

1989

Session Law 89-320

Florida Senate & House of Representatives

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H 897 GENERAL BILL/CS/1ST ENG by Highway Safety & Construction; Rehm (Similar CS/S 1014)

RV's/Motor Homes/Private Motor Coach; excludes recreational vehicles from category of straight trucks re length limitations; provides size limitations for private motor coaches; redefines term "motor home" to provide maximum length limitation; includes term "private motor coach" in definition of "motor vehicle"; revises license taxes for recreational vehicles & park trailers. Amends 316.515, 320.01, .08. Effective Date: 07/05/89.

03/17/89 HOUSE Prefiled
03/23/89 HOUSE Referred to Highway Safety & Construction
04/04/89 HOUSE Introduced, referred to Highway Safety & Construction -HJ 86
04/07/89 HOUSE On Committee agenda—Highway Safety & Construction, 04/11/89, 8:00 am, 24-HOB—For ratification to subcommittee
04/28/89 HOUSE On Committee agenda—Highway Safety & Construction, 05/02/89, 1:30 pm, 317-C—to be withdrawn from subcommittee and considered—Not considered
05/08/89 HOUSE On Committee agenda—Highway Safety & Construction, 05/10/89, 3:45 pm, 24-HOB
05/10/89 HOUSE Preliminary Committee Action by Highway Safety & Construction: Favorable as a CS
05/17/89 HOUSE Comm. Report: CS by Highway Safety & Construction, placed on Calendar -HJ 522; CS read first time -HJ 519
05/26/89 HOUSE Placed on Consent Calendar; Read second time; Amendments adopted; Read third time; CS passed as amended; YEAS 111 NAYS 0 -HJ 663
05/26/89 SENATE In Messages
05/30/89 SENATE Received, referred to Transportation; Finance, Taxation and Claims -SJ 566
06/01/89 SENATE Withdrawn from Transportation; Finance, Taxation and Claims; Substituted for CS/SB 1014; CS passed; YEAS 34 NAYS 0 -SJ 758
06/01/89 Ordered enrolled
06/20/89 Signed by Officers and presented to Governor
07/05/89 Approved by Governor; Chapter No. 89-320

NOTES: Above bill history from Division of Legislative Information's *FINAL LEGISLATIVE BILL INFORMATION, 1989 SESSIONS*. Staff Analyses for bills amended beyond final committee action may not be in accordance with the enacted law. Journal page numbers (HJ & SJ) refer to daily Journals and may not be the same as final bound Journals.

STORAGE NAME: HO897-F.HSC
DATE: August 7, 1989

**HOUSE OF REPRESENTATIVES
Committee on Highway Safety & Construction
FINAL STAFF ANALYSIS & ECONOMIC IMPACT STATEMENT**

BILL #: CS/HB 897

RELATING TO: Recreational Vehicles & Motor Homes/Size Limitations

SPONSOR(S): Committee on Highway Safety and Construction, and Representative Rehm

EFFECTIVE DATE: Upon becoming law.

DATE BECAME LAW: July 5, 1989

CHAPTER #: 89-320, Laws of Florida

COMPANION BILL(S): SB 1014

OTHER COMMITTEES OF REFERENCE: (1) None
(2)

I. SUMMARY:

This bill provides that recreational vehicles are excluded from a length limitation of 35 feet for vehicles with less than three axles, and provides that motor homes may not exceed 40 feet in length or a height of 13.5 feet. The bill also creates a definition of, and provides size limitations for, "private motor coaches". A tag fee schedule is also set up for private motor coaches.

A. PRESENT SITUATION:

Section 316.515, F.S., sets forth the general size limitations for vehicles as follows:

- subsection (1), provides a general width limitation of 8.5 feet, with some restricted roads having a width limitation of 8 feet.
- subsection (2), provides that no vehicle may exceed a height of 13.5 feet.
- subsection (3)(a), provides that no straight truck may exceed 40 feet in overall length. This part also requires that such vehicles that exceed 35 feet in length must have no less than three load-bearing axles.
- subsection (9), provides that a bus may not exceed 50 feet in length if a single unit coach, or 65 feet in length if an articulated coach. Buses may not exceed a width of 8.5 feet at the roadway, or a width of 9 feet at a point 7 feet above the roadway.

Section 320.01 (1)(b), F.S., sets out the definition of recreational vehicles as, either self-propelled or towed vehicles, which are primarily designed as temporary living quarters. This section requires that recreational vehicles comply with the length and width provisions of s. 316.515. Subparagraph 4. of this provision defines "motor homes" as a vehicle which is designed primarily as temporary living quarters, and which is built on a self propelled vehicle chassis.

Currently, s. 320.01 (1)(b), F.S., does not contain any reference to "private motor coaches".

Section 320.08 (9), F.S., provides a license tax schedule for recreational vehicle-type units. Under this schedule, motor homes weighing less than 4,500 pounds pay a \$20 annual fee for license taxes, motor homes weighing 4,500 pounds or more pay a \$35 annual fee.

B. EFFECT OF PROPOSED CHANGES:

This bill amends s. 316.315 (3)(a), F.S., to exempt recreational vehicles from the requirement that such a vehicle have no less than three load-bearing axles if its length exceeds 35 feet. These vehicles are still subject to the overall length limitation of 40 feet. Subsection (9) of this section which relates to buses is amended to provide that private motor coaches are subject to the same size limitations as buses.

The bill also provides that motor homes may not exceed 40 feet in length and requires compliance with the height limitation of 13.5 feet. The bill modifies the definition of motor homes to provide that it is a vehicle which is designed primarily as temporary living quarters, and which is a self propelled vehicle. The bill adds a new subparagraph 5. to s. 320.01 (1)(b), F.S., which provides that a "private motor coach" is a vehicle having at least three axles which is designed primarily as temporary living quarters, and which is built on a self-propelled bus type chassis. These vehicles are subject to the same size limitations on buses contained in s. 316.315 (9), F.S.

The license tax fee schedule set out in 320.08 (9), F.S., is amended to provide an annual license tax for private motor coaches. This fee is \$20 for coaches weighing less than 4,500 pounds, and \$35 for coaches weighing 4,500 pounds or more. The bill also corrects an erroneous subparagraph reference in s. 320.08 (10), F.S.

II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT:

A. FISCAL IMPACT ON STATE AGENCIES/STATE FUNDS:

1. Non-recurring or First Year Start-Up Effects:

None

2. Recurring or Annualized Continuation Effects:

None

3. Long Run Effects Other Than Normal Growth:

None

4. Appropriations Consequences:

None

B. FISCAL IMPACT ON LOCAL GOVERNMENTS AS A WHOLE:

1. Non-recurring or First Year Start-Up Effects:

None

2. Recurring or Annualized Continuation Effects:

None

3. Long Run Effects Other Than Normal Growth:

None

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

1. Direct Private Sector Costs:

None

2. Direct Private Sector Benefits:

None

3. Effects on Competition, Private Enterprise, and Employment Markets:

None

D. FISCAL COMMENTS:

None

III. LONG RANGE CONSEQUENCES:

None

IV. COMMENTS:

A. LEGISLATIVE HISTORY:

1. Enacted Bill:

Committee on Highway Safety and Construction: The committee adopted four amendments to HB 897 and reported the bill favorably as a committee substitute.

House Chamber: Two amendments were adopted relating to license fee schedules and the bill was passed.

Senate Chamber: SB 1014 was laid on the table and HB 897 was substituted and passed.

2. Companion Bill:

Senate Transportation Committee: SB 1014 was reported favorably as a committee substitute.

Senate Finance, Taxation and Claims: The bill was withdrawn.

Senate Chamber: SB 1014 tabled and HB 897 passed.

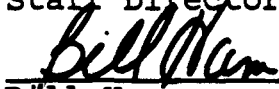
V. SIGNATURES:

SUBSTANTIVE COMMITTEE:

Prepared by:


Phillip B. Miller

Staff Director:


Bill Ham

SENATE STAFF ANALYSIS AND ECONOMIC IMPACT STATEMENT

<u>ANALYST</u>	<u>STAFF DIRECTOR</u>	<u>REFERENCE</u>	<u>ACTION</u>
1. <u>Mohler</u>	<u>Gargiulo</u>	1. <u>TR</u>	<u>FAV/CS</u>
2. _____	_____	2. <u>FTC</u>	<u>Withdrawn</u>
3. _____	_____	3. _____	_____
4. _____	_____	4. _____	_____

SUBJECT:

Recreational Vehicles/
Length Limitation

BILL NO. AND SPONSOR:

CS/SB 1014 by Transportation
and Senator Casas

I. SUMMARY:

A. Present Situation:

Chapter 320, F.S., provides for the registration of motor vehicles and mobile homes.

Section 320.01, F.S., provides definitions for use in the Florida Statutes, except as otherwise provided. Subsection (1) of the section defines "motor vehicle" to include a recreational vehicle-type unit primarily designed as temporary living quarters for recreational, camping, or travel use, which either has its own motive power or is mounted on or drawn by another motor vehicle. When traveling on the public roadways of this state, such vehicles must comply with the length and width limitations of s. 316.515, F.S.

"Recreational vehicle-type units" include "travel trailers," "camping trailers," "truck campers," "motor homes," "van conversions," and "park trailers." Travel trailers, camping trailers, and park trailers are drawn by another vehicle. Truck campers, motor homes, and van conversions are self-propelled.

A "motor home" is defined as a vehicular unit which does not exceed the length and width limitations provided in s. 316.515, F.S., is built on a self-propelled motor vehicle chassis, and is primarily designed to provide temporary living quarters for recreational, camping, or travel use.

Section 316.515(3), F.S., provides motor vehicle length limitations.

A combination of vehicles not qualifying as commercial motor vehicles may consist of no more than two units coupled together. Such combination may not exceed a total length of 60 feet, inclusive of the load carried thereon, but exclusive of safety and energy conservation devices. This length limitation applies to travel trailers, camping trailers, and park trailers.

A straight truck may not exceed a length of 40 feet in extreme overall dimension, exclusive of safety and energy conservation devices. Any straight truck in excess of 35 feet in length may have no fewer than three load-bearing axles. Pursuant to Department of Transportation procedures, motor homes, truck campers, and van conversions are considered to be straight trucks for the purposes of s. 316.515(3), F.S.

Subsection (9) of the section provides that no single-unit bus may exceed 50 feet in length and no articulated bus may exceed 65 feet in length. In addition, the section provides that no bus may exceed a width of 102 inches at the roadway and 108

inches starting at a point at least 84 inches above the roadway, exclusive of safety features.

B. Effect of Proposed Changes:

The bill amends s. 316.515(3), F.S., to provide that the requirement that a straight truck that exceeds 35 feet in length may have no less than three load-bearing axles would not apply to recreational vehicles.

The bill amends s. 316.515(9), F.S., to make its provisions applicable to "private motor coaches."

The bill amends s. 320.01, F.S., to define a "motor home" as a vehicular unit which does not exceed 40 feet in length and the height and the width limitations provided in s. 316.515, F.S., is a self-propelled motor vehicle, and is primarily designed to provide temporary living quarters for recreational, camping, or travel use.

The section is also amended to define "private motor coach" as a vehicle which does not exceed the length, width, and height limitations provided in s. 316.515(9), F.S., is built on a self-propelled bus-type chassis having no fewer than 3 load-bearing axles, and is primarily designed to provide temporary living quarters for recreational, camping, and travel use.

II. ECONOMIC IMPACT AND FISCAL NOTE:

A. Public:

None.

B. Government:

None.

III. COMMENTS:

None.

IV. AMENDMENTS:

None.