform the duties
46 devolving upon him or her in office as a member of the review
47 board and that he or she will not neglect any duties imposed
48 upon him or her by this act. ~~The review board may execute its~~
49 ~~responsibilities by meeting as a single group or as subgroups~~
50 ~~consisting of one authorized representative of each permanent~~
51 ~~member.~~

52 (d) The chair of the review board is responsible for the
53 administrative functions of the review board.

54 (e) Four members of the board shall constitute a quorum,
55 and the vote of three members including the chair, or otherwise
56 four members, shall be necessary for any action taken by the
57 board. No vacancy in the board shall impair the right of a
58 quorum of the board to exercise all of the rights and perform
59 all of the duties of the board.

60 (f)-(e) The review board may hold sessions and conduct
61 proceedings at any place within the state.

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

67 Section 3. Except as otherwise expressly provided in this
68 act, this act shall take effect July 1, 2014.
69

Amendment No. 1

70
71
72
73
74
75
76
77
78

T I T L E A M E N D M E N T

Remove lines 2-10 and insert:
An act relating to the Commercial Motor Vehicle Review Board; amending s. 361.545, F.S.; revising membership of the board; requiring appointment of additional members; providing terms of such members; providing for action by a quorum of members; providing an effective date.