



331456

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
01/18/2018	.	
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The Committee on Transportation (Brandes) recommended the following:

1           **Senate Amendment to Amendment (905658) (with title**  
2 **amendment)**

3  
4           Delete lines 5 - 92  
5 and insert:

6           Section 1. Present subsection (20) is amended, present  
7 subsections (21) through (52) of section 316.003, Florida  
8 Statutes, are renumbered as subsections (20) through (51),  
9 respectively, and a new subsection (52) is added to that  
10 section, to read:



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11           316.003 Definitions.—The following words and phrases, when  
12 used in this chapter, shall have the meanings respectively  
13 ascribed to them in this section, except where the context  
14 otherwise requires:

15           ~~(20) DRIVER-ASSISTIVE TRUCK PLATOONING TECHNOLOGY.—Vehicle~~  
16 ~~automation and safety technology that integrates sensor array,~~  
17 ~~wireless vehicle-to-vehicle communications, active safety~~  
18 ~~systems, and specialized software to link safety systems and~~  
19 ~~synchronize acceleration and braking between two vehicles while~~  
20 ~~leaving each vehicle's steering control and systems command in~~  
21 ~~the control of the vehicle's driver in compliance with the~~  
22 ~~National Highway Traffic Safety Administration rules regarding~~  
23 ~~vehicle-to-vehicle communications.~~

24           (52) PLATOON.—A group of individual motor vehicles  
25 traveling in a unified manner at electronically coordinated  
26 speeds at following distances that are closer than defined under  
27 s. 316.0895(2).

28           Section 2. Section 316.0896, Florida Statutes, is repealed.

29           Section 3. Section 316.0897, Florida Statutes, is created  
30 to read:

31           316.0897 Platoons.—

32           (1) Section 316.0895 does not apply to the operator of a  
33 non-lead vehicle in a platoon, as defined in s. 316.003.

34           (2) A platoon may be operated on a roadway in this state  
35 after an operator provides notification to the Department of  
36 Transportation and the Department of Highway Safety and Motor  
37 Vehicles.

38           Section 4. Subsection (1) and paragraphs (a), (c), (d), and  
39 (f) of subsection (2) of section 316.302, Florida Statutes, are



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40 amended to read:

41 316.302 Commercial motor vehicles; safety regulations;  
42 transporters and shippers of hazardous materials; enforcement.—

43 (1) Except as otherwise provided in subsection (3):

44 (a) All owners and drivers of commercial motor vehicles  
45 that are operated on the public highways of this state while  
46 engaged in interstate commerce are subject to the rules and  
47 regulations contained in 49 C.F.R. parts 382, 385, and 390-397.

48 (b) Except as otherwise provided in this section, all  
49 owners or drivers of commercial motor vehicles that are engaged  
50 in intrastate commerce are subject to the rules and regulations  
51 contained in 49 C.F.R. parts 382, 383, 385, and 390-397, ~~with~~  
52 ~~the exception of 49 C.F.R. s. 390.5 as it relates to the~~  
53 ~~definition of bus,~~ as such rules and regulations existed on  
54 December 31, 2017 ~~2012~~.

55 (c) The emergency exceptions provided by 49 C.F.R. s.  
56 392.82 also apply to communications by utility drivers and  
57 utility contractor drivers during a Level 1 activation of the  
58 State Emergency Operations Center, as provided in the Florida  
59 Comprehensive Emergency Management plan, or during a state of  
60 emergency declared by executive order or proclamation of the  
61 Governor.

62 (d) Except as provided in ~~s. 316.215(5), and except as~~  
63 ~~provided in~~ s. 316.228 for rear overhang lighting and flagging  
64 requirements for intrastate operations, the requirements of this  
65 section supersede all other safety requirements of this chapter  
66 for commercial motor vehicles.

67 (e) For motor carriers engaged in intrastate commerce who  
68 are not carrying hazardous materials in amounts that require



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69 placards, the requirement for electronic logging devices and  
70 hours of service support documents shall take effect December  
71 31, 2019.

72 (2) (a) A person who operates a commercial motor vehicle  
73 solely in intrastate commerce not transporting any hazardous  
74 material in amounts that require placarding pursuant to 49  
75 C.F.R. part 172 need not comply with 49 C.F.R. ss. 391.11(b) (1)  
76 and 395.3 ~~395.3(a) and (b)~~.

77 (c) Except as provided in 49 C.F.R. s. 395.1, a person who  
78 operates a commercial motor vehicle solely in intrastate  
79 commerce not transporting any hazardous material in amounts that  
80 require placarding pursuant to 49 C.F.R. part 172 may not drive  
81 after having been on duty more than 70 hours in any period of 7  
82 consecutive days or more than 80 hours in any period of 8  
83 consecutive days if the motor carrier operates every day of the  
84 week. Thirty-four consecutive hours off duty shall constitute  
85 the end of any such period of 7 or 8 consecutive days. This  
86 weekly limit does not apply to a person who operates a  
87 commercial motor vehicle solely within this state while  
88 transporting, during harvest periods, any unprocessed  
89 agricultural products or unprocessed food or fiber that is  
90 subject to seasonal harvesting from place of harvest to the  
91 first place of processing or storage or from place of harvest  
92 directly to market or while transporting livestock, livestock  
93 feed, or farm supplies directly related to growing or harvesting  
94 agricultural products. Upon request of the Department of Highway  
95 Safety and Motor Vehicles, motor carriers shall furnish time  
96 records or other written verification to that department so that  
97 the Department of Highway Safety and Motor Vehicles can



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98 determine compliance with this subsection. These time records  
99 must be furnished to the Department of Highway Safety and Motor  
100 Vehicles within 2 days after receipt of that department's  
101 request. Falsification of such information is subject to a civil  
102 penalty ~~not to exceed \$100. The provisions of~~ This paragraph  
103 does ~~de~~ not apply to operators of farm labor vehicles operated  
104 during a state of emergency declared by the Governor or operated  
105 pursuant to s. 570.07(21)~~7~~ and does ~~de~~ not apply to drivers of  
106 utility service vehicles as defined in 49 C.F.R. s. 395.2.

107 (d) A person who operates a commercial motor vehicle solely  
108 in intrastate commerce not transporting any hazardous material  
109 in amounts that require placarding pursuant to 49 C.F.R. part  
110 172 within a 150 air-mile radius of the location where the  
111 vehicle is based need not comply with 49 C.F.R. s. 395.8~~7~~ if the  
112 requirements of 49 C.F.R. s. 395.1(e)(1)(ii), (iii)(A) and (C),  
113 ~~395.1(e)(1)(iii) and (v) are met. If a driver is not released~~  
114 ~~from duty within 12 hours after the driver arrives for duty, the~~  
115 ~~motor carrier must maintain documentation of the driver's~~  
116 ~~driving times throughout the duty period.~~

117 (f) A person who operates a commercial motor vehicle having  
118 a ~~declared~~ gross vehicle weight, gross vehicle weight rating,  
119 and gross combined weight rating of less than 26,001 pounds  
120 solely in intrastate commerce and who is not transporting  
121 hazardous materials in amounts that require placarding pursuant  
122 to 49 C.F.R. part 172~~7~~, ~~or who is transporting petroleum products~~  
123 ~~as defined in s. 376.301~~7~~~~, is exempt from subsection (1).  
124 However, such person must comply with 49 C.F.R. parts 382, 392,  
125 and 393~~7~~ and with 49 C.F.R. ss. 396.3(a)(1) and 396.9.

126 Section 5. Subsection (3) of section 316.303, Florida



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127 Statutes, is amended to read:

128 316.303 Television receivers.—

129 (3) This section does not prohibit the use of an electronic  
130 display used in conjunction with a vehicle navigation system; an  
131 electronic display used by an operator of a vehicle equipped  
132 with autonomous technology, as defined in s. 316.003; or an  
133 electronic display used by an operator of a platoon vehicle  
134 ~~equipped and operating with driver-assistive truck platooning~~  
135 ~~technology~~, as defined in s. 316.003.

136

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

138 And the title is amended as follows:

139 Delete lines 211 - 224

140 and insert:

141 s. 316.003, F.S.; deleting the term "driver-assistive  
142 truck platooning technology"; defining the term  
143 "platoon"; repealing s. 316.0896, F.S., relating to  
144 the assistive truck platooning technology pilot  
145 project; creating s. 316.0897, F.S.; exempting the  
146 operator of a non-lead vehicle in a platoon from a  
147 specified provision; authorizing a platoon to be  
148 operated on a roadway in this state after an operator  
149 provides notification to the Department of  
150 Transportation and the Department of Highway Safety  
151 and Motor Vehicles; amending s. 316.302, F.S.;  
152 revising regulations to which owners and drivers of  
153 commercial motor vehicles are subject; delaying the  
154 requirement for electronic logging devices and support  
155 documents for certain intrastate motor carriers;



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156 deleting a limitation on a civil penalty for  
157 falsification of certain time records; deleting a  
158 requirement that a motor carrier maintain certain  
159 documentation of driving times; providing an exemption  
160 from specified provisions for a person who operates a  
161 commercial motor vehicle with a certain gross vehicle  
162 weight, gross vehicle weight rating, and gross  
163 combined weight rating; deleting the exemption from  
164 such provisions for a person transporting petroleum  
165 products; amending s. 316.303, F.S.; conforming a  
166 provision to changes made by the act; amending s.  
167 320.01, F.S.; revising