

Amendment No.

CHAMBER ACTION

Senate

House

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1 Representative Payne offered the following:

2  
3 **Amendment (with title amendment)**

4 Remove everything after the enacting clause and insert:

5 Section 1. Subsections (53) through (99) of section  
6 316.003, Florida Statutes, are renumbered as subsections (54)  
7 through (100), respectively, and a new subsection (53) is added  
8 to that section to read:

9 316.003 Definitions.—The following words and phrases, when  
10 used in this chapter, shall have the meanings respectively  
11 ascribed to them in this section, except where the context  
12 otherwise requires:

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13        (53) PLATOON.—A group of two individual truck tractor  
14 semi-trailer combinations, transporting property in quantities  
15 that do not require placards, traveling in a unified manner at  
16 electronically coordinated speeds at following distances that  
17 are closer than provided in s. 316.0895(2).

18        Section 2. Section 316.0896, Florida Statutes, is  
19 repealed.

20        Section 3. Section 316.0897, Florida Statutes, is created  
21 to read:

22        316.0897 Platoons.—

23        (1) Section 316.0895 does not apply to the operator of a  
24 nonlead vehicle in a platoon, as defined in s. 316.003.

25        (2) A platoon may be operated on a roadway in this state  
26 after an operator provides notification to the Department of  
27 Transportation and the Department of Highway Safety and Motor  
28 Vehicles.

29        Section 4. Subsection (1) and paragraphs (a), (c), (d),  
30 and (f) of subsection (2) of section 316.302, Florida Statutes,  
31 are amended to read:

32        316.302 Commercial motor vehicles; safety regulations;  
33 transporters and shippers of hazardous materials; enforcement.—

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

35        (a) All owners and drivers of commercial motor vehicles  
36 that are operated on the public highways of this state while

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37 engaged in interstate commerce are subject to the rules and  
38 regulations contained in 49 C.F.R. parts 382, 385, and 390-397.

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

46 (c) The emergency exceptions provided by 49 C.F.R. s.  
47 392.82 also apply to communications by utility drivers and  
48 utility contractor drivers during a Level 1 activation of the  
49 State Emergency Operations Center, as provided in the Florida  
50 Comprehensive Emergency Management plan, or during a state of  
51 emergency declared by executive order or proclamation of the  
52 Governor.

53 (d) Except as provided in ~~s. 316.215(5), and except as~~  
54 ~~provided in~~ s. 316.228 for rear overhang lighting and flagging  
55 requirements for intrastate operations, the requirements of this  
56 section supersede all other safety requirements of this chapter  
57 for commercial motor vehicles.

58 (e) Except as provided in 49 C.F.R. 395.1 or as otherwise  
59 provided in this section, a person who operates a commercial  
60 motor vehicle solely in intrastate commerce not transporting  
61 hazardous materials in amounts that require placarding pursuant

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62 to 49 C.F.R. part 172 need not comply with Electronic Logging  
63 Device and Hours of Service Support Documents provided in 49  
64 C.F.R. until December 31, 2018. At a minimum, a person who  
65 operates a commercial motor vehicle in a manner requiring  
66 completion of a record of duty status on not more than 8 days  
67 within any 30-day period, in a driveaway-towaway operation in  
68 which the vehicle being driven is part of the shipment being  
69 delivered, in a driveaway-towaway operation in which the vehicle  
70 being transported is a motor home or a recreation vehicle  
71 trailer, or that was manufactured before model year 2000, as  
72 reflected in the vehicle identification number as shown on the  
73 vehicle's registration, will be exempt from Electronic Logging  
74 Device and Hours of Service Support Documents when operating  
75 solely in intrastate commerce not transporting hazardous  
76 materials in amounts that require placards.

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

82 (c) Except as provided in 49 C.F.R. s. 395.1, a person who  
83 operates a commercial motor vehicle solely in intrastate  
84 commerce not transporting any hazardous material in amounts that  
85 require placarding pursuant to 49 C.F.R. part 172 may not drive  
86 after having been on duty more than 70 hours in any period of 7

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87 consecutive days or more than 80 hours in any period of 8  
88 consecutive days if the motor carrier operates every day of the  
89 week. Thirty-four consecutive hours off duty shall constitute  
90 the end of any such period of 7 or 8 consecutive days. This  
91 weekly limit does not apply to a person who operates a  
92 commercial motor vehicle solely within this state while  
93 transporting, during harvest periods, any unprocessed  
94 agricultural products or unprocessed food or fiber that is  
95 subject to seasonal harvesting from place of harvest to the  
96 first place of processing or storage or from place of harvest  
97 directly to market or while transporting livestock, livestock  
98 feed, or farm supplies directly related to growing or harvesting  
99 agricultural products. Upon request of the Department of Highway  
100 Safety and Motor Vehicles, motor carriers shall furnish time  
101 records or other written verification to that department so that  
102 the Department of Highway Safety and Motor Vehicles can  
103 determine compliance with this subsection. These time records  
104 must be furnished to the Department of Highway Safety and Motor  
105 Vehicles within 2 days after receipt of that department's  
106 request. Falsification of such information is subject to a civil  
107 penalty ~~not to exceed \$100. The provisions of~~ This paragraph  
108 does ~~de~~ not apply to operators of farm labor vehicles operated  
109 during a state of emergency declared by the Governor or operated  
110 pursuant to s. 570.07(21) ~~r~~ and does ~~de~~ not apply to drivers of  
111 utility service vehicles as defined in 49 C.F.R. s. 395.2.

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112 (d) A person who operates a commercial motor vehicle  
113 solely in intrastate commerce not transporting any hazardous  
114 material in amounts that require placarding pursuant to 49  
115 C.F.R. part 172 within a 150 air-mile radius of the location  
116 where the vehicle is based need not comply with 49 C.F.R. s.  
117 395.8~~7~~ if the requirements of 49 C.F.R. s. 395.1(e)(1)(ii),  
118 (iii)(A) and (C), 395.1(e)(1)(iii) and (v) are met. ~~If a driver~~  
119 ~~is not released from duty within 12 hours after the driver~~  
120 ~~arrives for duty, the motor carrier must maintain documentation~~  
121 ~~of the driver's driving times throughout the duty period.~~

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

131 Section 5. Subsection (3) of section 316.303, Florida  
132 Statutes, is amended to read:

133 316.303 Television receivers.—

134 (3) This section does not prohibit the use of an  
135 electronic display used in conjunction with a vehicle navigation  
136 system; an electronic display used by an operator of a vehicle

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137 equipped with autonomous technology, as defined in s. 316.003;  
138 or an electronic display used by an operator of a platoon  
139 vehicle equipped and operating with driver-assistive truck  
140 platooning technology, as defined in s. 316.003.

141 Section 6. Subsection (24) of section 320.01, Florida  
142 Statutes, is amended to read:

143 320.01 Definitions, general.—As used in the Florida  
144 Statutes, except as otherwise provided, the term:

145 (24) "Apportionable vehicle" means any vehicle, except  
146 recreational vehicles, vehicles displaying restricted plates,  
147 city pickup and delivery vehicles, ~~buses used in transportation~~  
148 ~~of chartered parties,~~ and government-owned vehicles, which is  
149 used or intended for use in two or more member jurisdictions  
150 that allocate or proportionally register vehicles and which is  
151 used for the transportation of persons for hire or is designed,  
152 used, or maintained primarily for the transportation of property  
153 and:

154 (a) Is a power unit having a gross vehicle weight in  
155 excess of 26,000 pounds;

156 (b) Is a power unit having three or more axles, regardless  
157 of weight; or

158 (c) Is used in combination, when the weight of such  
159 combination exceeds 26,000 pounds gross vehicle weight.

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161 Vehicles, or combinations thereof, having a gross vehicle weight  
162 of 26,000 pounds or less and two-axle vehicles may be  
163 proportionally registered.

164 Section 7. Paragraph (b) of subsection (1) of section  
165 320.06, Florida Statutes, is amended to read:

166 320.06 Registration certificates, license plates, and  
167 validation stickers generally.—

168 (1)

169 (b)1. Registration license plates bearing a graphic symbol  
170 and the alphanumeric system of identification shall be issued  
171 for a 10-year period. At the end of the 10-year period, upon  
172 renewal, the plate shall be replaced. The department shall  
173 extend the scheduled license plate replacement date from a 6-  
174 year period to a 10-year period. The fee for such replacement is  
175 \$28, \$2.80 of which shall be paid each year before the plate is  
176 replaced, to be credited toward the next \$28 replacement fee.  
177 The fees shall be deposited into the Highway Safety Operating  
178 Trust Fund. A credit or refund may not be given for any prior  
179 years' payments of the prorated replacement fee if the plate is  
180 replaced or surrendered before the end of the 10-year period,  
181 except that a credit may be given if a registrant is required by  
182 the department to replace a license plate under s.

183 320.08056(8)(a). With each license plate, a validation sticker  
184 shall be issued showing the owner's birth month, license plate  
185 number, and the year of expiration or the appropriate renewal

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186 period if the owner is not a natural person. The validation  
187 sticker shall be placed on the upper right corner of the license  
188 plate. The license plate and validation sticker shall be issued  
189 based on the applicant's appropriate renewal period. The  
190 registration period is 12 months, the extended registration  
191 period is 24 months, and all expirations occur based on the  
192 applicant's appropriate registration period.

193 2. Before October 1, 2019, a vehicle that has an  
194 apportioned registration shall be issued an annual license plate  
195 and a cab card denoting ~~that denote~~ the declared gross vehicle  
196 weight ~~for each apportioned jurisdiction in which the vehicle is~~  
197 ~~authorized to operate.~~

198 3. Beginning October 1, 2019, a vehicle registered in  
199 accordance with the International Registration Plan shall be  
200 issued a license plate for a 5-year period, an annual cab card  
201 denoting the declared gross vehicle weight, and an annual  
202 validation sticker showing the month and year of expiration. The  
203 validation sticker shall be placed in the center of the license  
204 plate. The license plate and validation sticker shall be issued  
205 based on the applicant's appropriate renewal period. The fee for  
206 the initial validation sticker and any renewed validation  
207 sticker is \$28. This fee shall be deposited into the Highway  
208 Safety Operating Trust Fund. A damaged or worn license plate may  
209 be replaced at no charge by applying to the department and  
210 surrendering the current license plate.

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211 ~~4.2.~~ In order to retain the efficient administration of  
212 the taxes and fees imposed by this chapter, the 80-cent fee  
213 increase in the replacement fee imposed by chapter 2009-71, Laws  
214 of Florida, is negated as provided in s. 320.0804.

215 Section 8. Subsection (5) of section 320.0607, Florida  
216 Statutes, is amended to read:

217 320.0607 Replacement license plates, validation decal, or  
218 mobile home sticker.—

219 (5) Upon the issuance of an original license plate, the  
220 applicant shall pay a fee of \$28 to be deposited in the Highway  
221 Safety Operating Trust Fund. Beginning October 1, 2019, this  
222 subsection does not apply to a vehicle registered under the  
223 International Registration Plan.

224 Section 9. Subsection (10) is added to section 320.131,  
225 Florida Statutes, to read:

226 320.131 Temporary tags.—

227 (10) The department may partner with a county tax  
228 collector to conduct a Fleet Vehicle Temporary Tag pilot program  
229 to provide temporary tags to fleet companies to allow them to  
230 operate fleet vehicles awaiting a permanent registration and  
231 title.

232 (a) The department shall establish a memorandum of  
233 understanding that allows up to three companies to participate  
234 in the pilot program and receive multiple temporary tags for  
235 company fleet vehicles.

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236 (b) To participate in the program, a fleet company must  
237 have at least 3,500 fleet vehicles registered in this state  
238 which qualify to be registered as fleet vehicles pursuant to s.  
239 320.0657.

240 (c) The department may issue up to 50 temporary tags at a  
241 time to an eligible fleet company if requested by such company.

242 (d) A temporary tag issued under this subsection is for  
243 exclusive use on a vehicle purchased for the company's fleet and  
244 may not be used on any other vehicle.

245 (e) Each temporary tag may be used on only one vehicle,  
246 and each vehicle may use only one temporary tag.

247 (f) Upon issuance of the vehicle's permanent license plate  
248 and registration, the temporary tag becomes invalid and must be  
249 removed from the vehicle and destroyed.

250 (g) Upon a finding by the department that a temporary tag  
251 has been misused by a fleet company under this program, the  
252 department may terminate the memorandum of understanding with  
253 the company, invalidate all temporary tags issued to the company  
254 under the program, and require such company to return any unused  
255 temporary tags.

256 (h) The issuance of a tag using this method must be  
257 reported to the department within 2 business days, not including  
258 weekends or state holidays, after the issuance of the tag. The  
259 county tax collector shall keep a record of each temporary tag

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260 issued. The record must include the date of issuance, tag number  
261 issued, vehicle identification number, and vehicle description.

262 (i) This subsection is repealed October 1, 2021, unless  
263 saved from repeal through reenactment by the Legislature.

264 Section 10. Paragraph (a) of subsection (2) of section  
265 812.014, Florida Statutes, is amended to read:

266 812.014 Theft.—

267 (2)(a)1. If the property stolen is valued at \$100,000 or  
268 more or is a semitrailer that was deployed by a law enforcement  
269 officer; or

270 2. If the property stolen is cargo valued at \$50,000 or  
271 more that has entered the stream of interstate or intrastate  
272 commerce from the shipper's loading platform to the consignee's  
273 receiving dock; or

274 3. If the offender commits any grand theft and:

275 a. In the course of committing the offense the offender  
276 uses a motor vehicle as an instrumentality, other than merely as  
277 a getaway vehicle, to assist in committing the offense and  
278 thereby damages the real property of another; ~~or~~

279 b. In the course of committing the offense the offender  
280 causes damage to the real or personal property of another in  
281 excess of \$1,000; or

282 c. In the course of committing the offense the offender  
283 uses any type of device to defeat, block, disable, jam, or  
284 interfere with a global positioning system or similar system

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285 designed to identify the location of the cargo or the vehicle or  
286 trailer carrying the cargo,

287  
288 the offender commits grand theft in the first degree, punishable  
289 as a felony of the first degree, as provided in s. 775.082, s.  
290 775.083, or s. 775.084.

291 Section 11. This act shall take effect October 1, 2018.

292  
293 -----

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

295 Remove everything before the enacting clause and insert:

296 A bill to be entitled

297 An act relating to commercial motor vehicles; amending  
298 s. 316.003, F.S.; defining the term "platoon";  
299 repealing s. 316.0896, F.S., relating to the assistive  
300 truck platooning technology pilot project; creating s.  
301 316.0897, F.S.; exempting the operator of a nonlead  
302 vehicle in a platoon from provisions relating to  
303 following too closely; authorizing a platoon to be  
304 operated on a roadway in this state after an operator  
305 provides notification to the Department of  
306 Transportation and the Department of Highway Safety  
307 and Motor Vehicles; amending s. 316.302, F.S.;  
308 revising regulations to which owners and drivers of  
309 commercial motor vehicles are subject; revising

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310 requirements for electronic logging devices and  
311 support documents for certain intrastate motor  
312 carriers; deleting a limitation on a civil penalty for  
313 falsification of certain time records; deleting a  
314 requirement that a motor carrier maintain certain  
315 documentation of driving times; providing an exemption  
316 from specified provisions for a person who operates a  
317 commercial motor vehicle with a certain gross vehicle  
318 weight, gross vehicle weight rating, and gross  
319 combined weight rating; deleting the exemption from  
320 such provisions for a person transporting petroleum  
321 products; amending s. 316.303, F.S.; exempting an  
322 operator of a certain platoon vehicle from the  
323 prohibition on the active display of television or  
324 video; amending s. 320.01, F.S.; revising the  
325 definition of the term "apportionable vehicle";  
326 amending s. 320.06, F.S.; providing for future repeal  
327 of issuance of a certain annual license plate and cab  
328 card to a vehicle that has an apportioned  
329 registration; revising information required to appear  
330 on the cab card; providing requirements for license  
331 plates, cab cards, and validation stickers for  
332 vehicles registered in accordance with the  
333 International Registration Plan; authorizing a damaged  
334 or worn license plate to be replaced at no charge

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335 | under certain circumstances; amending s. 320.0607,  
336 | F.S.; providing an exemption from a certain fee for  
337 | vehicles registered under the International  
338 | Registration Plan; amending s. 320.131, F.S.;  
339 | authorizing the Department of Highway Safety and Motor  
340 | Vehicles to partner with a county tax collector to  
341 | conduct a Fleet Vehicle Temporary Tag pilot program  
342 | for certain purposes; providing program requirements;  
343 | providing for future repeal; amending s. 812.014,  
344 | F.S.; providing a criminal penalty for an offender  
345 | committing grand theft who uses a device to interfere  
346 | with a global positioning or similar system; providing  
347 | an effective date.

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