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1 A bill to be entitled 2 An act relating to duty of care regarding commercial 3 motor vehicles; creating s. 768.0429, F.S.; providing 4 a definition; providing that there is no duty to 5 retrofit a commercial motor vehicle with component 6 parts or equipment in certain circumstances; providing 7 that certain evidence is inadmissible in civil 8 litigation; providing applicability; providing an 9 effective date. 10 11 Be It Enacted by the Legislature of the State of Florida: 12 Section 1. Section 768.0429, Florida Statutes, is created 13 to read: 14 768.0429 Duty of care and admissibility of evidence in 15 certain motor vehicle accidents.-16 17 (1) For purposes of this section, the term "commercial 18 motor vehicle" means a motor vehicle with a gross vehicle weight 19 rating or gross vehicle weight of at least 6,000 pounds that is 20 being used in interstate or intrastate commerce to transport 21 property or passengers, deliver or transport goods or property, or provide services. 22 23 (2) In any civil action where a commercial motor vehicle 24 is involved in an accident, there is no obligation or duty of

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care for an owner, lessor, or operator of the vehicle, or for a

CODING: Words stricken are deletions; words underlined are additions.

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person renting the vehicle to another person, to retrofit the
vehicle with component parts or equipment, or to have selected
component parts or equipment to be included on the vehicle, if
such parts or equipment were not required by the Federal Motor
Vehicle Safety Standards under 49 C.F.R. part 571 applicable
when the vehicle was manufactured or sold. Evidence related to
such an alleged obligation or duty is inadmissible.

- (3) This section does not apply if the owner, lessor, or operator of the commercial motor vehicle, or the person renting the commercial motor vehicle to another person, fails to comply with a law or regulation issued after the vehicle was manufactured or sold requiring a mandatory recall or retrofit of the vehicle.
- 39 Section 2. This act shall take effect July 1, 2023.