



1 A bill to be entitled
2 An act relating to commercial motor vehicles; amending
3 s. 316.003, F.S.; defining the term "platoon";
4 repealing s. 316.0896, F.S., relating to the assistive
5 truck platooning technology pilot project; creating s.
6 316.0897, F.S.; exempting the operator of a nonlead
7 vehicle in a platoon from provisions relating to
8 following too closely; authorizing a platoon to be
9 operated on a roadway in this state after an operator
10 provides notification to the Department of
11 Transportation and the Department of Highway Safety
12 and Motor Vehicles; amending s. 316.302, F.S.;
13 revising regulations to which owners and drivers of
14 commercial motor vehicles are subject; revising
15 requirements for electronic logging devices and
16 support documents for certain intrastate motor
17 carriers; deleting a limitation on a civil penalty for
18 falsification of certain time records; deleting a
19 requirement that a motor carrier maintain certain
20 documentation of driving times; providing an exemption
21 from specified provisions for a person who operates a
22 commercial motor vehicle with a certain gross vehicle
23 weight, gross vehicle weight rating, and gross
24 combined weight rating; deleting the exemption from
25 such provisions for a person transporting petroleum



26 | products; amending s. 316.303, F.S.; exempting an
27 | operator of a certain platoon vehicle from the
28 | prohibition on the active display of television or
29 | video; amending s. 320.01, F.S.; revising the
30 | definition of the term "apportionable vehicle";
31 | amending s. 320.06, F.S.; providing for future repeal
32 | of issuance of a certain annual license plate and cab
33 | card to a vehicle that has an apportioned
34 | registration; revising information required to appear
35 | on the cab card; providing requirements for license
36 | plates, cab cards, and validation stickers for
37 | vehicles registered in accordance with the
38 | International Registration Plan; authorizing a damaged
39 | or worn license plate to be replaced at no charge
40 | under certain circumstances; amending s. 320.0607,
41 | F.S.; providing an exemption from a certain fee for
42 | vehicles registered under the International
43 | Registration Plan; amending s. 320.131, F.S.;
44 | authorizing the Department of Highway Safety and Motor
45 | Vehicles to partner with a county tax collector to
46 | conduct a Fleet Vehicle Temporary Tag pilot program
47 | for certain purposes; providing program requirements;
48 | providing for future repeal; amending s. 812.014,
49 | F.S.; providing a criminal penalty for an offender
50 | committing grand theft who uses a device to interfere



51 with a global positioning or similar system; providing
52 an effective date.

53

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

55

56 Section 1. Subsections (53) through (99) of section
57 316.003, Florida Statutes, are renumbered as subsections (54)
58 through (100), respectively, and a new subsection (53) is added
59 to that section to read:

60 316.003 Definitions.—The following words and phrases, when
61 used in this chapter, shall have the meanings respectively
62 ascribed to them in this section, except where the context
63 otherwise requires:

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

69 Section 2. Section 316.0896, Florida Statutes, is
70 repealed.

71 Section 3. Section 316.0897, Florida Statutes, is created
72 to read:

73 316.0897 Platoons.—

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



76 (2) A platoon may be operated on a roadway in this state
77 after an operator provides notification to the Department of
78 Transportation and the Department of Highway Safety and Motor
79 Vehicles.

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

83 316.302 Commercial motor vehicles; safety regulations;
84 transporters and shippers of hazardous materials; enforcement.—

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

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

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

97 (c) The emergency exceptions provided by 49 C.F.R. s.
98 392.82 also apply to communications by utility drivers and
99 utility contractor drivers during a Level 1 activation of the
100 State Emergency Operations Center, as provided in the Florida



101 Comprehensive Emergency Management plan, or during a state of
102 emergency declared by executive order or proclamation of the
103 Governor.

104 (d) Except as provided in ~~s. 316.215(5)~~, and ~~except as~~
105 ~~provided in~~ s. 316.228 for rear overhang lighting and flagging
106 requirements for intrastate operations, the requirements of this
107 section supersede all other safety requirements of this chapter
108 for commercial motor vehicles.

109 (e) Except as provided in 49 C.F.R. 395.1 or as otherwise
110 provided in this section, a person who operates a commercial
111 motor vehicle solely in intrastate commerce not transporting
112 hazardous materials in amounts that require placarding pursuant
113 to 49 C.F.R. part 172 need not comply with Electronic Logging
114 Device and Hours of Service Support Documents provided in 49
115 C.F.R. until December 31, 2018. At a minimum, a person who
116 operates a commercial motor vehicle in a manner requiring
117 completion of a record of duty status on not more than 8 days
118 within any 30-day period, in a driveaway-towaway operation in
119 which the vehicle being driven is part of the shipment being
120 delivered, in a driveaway-towaway operation in which the vehicle
121 being transported is a motor home or a recreation vehicle
122 trailer, or that was manufactured before model year 2000, as
123 reflected in the vehicle identification number as shown on the
124 vehicle's registration, will be exempt from Electronic Logging
125 Device and Hours of Service Support Documents when operating



126 solely in intrastate commerce not transporting hazardous
127 materials in amounts that require placards.

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

133 (c) Except as provided in 49 C.F.R. s. 395.1, a person who
134 operates a commercial motor vehicle solely in intrastate
135 commerce not transporting any hazardous material in amounts that
136 require placarding pursuant to 49 C.F.R. part 172 may not drive
137 after having been on duty more than 70 hours in any period of 7
138 consecutive days or more than 80 hours in any period of 8
139 consecutive days if the motor carrier operates every day of the
140 week. Thirty-four consecutive hours off duty shall constitute
141 the end of any such period of 7 or 8 consecutive days. This
142 weekly limit does not apply to a person who operates a
143 commercial motor vehicle solely within this state while
144 transporting, during harvest periods, any unprocessed
145 agricultural products or unprocessed food or fiber that is
146 subject to seasonal harvesting from place of harvest to the
147 first place of processing or storage or from place of harvest
148 directly to market or while transporting livestock, livestock
149 feed, or farm supplies directly related to growing or harvesting
150 agricultural products. Upon request of the Department of Highway



151 Safety and Motor Vehicles, motor carriers shall furnish time
152 records or other written verification to that department so that
153 the Department of Highway Safety and Motor Vehicles can
154 determine compliance with this subsection. These time records
155 must be furnished to the Department of Highway Safety and Motor
156 Vehicles within 2 days after receipt of that department's
157 request. Falsification of such information is subject to a civil
158 penalty ~~not to exceed \$100. The provisions of~~ This paragraph
159 does ~~de~~ not apply to operators of farm labor vehicles operated
160 during a state of emergency declared by the Governor or operated
161 pursuant to s. 570.07(21)~~7~~ and does ~~de~~ not apply to drivers of
162 utility service vehicles as defined in 49 C.F.R. s. 395.2.

163 (d) A person who operates a commercial motor vehicle
164 solely in intrastate commerce not transporting any hazardous
165 material in amounts that require placarding pursuant to 49
166 C.F.R. part 172 within a 150 air-mile radius of the location
167 where the vehicle is based need not comply with 49 C.F.R. s.
168 395.8~~7~~ if the requirements of 49 C.F.R. s. 395.1(e)(1)(ii),
169 (iii)(A) and (C), ~~395.1(e)(1)(iii)~~ and (v) are met. ~~If a driver~~
170 ~~is not released from duty within 12 hours after the driver~~
171 ~~arrives for duty, the motor carrier must maintain documentation~~
172 ~~of the driver's driving times throughout the duty period.~~

173 (f) A person who operates a commercial motor vehicle
174 having a ~~declared~~ gross vehicle weight, gross vehicle weight
175 rating, and gross combined weight rating of less than 26,001



176 pounds solely in intrastate commerce and who is not transporting
 177 hazardous materials in amounts that require placarding pursuant
 178 to 49 C.F.R. part 172, ~~or who is transporting petroleum products~~
 179 ~~as defined in s. 376.301~~, is exempt from subsection (1).

180 However, such person must comply with 49 C.F.R. parts 382, 392,
 181 and 393, and with 49 C.F.R. ss. 396.3(a)(1) and 396.9.

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

184 316.303 Television receivers.—

185 (3) This section does not prohibit the use of an
 186 electronic display used in conjunction with a vehicle navigation
 187 system; an electronic display used by an operator of a vehicle
 188 equipped with autonomous technology, as defined in s. 316.003;
 189 or an electronic display used by an operator of a platoon
 190 vehicle equipped and operating with driver-assistive truck
 191 platooning technology, as defined in s. 316.003.

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

194 320.01 Definitions, general.—As used in the Florida
 195 Statutes, except as otherwise provided, the term:

196 (24) "Apportionable vehicle" means any vehicle, except
 197 recreational vehicles, vehicles displaying restricted plates,
 198 city pickup and delivery vehicles, ~~buses used in transportation~~
 199 ~~of chartered parties~~, and government-owned vehicles, which is
 200 used or intended for use in two or more member jurisdictions



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201 that allocate or proportionally register vehicles and which is
202 used for the transportation of persons for hire or is designed,
203 used, or maintained primarily for the transportation of property
204 and:

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

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

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

211
212 Vehicles, or combinations thereof, having a gross vehicle weight
213 of 26,000 pounds or less and two-axle vehicles may be
214 proportionally registered.

215 Section 7. Paragraph (b) of subsection (1) of section
216 320.06, Florida Statutes, is amended to read:

217 320.06 Registration certificates, license plates, and
218 validation stickers generally.—

219 (1)

220 (b)1. Registration license plates bearing a graphic symbol
221 and the alphanumeric system of identification shall be issued
222 for a 10-year period. At the end of the 10-year period, upon
223 renewal, the plate shall be replaced. The department shall
224 extend the scheduled license plate replacement date from a 6-
225 year period to a 10-year period. The fee for such replacement is



226 \$28, \$2.80 of which shall be paid each year before the plate is
227 replaced, to be credited toward the next \$28 replacement fee.
228 The fees shall be deposited into the Highway Safety Operating
229 Trust Fund. A credit or refund may not be given for any prior
230 years' payments of the prorated replacement fee if the plate is
231 replaced or surrendered before the end of the 10-year period,
232 except that a credit may be given if a registrant is required by
233 the department to replace a license plate under s.
234 320.08056(8) (a). With each license plate, a validation sticker
235 shall be issued showing the owner's birth month, license plate
236 number, and the year of expiration or the appropriate renewal
237 period if the owner is not a natural person. The validation
238 sticker shall be placed on the upper right corner of the license
239 plate. The license plate and validation sticker shall be issued
240 based on the applicant's appropriate renewal period. The
241 registration period is 12 months, the extended registration
242 period is 24 months, and all expirations occur based on the
243 applicant's appropriate registration period.

244 2. Before October 1, 2019, a vehicle that has an
245 apportioned registration shall be issued an annual license plate
246 and a cab card denoting ~~that denote~~ the declared gross vehicle
247 weight ~~for each apportioned jurisdiction in which the vehicle is~~
248 ~~authorized to operate.~~

249 3. Beginning October 1, 2019, a vehicle registered in
250 accordance with the International Registration Plan shall be



251 issued a license plate for a 5-year period, an annual cab card
252 denoting the declared gross vehicle weight, and an annual
253 validation sticker showing the month and year of expiration. The
254 validation sticker shall be placed in the center of the license
255 plate. The license plate and validation sticker shall be issued
256 based on the applicant's appropriate renewal period. The fee for
257 the initial validation sticker and any renewed validation
258 sticker is \$28. This fee shall be deposited into the Highway
259 Safety Operating Trust Fund. A damaged or worn license plate may
260 be replaced at no charge by applying to the department and
261 surrendering the current license plate.

262 ~~4.2.~~ In order to retain the efficient administration of
263 the taxes and fees imposed by this chapter, the 80-cent fee
264 increase in the replacement fee imposed by chapter 2009-71, Laws
265 of Florida, is negated as provided in s. 320.0804.

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

268 320.0607 Replacement license plates, validation decal, or
269 mobile home sticker.—

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

275 Section 9. Subsection (10) is added to section 320.131,



276 Florida Statutes, to read:

277 320.131 Temporary tags.—

278 (10) The department may partner with a county tax
279 collector to conduct a Fleet Vehicle Temporary Tag pilot program
280 to provide temporary tags to fleet companies to allow them to
281 operate fleet vehicles awaiting a permanent registration and
282 title.

283 (a) The department shall establish a memorandum of
284 understanding that allows up to three companies to participate
285 in the pilot program and receive multiple temporary tags for
286 company fleet vehicles.

287 (b) To participate in the program, a fleet company must
288 have at least 3,500 fleet vehicles registered in this state
289 which qualify to be registered as fleet vehicles pursuant to s.
290 320.0657.

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

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

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

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



301 (g) Upon a finding by the department that a temporary tag
302 has been misused by a fleet company under this program, the
303 department may terminate the memorandum of understanding with
304 the company, invalidate all temporary tags issued to the company
305 under the program, and require such company to return any unused
306 temporary tags.

307 (h) The issuance of a tag using this method must be
308 reported to the department within 2 business days, not including
309 weekends or state holidays, after the issuance of the tag. The
310 county tax collector shall keep a record of each temporary tag
311 issued. The record must include the date of issuance, tag number
312 issued, vehicle identification number, and vehicle description.

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

315 Section 10. Paragraph (a) of subsection (2) of section
316 812.014, Florida Statutes, is amended to read:

317 812.014 Theft.—

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

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

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



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

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

333 c. In the course of committing the offense the offender
 334 uses any type of device to defeat, block, disable, jam, or
 335 interfere with a global positioning system or similar system
 336 designed to identify the location of the cargo or the vehicle or
 337 trailer carrying the cargo,

338
 339 the offender commits grand theft in the first degree, punishable
 340 as a felony of the first degree, as provided in s. 775.082, s.
 341 775.083, or s. 775.084.

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