

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; deleting an exemption from certain
27 requirements; amending s. 316.303, F.S.; exempting an
28 operator of a certain platoon vehicle from the
29 prohibition on the active display of television or
30 video; amending s. 316.515, F.S.; revising length and
31 load extension limitations for stinger-steered
32 automobile transporters; authorizing automobile
33 transporters to backhaul certain cargo or freight
34 under certain circumstances; authorizing an unladen
35 power unit to tow a certain combination of trailers or
36 semitrailers under certain circumstances; amending s.
37 320.01, F.S.; revising the definition of the term
38 "apportionable vehicle"; amending s. 320.06, F.S.;
39 providing for future repeal of issuance of a certain
40 annual license plate and cab card to a vehicle that
41 has an apportioned registration; revising information
42 required to appear on the cab card; providing
43 requirements for license plates, cab cards, and
44 validation stickers for vehicles registered in
45 accordance with the International Registration Plan;
46 authorizing a damaged or worn license plate to be
47 replaced at no charge under certain circumstances;
48 amending s. 320.0607, F.S.; providing an exemption
49 from a certain fee for vehicles registered under the
50 International Registration Plan; amending s. 320.131,

51 F.S.; authorizing the Department of Highway Safety and
 52 Motor Vehicles to partner with a county tax collector
 53 to conduct a Fleet Vehicle Temporary Tag pilot program
 54 for certain purposes; providing program requirements;
 55 providing for future repeal; amending s. 322.61, F.S.;
 56 providing additional offenses for which a person may
 57 be disqualified from operating a commercial motor
 58 vehicle; amending s. 655.960, F.S.; conforming a
 59 cross-reference; amending s. 812.014, F.S.; providing
 60 a criminal penalty for an offender committing grand
 61 theft who uses a device to interfere with a global
 62 positioning or similar system; providing an effective
 63 date.

64
 65 Be It Enacted by the Legislature of the State of Florida:

66
 67 Section 1. Subsections (55) through (101) of section
 68 316.003, Florida Statutes, are renumbered as subsections (56)
 69 through (102), respectively, present subsection (59) is amended,
 70 and a new subsection (55) is added to that section, to read:

71 316.003 Definitions.—The following words and phrases, when
 72 used in this chapter, shall have the meanings respectively
 73 ascribed to them in this section, except where the context
 74 otherwise requires:

75 (55) PLATOON.—A group of two individual truck tractor

76 semi-trailer combinations, transporting property in quantities
 77 that do not require placards, traveling in a unified manner at
 78 electronically coordinated speeds at following distances that
 79 are closer than provided in s. 316.0895(2).

80 (60)-(59) PRIVATE ROAD OR DRIVEWAY.—Except as otherwise
 81 provided in paragraph (82) (b) ~~(81) (b)~~, any privately owned way
 82 or place used for vehicular travel by the owner and those having
 83 express or implied permission from the owner, but not by other
 84 persons.

85 Section 2. Section 316.0896, Florida Statutes, is
 86 repealed.

87 Section 3. Section 316.0897, Florida Statutes, is created
 88 to read:

89 316.0897 Platoons.—

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

92 (2) A platoon may be operated on a roadway in this state
 93 after an operator provides notification to the Department of
 94 Transportation and the Department of Highway Safety and Motor
 95 Vehicles.

96 Section 4. Paragraph (k) of subsection (2) of section
 97 316.302, Florida Statutes, is redesignated as paragraph (j), and
 98 subsection (1) and present paragraphs (a), (c), (d), (f), and
 99 (j) of subsection (2) of that section are amended to read:

100 316.302 Commercial motor vehicles; safety regulations;

101 transporters and shippers of hazardous materials; enforcement.-

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

103 (a) All owners and drivers of commercial motor vehicles
 104 that are operated on the public highways of this state while
 105 engaged in interstate commerce are subject to the rules and
 106 regulations contained in 49 C.F.R. parts 382, 383, 385, 386, and
 107 390-397.

108 (b) Except as otherwise provided in this section, all
 109 owners or drivers of commercial motor vehicles that are engaged
 110 in intrastate commerce are subject to the rules and regulations
 111 contained in 49 C.F.R. parts 382, 383, 385, 386, and 390-397,
 112 ~~with the exception of 49 C.F.R. s. 390.5 as it relates to the~~
 113 ~~definition of bus,~~ as such rules and regulations existed on
 114 December 31, 2018 ~~2012~~.

115 (c) The emergency exceptions provided by 49 C.F.R. s.
 116 392.82 also apply to communications by utility drivers and
 117 utility contractor drivers during a Level 1 activation of the
 118 State Emergency Operations Center, as provided in the Florida
 119 Comprehensive Emergency Management plan, or during a state of
 120 emergency declared by executive order or proclamation of the
 121 Governor.

122 (d) Except as provided in ~~s. 316.215(5)~~, and ~~except as~~
 123 ~~provided in~~ s. 316.228 for rear overhang lighting and flagging
 124 requirements for intrastate operations, the requirements of this
 125 section supersede all other safety requirements of this chapter

126 for commercial motor vehicles.

127 (e) Except as provided in 49 C.F.R. 395.1 or as otherwise
128 provided in this section, a person who operates a commercial
129 motor vehicle solely in intrastate commerce not transporting
130 hazardous materials in amounts that require placarding pursuant
131 to 49 C.F.R. part 172 need not comply with Electronic Logging
132 Device and Hours of Service Support Documents provided in 49
133 C.F.R. until December 31, 2019.

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

139 (c) Except as provided in 49 C.F.R. s. 395.1, a person who
140 operates a commercial motor vehicle solely in intrastate
141 commerce not transporting any hazardous material in amounts that
142 require placarding pursuant to 49 C.F.R. part 172 may not drive
143 after having been on duty more than 70 hours in any period of 7
144 consecutive days or more than 80 hours in any period of 8
145 consecutive days if the motor carrier operates every day of the
146 week. Thirty-four consecutive hours off duty shall constitute
147 the end of any such period of 7 or 8 consecutive days. This
148 weekly limit does not apply to a person who operates a
149 commercial motor vehicle solely within this state while
150 transporting, during harvest periods, any unprocessed

151 agricultural products or unprocessed food or fiber that is
152 subject to seasonal harvesting from place of harvest to the
153 first place of processing or storage or from place of harvest
154 directly to market or while transporting livestock, livestock
155 feed, or farm supplies directly related to growing or harvesting
156 agricultural products. Upon request of the Department of Highway
157 Safety and Motor Vehicles, motor carriers shall furnish time
158 records or other written verification to that department so that
159 the Department of Highway Safety and Motor Vehicles can
160 determine compliance with this subsection. These time records
161 must be furnished to the Department of Highway Safety and Motor
162 Vehicles within 2 days after receipt of that department's
163 request. Falsification of such information is subject to a civil
164 penalty ~~not to exceed \$100. The provisions of This paragraph~~
165 does ~~de~~ not apply to operators of farm labor vehicles operated
166 during a state of emergency declared by the Governor or operated
167 pursuant to s. 570.07(21)~~7~~ and does ~~de~~ not apply to drivers of
168 utility service vehicles as defined in 49 C.F.R. s. 395.2.

169 (d) A person who operates a commercial motor vehicle
170 solely in intrastate commerce not transporting any hazardous
171 material in amounts that require placarding pursuant to 49
172 C.F.R. part 172 within a 150 air-mile radius of the location
173 where the vehicle is based need not comply with 49 C.F.R. s.
174 395.8~~7~~ if the requirements of 49 C.F.R. s. 395.1(e)(1)(ii),
175 (iii)(A) and (C), ~~395.1(e)(1)(iii)~~ and (v) are met. ~~If a driver~~

176 ~~is not released from duty within 12 hours after the driver~~
177 ~~arrives for duty, the motor carrier must maintain documentation~~
178 ~~of the driver's driving times throughout the duty period.~~

179 (f) A person who operates a commercial motor vehicle
180 having a ~~declared~~ gross vehicle weight, gross vehicle weight
181 rating, and gross combined weight rating of less than 26,001
182 pounds solely in intrastate commerce and who is not transporting
183 hazardous materials in amounts that require placarding pursuant
184 to 49 C.F.R. part 172, ~~or who is transporting petroleum products~~
185 ~~as defined in s. 376.301,~~ is exempt from subsection (1).
186 However, such person must comply with 49 C.F.R. parts 382, 392,
187 and 393, and with 49 C.F.R. ss. 396.3(a)(1) and 396.9.

188 ~~(j) A person who is otherwise qualified as a driver under~~
189 ~~49 C.F.R. part 391, who operates a commercial motor vehicle in~~
190 ~~intrastate commerce only, and who does not transport hazardous~~
191 ~~materials in amounts that require placarding pursuant to 49~~
192 ~~C.F.R. part 172, is exempt from the requirements of 49 C.F.R.~~
193 ~~part 391, subpart E, ss. 391.41(b)(3) and 391.43(e), relating to~~
194 ~~diabetes.~~

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

197 316.303 Television receivers.—

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

201 equipped with autonomous technology, as defined in s.
202 316.003(3); or an electronic display used by an operator of a
203 platoon vehicle equipped and operating with driver-assistive
204 truck platooning technology, as defined in s. 316.003.

205 Section 6. Subsections (3) and (4) of section 316.515,
206 Florida Statutes, are amended, and subsection (16) is added to
207 that section, to read:

208 316.515 Maximum width, height, length.—

209 (3) LENGTH LIMITATION.—Except as otherwise provided in
210 this section, length limitations apply solely to a semitrailer
211 or trailer, and not to a truck tractor or to the overall length
212 of a combination of vehicles. No combination of commercial motor
213 vehicles coupled together and operating on the public roads may
214 consist of more than one truck tractor and two trailing units.
215 Unless otherwise specifically provided for in this section, a
216 combination of vehicles not qualifying as commercial motor
217 vehicles may consist of no more than two units coupled together;
218 such nonqualifying combination of vehicles may not exceed a
219 total length of 65 feet, inclusive of the load carried thereon,
220 but exclusive of safety and energy conservation devices approved
221 by the department for use on vehicles using public roads.
222 Notwithstanding any other provision of this section, a truck
223 tractor-semitrailer combination engaged in the transportation of
224 automobiles or boats may transport motor vehicles or boats on
225 part of the power unit; and, except as may otherwise be mandated

226 | under federal law, an automobile or boat transporter semitrailer
227 | may not exceed 50 feet in length, exclusive of the load;
228 | however, the load may extend up to an additional 6 feet beyond
229 | the rear of the trailer. The 50-foot length limitation does not
230 | apply to non-stinger-steered automobile or boat transporters
231 | that are 65 feet or less in overall length, exclusive of the
232 | load carried thereon, ~~or to stinger-steered automobile or boat~~
233 | transporters that are 75 feet or less in overall length,
234 | exclusive of the load carried thereon, or to stinger-steered
235 | automobile transporters that are 80 feet or less in overall
236 | length, exclusive of the load carried thereon. For purposes of
237 | this subsection, a "stinger-steered automobile or boat
238 | transporter" is an automobile or boat transporter configured as
239 | a semitrailer combination wherein the fifth wheel is located on
240 | a drop frame located behind and below the rearmost axle of the
241 | power unit. Automobile transporters operating under this
242 | subsection may backhaul cargo or general freight if the weight
243 | of such cargo or freight does not exceed the limits imposed
244 | under s. 316.535. Notwithstanding paragraphs (a) and (b), any
245 | straight truck or truck tractor-semitrailer combination engaged
246 | in the transportation of horticultural trees may allow the load
247 | to extend up to an additional 10 feet beyond the rear of the
248 | vehicle, provided the ~~said~~ trees are resting against a retaining
249 | bar mounted above the truck bed so that the root balls of the
250 | trees rest on the floor and to the front of the truck bed and

251 the tops of the trees extend up over and to the rear of the
252 truck bed, and provided the overhanging portion of the load is
253 covered with protective fabric.

254 (a) Straight trucks.—A straight truck may not exceed a
255 length of 40 feet in extreme overall dimension, exclusive of
256 safety and energy conservation devices approved by the
257 department for use on vehicles using public roads. A straight
258 truck may attach a forklift to the rear of the cargo bed,
259 provided the overall combined length of the vehicle and the
260 forklift does not exceed 50 feet. Except as otherwise provided
261 in this section, a straight truck may tow no more than one
262 trailer, and the overall length of the truck-trailer combination
263 may not exceed 68 feet, including the load thereon.
264 Notwithstanding any other provisions of this section, a truck-
265 trailer combination engaged in the transportation of boats, or
266 boat trailers whose design dictates a front-to-rear stacking
267 method may not exceed the length limitations of this paragraph
268 exclusive of the load; however, the load may extend up to an
269 additional 6 feet beyond the rear of the trailer.

270 (b) Semitrailers.—

271 1. A semitrailer operating in a truck tractor-semitrailer
272 combination may not exceed 48 feet in extreme overall outside
273 dimension, measured from the front of the unit to the rear of
274 the unit and the load carried thereon, exclusive of safety and
275 energy conservation devices approved by the department for use

276 on vehicles using public roads, unless it complies with
277 subparagraph 2. A semitrailer which exceeds 48 feet in length
278 and is used to transport divisible loads may operate in this
279 state only if issued a permit under s. 316.550 and if such
280 trailer meets the requirements of this chapter relating to
281 vehicle equipment and safety. Except for highways on the tandem
282 trailer truck highway network, public roads deemed unsafe for
283 longer semitrailer vehicles or those roads on which such longer
284 vehicles are determined not to be in the interest of public
285 convenience shall, in conformance with s. 316.006, be restricted
286 by the Department of Transportation or by the local authority to
287 use by semitrailers not exceeding a length of 48 feet, inclusive
288 of the load carried thereon but exclusive of safety and energy
289 conservation devices approved by the department for use on
290 vehicles using public roads. Truck tractor-semitrailer
291 combinations shall be afforded reasonable access to terminals;
292 facilities for food, fuel, repairs, and rest; and points of
293 loading and unloading.

294 2. A semitrailer which is more than 48 feet but not more
295 than 57 feet in extreme overall outside dimension, as measured
296 pursuant to subparagraph 1., may operate on public roads, except
297 roads on the State Highway System which are restricted by the
298 Department of Transportation or other roads restricted by local
299 authorities, if:

300 a. The distance between the kingpin or other peg that

301 locks into the fifth wheel of a truck tractor and the center of
302 the rear axle or rear group of axles does not exceed 41 feet,
303 or, in the case of a semitrailer used exclusively or primarily
304 to transport vehicles in connection with motorsports competition
305 events, the distance does not exceed 46 feet from the kingpin to
306 the center of the rear axles; and

307 b. It is equipped with a substantial rear-end underride
308 protection device meeting the requirements of 49 C.F.R. s.
309 393.86, "Rear End Protection."

310 (c) Tandem trailer trucks.—

311 1. Except for semitrailers and trailers of up to 28 1/2
312 feet in length which existed on December 1, 1982, and which were
313 actually and lawfully operating on that date, no semitrailer or
314 trailer operating in a truck tractor-semitrailer-trailer
315 combination may exceed a length of 28 feet in extreme overall
316 outside dimension, measured from the front of the unit to the
317 rear of the unit and the load carried thereon, exclusive of
318 safety and energy conservation devices approved by the
319 Department of Transportation for use on vehicles using public
320 roads.

321 2. Tandem trailer trucks conforming to the weight and size
322 limitations of this chapter and in immediate transit to or from
323 a terminal facility as defined in this chapter may operate on
324 the public roads of this state except for residential
325 neighborhood streets restricted by the Department of

326 Transportation or local jurisdictions. In addition, the
327 Department of Transportation or local jurisdictions may restrict
328 these vehicles from using streets and roads under their
329 maintenance responsibility on the basis of safety and
330 engineering analyses, provided that the restrictions are
331 consistent with ~~the provisions of~~ this chapter. The Department
332 of Transportation shall develop safety and engineering standards
333 to be used by all jurisdictions when identifying public roads
334 and streets to be restricted from tandem trailer truck
335 operations.

336 3. Except as otherwise provided in this section, within 5
337 miles of the Federal National Network for large trucks, tandem
338 trailer trucks shall be afforded access to terminals; facilities
339 for food, fuel, repairs, and rest; and points of loading and
340 unloading.

341 4. Notwithstanding ~~the provisions of~~ any general or
342 special law to the contrary, all local system tandem trailer
343 truck route review procedures must be consistent with those
344 adopted by the Department of Transportation.

345 5. Tandem trailer trucks employed as household goods
346 carriers and conforming to the weight and size limitations of
347 this chapter shall be afforded access to points of loading and
348 unloading on the public streets and roads of this state, except
349 for streets and roads that have been restricted from use by such
350 vehicles on the basis of safety and engineering analyses by the

351 jurisdiction responsible for maintenance of the streets and
352 roads.

353 (d) Maxi-cube vehicles.—Maxi-cube vehicles shall be
354 allowed to operate on routes open to tandem trailer trucks under
355 the same conditions applicable to tandem trailer trucks as
356 specified by this section.

357 (4) LOAD EXTENSION LIMITATION.—The load upon any vehicle
358 operated alone, or the load upon the front vehicle of a
359 combination of vehicles, may not extend more than 3 feet beyond
360 the front wheels of the vehicle or the front bumper of the
361 vehicle if it is equipped with a bumper. However, the load upon
362 any stinger-steered automobile transporter may not extend more
363 than 4 feet beyond the front bumper of the vehicle.

364 (a) The limitations of this subsection do not apply to
365 bicycle racks carrying bicycles on public sector transit
366 vehicles.

367 (b) ~~The provisions of~~ This subsection does ~~shall~~ not apply
368 to a front-end loading collection vehicle, when:

369 1. The front-end loading mechanism and container or
370 containers are in the lowered position;

371 2. The vehicle is engaged in collecting solid waste or
372 recyclable or recovered materials;

373 3. The vehicle is being operated at speeds less than 20
374 miles per hour with the vehicular hazard-warning lights
375 activated; and

376 4. The extension does not exceed 8 feet 6 inches.
 377 (16) TOWAWAY TRAILER TRANSPORTER COMBINATIONS.—An unladen
 378 power unit may tow two trailers or semitrailers when the
 379 combination is not used to carry property, the overall
 380 combination length does not exceed 82 feet, and the total gross
 381 weight of the combination does not exceed 26,000 pounds. The
 382 trailers or semitrailers must constitute inventory property of a
 383 manufacturer, distributor, or dealer of such trailers or
 384 semitrailers.

385 Section 7. Subsection (24) of section 320.01, Florida
 386 Statutes, is amended to read:

387 320.01 Definitions, general.—As used in the Florida
 388 Statutes, except as otherwise provided, the term:

389 (24) "Apportionable vehicle" means any vehicle, except
 390 recreational vehicles, vehicles displaying restricted plates,
 391 city pickup and delivery vehicles, ~~buses used in transportation~~
 392 ~~of chartered parties,~~ and government-owned vehicles, which is
 393 used or intended for use in two or more member jurisdictions
 394 that allocate or proportionally register vehicles and which is
 395 used for the transportation of persons for hire or is designed,
 396 used, or maintained primarily for the transportation of property
 397 and:

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

400 (b) Is a power unit having three or more axles, regardless

401 of weight; or

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

404
 405 Vehicles, or combinations thereof, having a gross vehicle weight
 406 of 26,000 pounds or less and two-axle vehicles may be
 407 proportionally registered.

408 Section 8. Paragraph (b) of subsection (1) of section
 409 320.06, Florida Statutes, is amended to read:

410 320.06 Registration certificates, license plates, and
 411 validation stickers generally.—

412 (1)

413 (b)1. Registration license plates bearing a graphic symbol
 414 and the alphanumeric system of identification shall be issued
 415 for a 10-year period. At the end of the 10-year period, upon
 416 renewal, the plate shall be replaced. The department shall
 417 extend the scheduled license plate replacement date from a 6-
 418 year period to a 10-year period. The fee for such replacement is
 419 \$28, \$2.80 of which shall be paid each year before the plate is
 420 replaced, to be credited toward the next \$28 replacement fee.
 421 The fees shall be deposited into the Highway Safety Operating
 422 Trust Fund. A credit or refund may not be given for any prior
 423 years' payments of the prorated replacement fee if the plate is
 424 replaced or surrendered before the end of the 10-year period,
 425 except that a credit may be given if a registrant is required by

426 the department to replace a license plate under s.
427 320.08056(8)(a). With each license plate, a validation sticker
428 shall be issued showing the owner's birth month, license plate
429 number, and the year of expiration or the appropriate renewal
430 period if the owner is not a natural person. The validation
431 sticker shall be placed on the upper right corner of the license
432 plate. The license plate and validation sticker shall be issued
433 based on the applicant's appropriate renewal period. The
434 registration period is 12 months, the extended registration
435 period is 24 months, and all expirations occur based on the
436 applicant's appropriate registration period.

437 2. A vehicle that has an apportioned registration shall be
438 issued an annual license plate and a cab card denoting that
439 ~~denote~~ the declared gross vehicle weight ~~for each apportioned~~
440 ~~jurisdiction in which the vehicle is authorized to operate.~~ This
441 subparagraph expires upon implementation of a new operating
442 system for apportioned vehicle registration.

443 3. Upon implementation of a new operating system for
444 apportioned vehicle registration, a vehicle registered in
445 accordance with the International Registration Plan shall be
446 issued a license plate for a 5-year period, an annual cab card
447 denoting the declared gross vehicle weight for each apportioned
448 jurisdiction, and an annual validation sticker showing the month
449 and year of expiration. The validation sticker shall be placed
450 in the center of the license plate. The license plate and

451 validation sticker shall be issued based on the applicant's
452 appropriate renewal period. The fee for the initial validation
453 sticker and any renewed validation sticker is \$28. This fee
454 shall be deposited into the Highway Safety Operating Trust Fund.
455 A damaged or worn license plate may be replaced at no charge by
456 applying to the department and surrendering the current license
457 plate.

458 ~~4.2.~~ In order to retain the efficient administration of
459 the taxes and fees imposed by this chapter, the 80-cent fee
460 increase in the replacement fee imposed by chapter 2009-71, Laws
461 of Florida, is negated as provided in s. 320.0804.

462 Section 9. Subsection (5) of section 320.0607, Florida
463 Statutes, is amended to read:

464 320.0607 Replacement license plates, validation decal, or
465 mobile home sticker.—

466 (5) Upon the issuance of an original license plate, the
467 applicant shall pay a fee of \$28 to be deposited in the Highway
468 Safety Operating Trust Fund. Upon implementation of a new
469 operating system for apportioned vehicle registration, this
470 subsection does not apply to a vehicle registered under the
471 International Registration Plan.

472 Section 10. Subsection (10) is added to section 320.131,
473 Florida Statutes, to read:

474 320.131 Temporary tags.—

475 (10) The department may partner with a county tax

476 collector to conduct a Fleet Vehicle Temporary Tag pilot program
477 to provide temporary tags to fleet companies to allow them to
478 operate fleet vehicles awaiting a permanent registration and
479 title.

480 (a) The department shall establish a memorandum of
481 understanding that allows up to three companies to participate
482 in the pilot program and receive multiple temporary tags for
483 company fleet vehicles.

484 (b) To participate in the program, a fleet company must
485 have at least 3,500 fleet vehicles registered in this state
486 which qualify to be registered as fleet vehicles pursuant to s.
487 320.0657.

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

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

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

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

498 (g) Upon a finding by the department that a temporary tag
499 has been misused by a fleet company under this program, the
500 department may terminate the memorandum of understanding with

501 the company, invalidate all temporary tags issued to the company
502 under the program, and require such company to return any unused
503 temporary tags.

504 (h) The issuance of a tag using this method must be
505 reported to the department within 2 business days, not including
506 weekends or state holidays, after the issuance of the tag. The
507 county tax collector shall keep a record of each temporary tag
508 issued. The record must include the date of issuance, tag number
509 issued, vehicle identification number, and vehicle description.

510 (i) This subsection is repealed October 1, 2022, unless
511 saved from repeal through reenactment by the Legislature.

512 Section 11. Paragraphs (g) and (h) of subsection (1) of
513 section 322.61, Florida Statutes, are amended, and paragraphs
514 (i) and (j) are added to that subsection, to read:

515 322.61 Disqualification from operating a commercial motor
516 vehicle.—

517 (1) A person who, for offenses occurring within a 3-year
518 period, is convicted of two of the following serious traffic
519 violations or any combination thereof, arising in separate
520 incidents committed in a commercial motor vehicle shall, in
521 addition to any other applicable penalties, be disqualified from
522 operating a commercial motor vehicle for a period of 60 days. A
523 holder of a commercial driver license or commercial learner's
524 permit who, for offenses occurring within a 3-year period, is
525 convicted of two of the following serious traffic violations, or

526 any combination thereof, arising in separate incidents committed
527 in a noncommercial motor vehicle shall, in addition to any other
528 applicable penalties, be disqualified from operating a
529 commercial motor vehicle for a period of 60 days if such
530 convictions result in the suspension, revocation, or
531 cancellation of the licenseholder's driving privilege:

532 (g) Driving a commercial vehicle without the proper class
533 of commercial driver license or commercial learner's permit or
534 without the proper endorsement; ~~or~~

535 (h) Driving a commercial vehicle without a commercial
536 driver license or commercial learner's permit in possession, as
537 required by s. 322.03;

538 (i) Texting while driving a commercial motor vehicle, as
539 prohibited by 49 C.F.R. 392.80; or

540 (j) Using a hand-held mobile telephone while driving a
541 commercial motor vehicle, as prohibited by 49 C.F.R. 392.82.

542 Section 12. Subsection (1) of section 655.960, Florida
543 Statutes, is amended to read:

544 655.960 Definitions; ss. 655.960-655.965.—As used in this
545 section and ss. 655.961-655.965, unless the context otherwise
546 requires:

547 (1) "Access area" means any paved walkway or sidewalk
548 which is within 50 feet of any automated teller machine. The
549 term does not include any street or highway open to the use of
550 the public, as defined in s. 316.003(82)(a) ~~s. 316.003(81)(a)~~ or

551 (b), including any adjacent sidewalk, as defined in s. 316.003.

552 Section 13. Paragraph (a) of subsection (2) of section
 553 812.014, Florida Statutes, is amended to read:

554 812.014 Theft.—

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

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

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

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

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

570 c. In the course of committing the offense the offender
 571 uses any type of device to defeat, block, disable, jam, or
 572 interfere with a global positioning system or similar system
 573 designed to identify the location of the cargo or the vehicle or
 574 trailer carrying the cargo,

575

576 | the offender commits grand theft in the first degree, punishable
577 | as a felony of the first degree, as provided in s. 775.082, s.
578 | 775.083, or s. 775.084.

579 | Section 14. This act shall take effect October 1, 2019.