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# COMMERCIAL MOTOR VEHICLE MANUAL

## FLORIDA HIGHWAY PATROL

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Office of Commercial Vehicle Enforcement  
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***This manual serves as a guide for commercial motor vehicle drivers and carriers who transport goods and passengers in Florida. This guide lists size and load limits, safety rules, and permits required by the State of Florida.***

**NINTH EDITION  
July 2016**

**AS OF JULY 1, 2016, FLORIDA WILL HAVE THREE LOCATIONS WHERE PERMITS CAN BE PURCHASED AT SCALE FACILITIES. OTHER THAN THOSE LOCATIONS, PERMITS MUST BE PURCHASED *PRIOR* TO ENTERING THE STATE.**

**FOR MORE INFORMATION SEE: [WWW.FLORIDATRUCKINGINFO.COM](http://WWW.FLORIDATRUCKINGINFO.COM)**

## **KNOW THE LAW!!!**

The State of Florida has certain laws to assist the transportation industry and keep commercial motor vehicle operations safe and economical in Florida. The Florida Highway Patrol Office of Commercial Vehicle Enforcement (OCVE) and the Florida Department of Transportation Motor Carrier Size and Weight enforce these laws. This manual provides an overview of the laws and regulations that pertain to commercial motor vehicle operations. This overview is specific to operations in the State of Florida. For rules and regulations for other states, contact each state individually. **Commercial motor vehicle operators should consult their own legal counsel for guidance on applicability and interpretations regarding laws, regulations and business practices.**

# TABLE OF CONTENTS

INTRODUCTION.....	4
<b>SIZE AND WEIGHT LIMITS</b>	
SIZE AND WEIGHT LIMITS.....	5
DEFINITIONS.....	6
SCALE TOLERANCE.....	6
LOW-LIMIT ROADS AND BRIDGES.....	7
MAXIMUM SIZE AND WEIGHT LIMITS.....	8
HOW TO FIND YOUR VEHICLE'S LEGAL WEIGHT.....	9
HOW TO USE TABLE 1.....	10-11
HOW TO USE TABLE 2.....	12-13
HOW TO USE TABLE 3.....	14-15
TABLE 4.....	16
WHAT HAPPENS IF YOUR VEHICLE IS WEIGHED?.....	16
WHEN CAN YOU SHIFT YOUR LOAD?.....	16
WHEN WILL YOU BE REQUIRED TO OFF-LOAD?.....	16
WHEN YOUR DISABLED TRUCK IS MOVED BY A WRECKER.....	16
SUMMARY OF FACTS.....	17
<b>OVERWEIGHT/OVERSIZ PERMITS</b>	
PERMIT OFFICE CONTACT INFORMATION.....	18
WHY DOES THE FDOT ISSUE PERMITS?.....	19
WHEN DO YOU NEED A PERMIT?.....	19
WHAT KINDS OF PERMITS ARE ISSUED?.....	19
LIABILITY OF PERMITTEE.....	20
WHO IS EXEMPT FROM PERMIT FEES?.....	20
COST OF PERMITS.....	20
WHAT HAPPENS IF NO VALID SPECIAL PERMIT IS PRESENT WHEN REQUIRED?.....	20
WHAT HAPPENS IF REQUIREMENTS OF A SPECIAL PERMIT ARE VIOLATED?.....	21
<b>DRIVER/VEHICLES SAFETY EXAMINATIONS &amp; HAZARDOUS MATERIALS</b>	
SAFETY IS OUR BUSINESS.....	23
SAFETY REGULATIONS IN FLORIDA LAW.....	23
SAFETY INSPECTIONS.....	23
WHAT HAPPENS IF DEFECTS OR VIOLATIONS ARE FOUND?.....	23
WHAT WILL BE INSPECTED?.....	24
COMMERCIAL DRIVER LICENSE (CDL).....	25
MEDICAL CERTIFICATE REQUIREMENTS.....	26
RECORD OF DUTY STATUS AND HOURS OF SERVICES LIMITATIONS.....	26-27
SLASH & SPRAY SUPPRESSANT DEVICES.....	28
HAZARDOUS MATERIALS.....	28
COMMERCIAL DRIVER LICENSE (HAZMAT).....	29
DRIVING.....	29
HAZARDOUS MATERIALS REGISTRATION.....	29
INCIDENT REPORTING.....	29
<b>FEDERAL USDOT NUMBERS &amp; INTRASTATE DOT NUMBERS</b>	
IDENTIFICATION REQUIREMENTS/VEHICLE MARKINGS.....	31
INTERSTATE AND INTRASTATE COMMERCE.....	31
WHO NEEDS A FEDERAL USDOT NUMBER AND OPERATING AUTHORITY.....	31

EXECPTIONS FOR REGISTERING FOR AN INTRASTATE DOT NUMBER .....	32
INTRASTATE NEW ENTRANT SEMINARS (FLORIDA ONLY) .....	32
INTERSTATE NEW ENTRANT SAFETY AUDITS.....	32
COMPLIANCE INVESTIGATIONS.....	33
MINIMUM LIMITS OF LIABILITY INSURANCE REQUIREMENTS.....	33

**INTERNATIONAL REGISTRATION PLAN (IRP) & INTERNATIONAL FUEL TAX AGREEMENT (IFTA)**

INTERNATIONAL REGISTRATION PLAN .....	36
ENFORCEMENT REQUIREMENTS.....	36
WHAT HAPPENS IF YOUR TRUCK IS IMPROPERLY LICENSED? .....	37
INTERNATIONAL FUEL TAX AGREEMENT .....	37
ENFORCEMENT REQUIREMENTS.....	37

**PAYMENT & PROTESTING OF PENALTIES & VIOLATIONS**

UNIFORM COMMERCIAL VEHICLE CITATION/PERMIT.....	39
FAILURE TO PAY A PENALTY .....	39
PROTESTING A PENALTY .....	39
PROTESTING A DRIVER/VEHICLE EXAMINATION REPORT .....	40

**CONTACTS**

FLORIDA HIGHWAY PATROL OFFICE OF COMMERCIAL VEHICLE ENFORCEMENT .....	42
FLORIDA DEPARTMENT OF TRANSPORTATION MOTOR CARRIER SIZE AND WEIGHT ....	43-44
ADDITIONAL INFORMATION OR ASSISTANCE .....	45

## INTRODUCTION

This manual covers important points of Florida laws and Federal regulations governing the operation of commercial motor vehicles; however, it does not cover all of them. This manual condenses and paraphrases the actual language found in the laws and regulations and provides other useful information. It is the motor carrier's responsibility to be familiar with and follow all applicable laws and regulations. **Commercial motor vehicle operators should consult their own legal counsel for guidance on applicability and interpretations regarding laws, regulations and business practices.**

Every attempt has been made to ensure that this manual contains accurate information; however, changes to laws or regulations may affect the information found in this manual. A court or other official proceeding is guided by the full and exact language of the laws and regulations. This manual is not a proper, legal authority to cite in such proceedings.

This manual is for commercial motor vehicle operators using Florida's roadways. Florida wants to assist operators remain current on state laws which affect the safety of commercial motor vehicles, the size and weight of loads which may be carried, and the permits obtained to operate on state highways. The Office of Commercial Vehicle Enforcement is dedicated to fair and impartial enforcement and education of these laws in order to preserve the highway system while making it a safe and economical place to travel.

Commercial vehicle operations are a vital part of Florida's economy. The Florida Highway Patrol is committed to promoting a safe and secure transportation environment for the efficient mobility of goods and people.

Additional information is available via the Florida Trucking Info Line at (850) 414-4700.

# SIZE AND WEIGHT LIMITS



## SIZE AND WEIGHT LIMITS

Florida law regulates the size and weight of each vehicle and its cargo. General information on determining legal size and weight can be found in the following pages. Statutory language can be found at: [Size Laws- 316.515, Florida Statute](#)

- [Size Laws- 316.515, Florida Statute](#)
- [Weight Laws- 316.535, Florida Statute- Bridge Gross and Axle](#)
- [Weight Laws- 316.545, Florida Statute](#)
- [Weight Laws- 316.555, Florida Statute- Low Limit Roads/Bridges](#)

## DEFINITIONS

**GROSS WEIGHT** - Total weight of the vehicle and load.

**EXTERNAL/OUTER BRIDGE LENGTH** - The distance between the center of the first axle and the center of the last axle of the vehicle (Measurements are to the nearest foot).

**INTERNAL BRIDGE LENGTH** (also called "inner-bridge") - The distance between the centers of two or more axles, but not the entire "external/outer bridge." This applies on Interstate highways only (Measurements are to the nearest foot).

**SINGLE AXLE WEIGHT** - The weight placed on the road by all the wheels of one axle.

**TANDEM AXLE WEIGHT** - All weight transmitted to the road by two axles together with equalization.

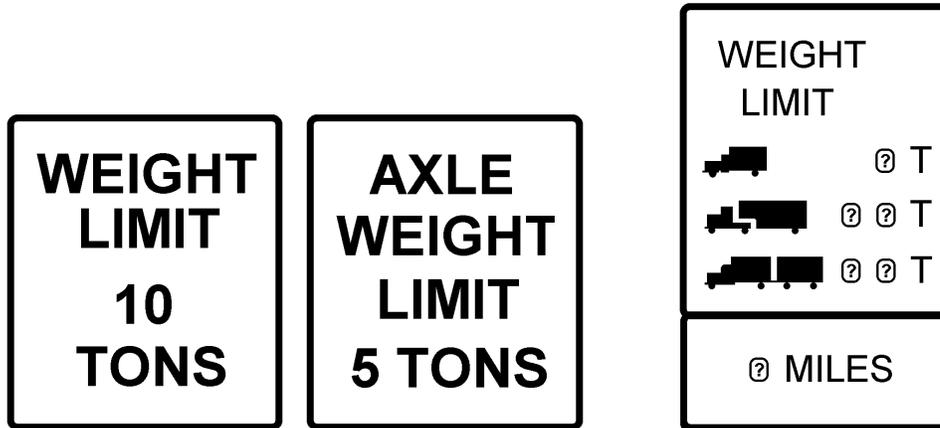
**TIRE WIDTH** - The width stamped on the side of the tire by the manufacturer (A 10:00 X 20 is a 10" tire).

## SCALE TOLERANCE

**All weight limitations in this manual include the tolerance allowed by law to account for any variation between different sets of scales.** If you load to the maximum weight for your vehicle, you have used the tolerance allowed. For example, if the table says your truck can operate at a gross weight of 80,000 pounds, you have used all the tolerance allowed by law when your truck weighs 80,000 pounds. This tolerance is included in all weight enforcement areas, including low limit bridges and roads, tax classes, overweight permits, and safety enforcement where weight is a determining factor in compliance.

## LOW-LIMIT ROADS AND BRIDGES

Due to age, condition, or design, some roads and bridges in Florida are designated as low-limit roads and bridges. The weight posted for these roads and bridges may not be exceeded.



MAXIMUM - ALL VEHICLES

MAXIMUM - BY CLASS

*As illustrated above, posted load limit signs will indicate the maximum allowable weight for all vehicles, or the maximum allowable weight for different classes of vehicles.*

The maximum allowable weight is listed in tons (one ton equals 2,000 pounds) beside the silhouette for each of the three classes of vehicles.

The **SINGLE-UNIT TRUCK** silhouette includes all straight trucks, cranes, and other single-unit special mobile equipment regardless of the number of axles.

The **TRUCK TRACTOR SEMI-TRAILER** silhouette includes all truck tractor combinations regardless of the number of axles.

The **SINGLE-UNIT TRUCK WITH ONE TRAILER** includes straight truck and trailer, all MAXI-CUBE and TANDEM TRAILER combinations regardless of the number of axles.

**Please watch carefully for all load limit signs and obey them!**

## MAXIMUM SIZE AND WEIGHT LIMITS (TOLERANCES INCLUDED)

GROSS WEIGHT (under certain conditions)		80,000 lbs.
SINGLE AXLE, MAXIMUM WEIGHT		22,000 lbs.
TANDEM AXLE, MAXIMUM WEIGHT		44,000 lbs.
SEMI-TRAILER LENGTH INCLUDING LOAD (commercial vehicles only)	*	48' / 53'
AUTOMOBILE AND BOAT TRANSPORTER SEMI-TRAILERS	∑	50'
SINGLE UNIT	Δ	40'
STRAIGHT TRUCK-TRAILER COMBINATION	!!	68'
BUSES		50'
WIDTH OF TRUCK / LOAD (on road with traffic lanes 12' wide or more)	†	8'6"
HEIGHT	‡	13'6"
MAXIMUM OVERHANG OVER FRONT OR FRONT BUMPER OF VEHICLE	Ω	3'
BUS COMBINATION – NON COMMERCIAL VEHICLE		65'
NON COMMERCIAL VEHICLE COMBINATIONS (maximum of one trailing unit)		65'

**REMEMBER:** All of the maximum weights shown above already include the 10 percent scale tolerance.

- \* Semi-trailers which exceed 48', including overhang up to 53', must have a 41' or less kingpin measurement and rear underride protection (Interstate Commerce Commission [ICC] bumper).
- ∑ Automobile and boat carrier transporter semi-trailers shall not exceed 50'; load may extend an additional 6' beyond the rear of the trailer.
- Δ A straight truck may attach a fork lift to the rear of the cargo bed, but the combined overall length may not exceed 50'.
- !! Straight truck-trailer combinations exceeding 68' overall. Additional 6' rear overhang for truck-trailer combinations engaged in the transportation of boats.
- † Some roads may be restricted to 8' in width by the FDOT or local authorities.
- ‡ Height – Automobile transporters semi-trailers shall not exceed 14'.
- Ω Front overhang limitations do not apply to bicycle racks carrying bicycles on public sector transit vehicles, or front-end loading solid waste or recyclable collection vehicles while engaged in collection, when not exceeding 8'6" front overhang and operated at less than 20 miles per hour with warning lights activated.

## **HOW TO FIND YOUR VEHICLE'S LEGAL WEIGHT**

First, the type of vehicle you are driving determines which rules must be followed. Then the "bridge" length for your vehicle must be measured. Now, look at the tables:

**TABLE 1** - is for some single units and for some tractor trailers with short wheelbases.

**TABLE 2** - is for vehicles that meet the minimum number of axles and wheelbase necessary to allow for greater legal weight than specified in TABLE 1. So, use the table which allows the most total weight.

**TABLE 3** - Is for dump trucks, concrete mixing trucks, trucks engaged in waste collection and disposal, and fuel oil and gasoline trucks designed and constructed for special type work or use, when operated as a single unit. The maximum axle weight is determined by tire size. The maximum gross weight for these types of trucks with two or three axles is determined by adding the axle weight limitations. The maximum gross weight for these types of trucks with more than three axles is 70,000 pounds.

### **WARNING – WARNING – WARNING – WARNING**

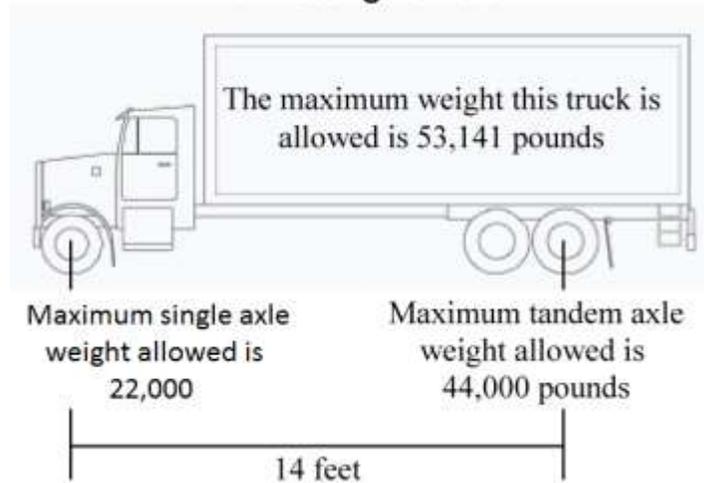
**In addition to adhering to the weight requirements found in the following tables, commercial motor vehicles must license their vehicles within the appropriate tax-class ranges to accommodate their legal weights.**

## HOW TO USE TABLE 1

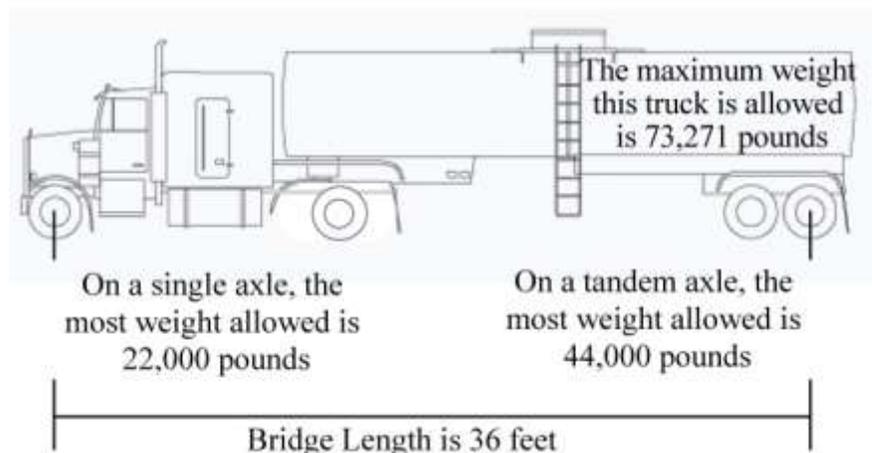
This table is for vehicles with shorter bridge measurements which are not identified to use Table 3. If your vehicle fits here, measure the bridge length and find the maximum gross weight in TABLE 1. If your vehicle is longer than 36', you may be allowed more weight than shown in TABLE 1. See TABLE 2 if your truck has:

1. 4 axles and is 47' or longer; or
2. 5 axles and is 41' or longer; or
3. 6 axles and is 33' or longer.

### Van Straight Truck



### Tractor Tanker Semi-Trailer



**TABLE 1: MAXIMUM LEGAL WEIGHT BASED ON THE DISTANCE FROM THE TRUCK'S FRONT AXLE TO REAR AXLE**

Commercial motor vehicle weights are also limited by the gross vehicle weight declared on the power unit tag registration, and are subject to penalty if such declared weight is exceeded.

**Single Axle - 22,000 Pounds; Tandem Axle - 44,000 Pounds**

Distance Between First and Last Axles (In Feet) This is overall distance and includes any combination of units	Maximum Gross Weight Allowed to be Hauled (In Pounds)  [All Tolerances Included]
4 - 8	44,000
9	48,554
10	49,478
11	50,391
12	51,304
13	52,228
14	53,141
15	54,065
16	54,978
17	55,891
18	56,804
19	57,728
20	58,641
21	59,554
22	60,478
23	61,391
24	62,304
25	63,217
26	64,141
27	65,054
28	65,967
29	66,891
30	67,804
31	68,717
32	69,641
33	70,554
34	71,467
35	72,380
36 OR MORE	73,271

## HOW TO USE TABLE 2

This table is for finding your maximum legal external/outer bridge and internal bridge weight.

### External Bridge:

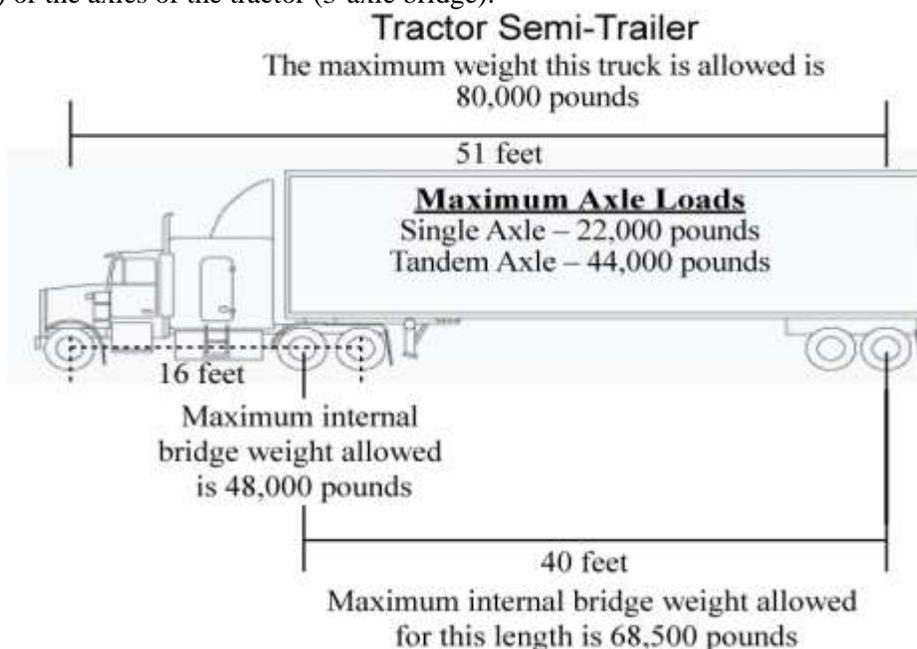
Maximum legal weight may be determined by measuring the external/outer (distance from the center first axle to the center of the last axle) and locating that distance in the left-hand column of TABLE 2. Read the weight under the correct column for the number of axles on your vehicle.

### Internal Bridge (inner bridge):

There are three requirements which cause a vehicle to be subject to internal bridge:

- Operation on an Interstate highway
- Vehicle or combination is subject to Table 2
  - 4 axles and 47' or more wheel base; or
  - 5 axles and 41' or more wheel base; or
  - 6 axles and 33' or more wheel base.
- Vehicle or combination weighs over 73,271 pounds

On Interstate highways, your vehicle's legal weight will also be subject to the internal bridge weight limits found in Table 2 (the distance between the centers of two or more axles, but not the entire external/outer bridge). For example, the internal bridge can be both sets of tandem axles (4-axle bridge) or the axles of the tractor (3-axle bridge).



**WARNING: You may be legal on external/outer bridge weight, but not on internal bridge. Be sure to check those weights before using Interstate highways.**

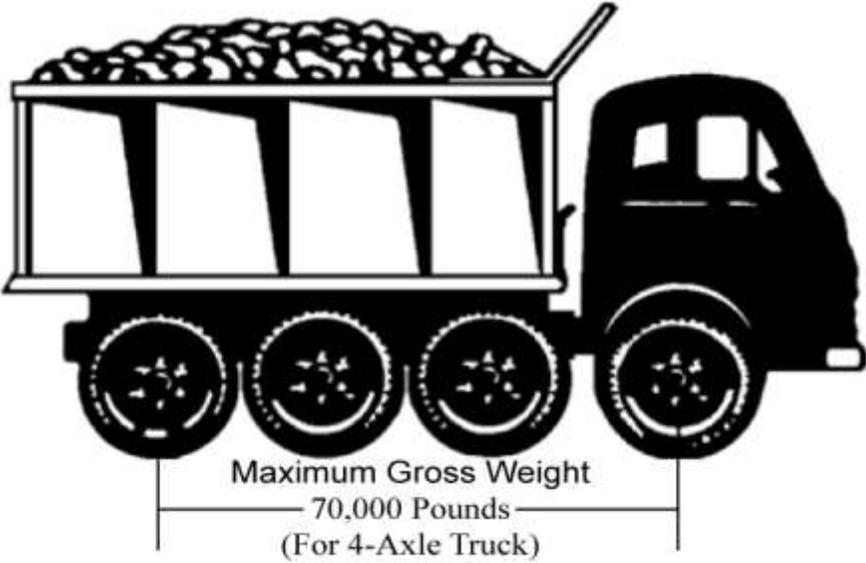
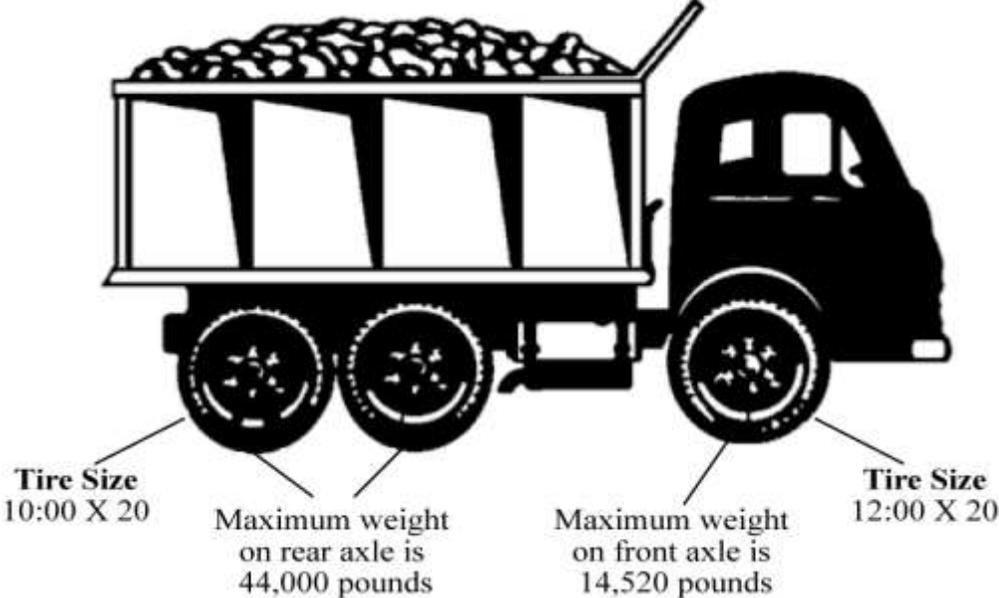
**TABLE 2: MAXIMUM LEGAL WEIGHT BASED ON THE TOTAL NUMBER OF AXLES AND THE DISTANCE BETWEEN THE AXLES, OR SETS OF AXLES**

Commercial motor vehicle weights are also limited by the gross vehicle weight declared on the power unit tag registration, and are subject to penalty if such declared weight is exceeded.

Distance Between Any Group of 2 or More Consecutive Axles (In Feet)	Maximum Weight Allowed on this Number of Axles (In Pounds) [All Tolerances Included]					
	2 Axles	3 Axles	4 Axles	5 Axles	6 Axles	7 Axles
4	44,000					
5	44,000					
6	44,000					
7	44,000					
8	44,000	44,000				
9	44,000	44,000				
10	44,000	44,000				
11	44,000	44,500				
12	44,000	45,000	50,000			
13	44,000	46,000	50,500			
14	44,000	46,500	51,500			
15	44,000	47,500	52,000			
16	44,000	48,000	52,500	58,000		
17	44,000	49,000	53,500	58,500		
18	44,000	49,500	54,000	59,500		
19	44,000	50,500	54,500	60,000		
20	44,000	51,000	55,500	60,500	66,000	
21	44,000	52,000	56,000	61,000	66,500	
22	44,000	52,500	56,500	62,000	67,000	
23	44,000	53,500	57,500	62,500	68,000	
24	44,000	54,500	58,000	63,000	68,500	74,000
25	44,000	55,000	58,500	63,500	69,000	74,500
26	44,000	55,500	59,500	64,500	69,500	75,000
27	44,000	56,500	60,000	65,000	70,000	76,000
28	44,000	57,000	60,500	65,500	71,000	76,500
29	44,000	58,000	61,500	66,000	71,500	77,000
30	44,000	58,500	62,000	67,000	72,000	77,500
31	44,000	59,500	62,500	67,500	72,500	78,000
32	44,000	60,000	63,500	68,000	73,000	78,500
33	44,000	61,000	64,000	68,500	74,000*	79,500
34	44,000	61,500	64,500	69,500	74,500	80,000
35	44,000	62,500	65,500	70,000	75,000	
36	44,000	63,000	68,000	70,500	75,500	
37	44,000	64,000	68,000	71,000	76,000	
38	44,000	64,500	68,000	72,000	77,000	
39	44,000	65,500	68,000	72,500	77,500	
40	44,000	66,000	68,500	73,000	78,000	
41	44,000		69,500	73,500*	78,500	
42	44,000		70,000	74,500	79,000	
43	44,000		70,500	75,000	80,000	
44	44,000		71,500	75,500		
45	44,000		72,000	76,000		
46	44,000		72,500	77,000		
47	44,000		73,500*	77,500		
48	44,000		74,000	78,000		
49	44,000		74,500	78,500		
50	44,000		75,500	79,500		
51	44,000		76,000	80,000		

**HOW TO USE TABLE 3**

Table 3 is for finding the maximum legal weight for dump trucks, concrete mixing trucks, trucks engaged in waste collection and disposal, and fuel oil and gasoline trucks designed and constructed for special type work or use, when operated as a single unit. Legal axle weight may be determined by finding the tire width stamped on the vehicle's tires and locating that number in the left-hand column. Read across to find the weight allowed for an axle with two tires or with four tires (Note that no axle may exceed the lawful weight limit of 22,000 pounds, regardless of tire size). Maximum gross weight is the total of allowable axle weights, not to exceed 70,000 pounds.



Maximum single-axle weight is 22,000 pounds  
(Tire size limits also apply)

**TABLE 3: MAXIMUM LEGAL WEIGHT FOR SINGLE-UNIT DUMP TRUCKS, CONCRETE MIXING TRUCKS, GARBAGE TRUCKS, AND FUEL OIL, GASOLINE TRUCKS, AND CONCRETE PUMPING TRUCKS BASED ON 605 POUNDS PER INCH OF TIRE WIDTH**

Commercial motor vehicle weights are also limited by the gross vehicle weight declared on the power unit tag registration, and are subject to penalty if such declared weight is exceeded.

If Your Tire Width Is (tire size marking on the sidewall)	Total Weight for 2 Tires on 1 Axle is	Total Weight for 4 Tires on 1 Axle is
	[All Tolerances Included]	
<b>Maximum is still 22,000 pounds, no exception.</b>		
7.50	9,075	18,150
8.00	9,680	19,360
8.22.5	9,680	19,360
8.25	9,983	19,965
8.5	10,285	20,570
9.00	10,890	21,780
9.22.5	10,890	21,780
10.00	12,100	22,000
10.22.5	12,100	22,000
10.3-22.5	12,463	22,000
11.00	13,310	22,000
11.22.5	13,310	22,000
11.24.5	13,310	22,000
12.00	14,520	22,000
12.22.5	14,520	22,000
12.24.5	14,520	22,000
13.00	15,730	22,000
14.00	16,940	22,000
15.00	18,150	22,000
16.00	19,360	22,000
16.5	19,965	22,000
17.00	20,570	22,000
18.00	21,780	22,000

M E T R I C  C O N V E R S I O N  C H A R T	Metric Tire Size	Nominal Width (in Inches) (For use in Total Weight chart at left)
	215/75R17.5	8.5
	225/70R19.5	9.0
	245/70R19.5	10.0
	235/80R22.5	9.0
	255/70R22.5	10.0
	255/80R22.5	10.0
	275/80R22.5	11.0
	295/80R22.5	12.0
	315/80R22.5	13.0
	385/65R22.5	15.0
	425/65R22.5	16.5
	445/65R22.5	18.0
	275/80R24.5	11.0
	445/50R22.5	18.0
455/55R22.5	18.0	

## TABLE 4

In addition to adhering to the weight requirements found in the preceding tables, CMVs must license their vehicles within the appropriate tax-class ranges to accommodate their legal weights. Some exceptions apply to wreckers, agricultural vehicles, and some special use vehicles. These ranges are found in [320.08, Florida Statute](#) and include all tolerance. **Commercial motor vehicle operators should consult their own legal counsel for guidance on applicability and interpretations regarding laws, regulations and business practices.**

### Weight Requirements:

10,000 lbs.	to	14,999 lbs.
15,000 lbs.	to	19,999 lbs.
20,000 lbs.	to	26,000 lbs.
26,001 lbs.	to	34,999 lbs.
35,000 lbs.	to	43,999 lbs.
44,000 lbs.	to	54,999 lbs.
55,000 lbs.	to	61,999 lbs.
62,000 lbs.	to	71,999 lbs.
72,000 lbs.	and up	

## WHAT HAPPENS IF YOUR VEHICLE IS WEIGHED?

While your vehicle is being weighed, please follow the directions given by the OCVE trooper or FDOT inspector. If your vehicle is found to be overweight, the trooper or inspector will tell you how much your vehicle is over on bridge, gross, axle weight or registration weight. A penalty will be assessed in accordance with Florida law.

## WHEN CAN YOU SHIFT YOUR LOAD?

Load shifting *is* allowed when you are over on axle weight. Shifting **is not** allowed if you are over on any bridge or gross weight *and* axle weight. If shifting is allowed, the trooper or inspector will give you one hour to move the load, slide the fifth wheel or tandem, or adjust pressure on an air-controlled axle that is already in contact with the pavement.

You **may not** unload cargo or change tractors; you **may not** pump liquid hazardous materials from one tank compartment to another or raise dump bodies to shift your load; and you may not shift for an axle weight violation on a permitted load.

After shifting is complete, your vehicle will be re-weighed. If it is still over on axle weight, you will be assessed on the overage after shifting.

## WHEN WILL YOU BE REQUIRED TO OFF-LOAD?

Because of road damage from heavy loads, Florida law says if your vehicle is more than 6,000 pounds over gross weight, you are required to off-load to *legal weight*.

## WHEN YOUR DISABLED TRUCK IS MOVED BY A WRECKER

A wrecker and disabled commercial motor vehicle combination exceeding size or weight legal limits must apply for a wrecker permit through the Permit Office.

## **SUMMARY OF FACTS TO REMEMBER ABOUT THE SIZE AND WEIGHT OF YOUR VEHICLE AND LOAD**

- You are given a 10 percent scale tolerance, which is already included in weights reflected on the weight tables in this manual.
- There are roads and bridges with lower weight limits that are posted with signs.
- The internal bridge law applies *only* on Interstate highways.
- If you are over legal axle weight, you may shift the load; but loads cannot be shifted when over on bridge or gross weight, or when over axle weight if a permitted load.
- You are required by law to weigh your vehicle, if requested by an OCVE trooper, weight inspector, or authorized law enforcement officer.
- An assessment can be protested *only after* it has been paid, except when a Governor's Bond, in twice the amount of the assessment, has been posted.
- Legal weight tandem trailer and maxi-cube combinations may operate on all roads unless posted otherwise.

# OVERWEIGHT / OVERSIZE PERMITS



## **PERMIT OFFICE CONTACT INFORMATION**

The FDOT Permit Office is physically located at:

2740 Centerview Drive  
Rhyne Building - Suite 1C  
Tallahassee, Florida 32301  
866/374-3368 x5777 or 850/410-5777

Office operation hours are Monday through Friday, 7:30 a.m. – 5:30 p.m. and Saturday, 8:00 a.m. – 12:00 p.m. There is a complete permitting guide at the Permit Office Web site at <http://www.fdotmaint.com/permit>.

For more information on permits see [Florida Administrative Code 14-26](#)

## **WHY DOES THE FDOT ISSUE PERMITS?**

The intent of the law under which the FDOT issues vehicle movement permits is:

- To protect motorists from traffic hazards caused by the movement of overweight and oversized vehicles or loads on state highways.
- To ensure the comfort and convenience of other motorists on the highways and to guard against undue delays in the normal flow of traffic.
- To minimize damage to pavement, highway facilities, and structures; thus protecting the investment in the state highway system.
- To assist persons, companies, or organizations with special transportation problems involving excess size or weight.
- To establish fees which will recover FDOT's administrative costs as well as any wear caused to the state highway system by the permitted loads.

### **WHEN DO YOU NEED A PERMIT?**

Except for certain vehicles exempted by law, any vehicle which exceeds the following size or weight limitations will not be allowed to move without a permit:

1. Maximum **WIDTH** of vehicle or vehicle combination and load exceeds 102" or exceeds 96" on less than 12' wide travel lane.
2. Maximum **HEIGHT** of vehicle or vehicle combination and load exceeds 13'6" or 14' for automobile transporters.
3. Maximum **LENGTH** of (some of the more common length configurations)
  - a. Single-unit vehicle exceeds 40'
  - b. Semi-trailers exceeding 48 feet or 57 feet depending on kingpin setting. Kingpin is measured from the center of the rear axle, or group of axles, to the center of the kingpin of the fifth wheel connection
  - c. Straight Truck with trailer when the combination exceeds 68'
  - d. Truck Tractors hauling automobiles with semi-trailer exceeding 50' as a qualifying auto transporter (able to transport automobiles on the power unit) when the exceptions in [316.515, Florida Statute](#) are exceeded
  - e. Front end overhang exceeds 3'
4. Gross **WEIGHT** of vehicle or vehicle combination and load exceeds the legal limits established in [316.535, Florida Statute](#)

### **WHAT KINDS OF PERMITS ARE ISSUED?**

1. A trip permit is issued to cover a move from a single point of departure (origin) to a single destination. This permit allows the hauler ten days to make the single trip.
2. A blanket permit is issued to cover multiple trips for a period of time not to exceed 12 months.

**It is your responsibility to make sure permits are clear and can be easily read. Carefully read your permit before you begin your trip. It is your responsibility to see that the permit is correct. If there is a mistake on your permit, contact the Permit Office immediately.**

## **LIABILITY OF PERMITTEE**

Permits are granted with the specific understanding that the permittee shall be responsible and liable for any damage to state roadways and structures.

## **WHO IS EXEMPT FROM PERMIT FEES?**

Exemptions for permit fees may be found in the *Florida Administrative Code* 14-26.009

The below vehicles are exempt from fees but must obtain an overweight and/or over-dimensional permit to operate on state owned roadways.

- (1) Governmental Entities.
- (2) Special taxing districts.
- (3) Seminole Tribe as defined in [Chapter 285, Florida Statute](#)
- (4) Any person or entity moving portable public school buildings.
- (5) Implement of husbandry, farm equipment, agricultural trailers and forestry equipment (oversize only) as provided in Section [316.515\(5\), Florida Statute](#).
- (6) Movement of loads in response to a Governor's Declaration of Emergency.

## **COST OF PERMITS**

Permits fees are authorized by *Florida Administrative Code* 14-26.008. For an accurate posting of cost of permits, please see "Schedule of Fees" on the FDOT Permit Office Web site at <http://www.fdotmaint.com/permit>.

## **WHAT HAPPENS IF NO VALID SPECIAL PERMIT IS PRESENT WHEN REQUIRED?**

When your vehicle, or vehicle and load, is determined to be overweight, Florida law provides for a penalty of \$.05 per pound for all weight over the legal weight for the vehicle.

When your vehicle, or vehicle and load, is determined to be oversize, Florida law provides for a penalty not to exceed \$1,000 per violation for width, height, or length, based on the number of feet, or portion of a foot, over the legal width, height, and/or length of the vehicle

## **WHAT HAPPENS IF REQUIREMENTS OF A SPECIAL PERMIT ARE VIOLATED?**

When your vehicle, or vehicle and load, is over the permitted weight(s), Florida law provides for a penalty of \$.05 per pound for all weight over the permitted weight(s), and a new permit must be obtained or the offending overweight corrected.

When your vehicle and/or cargo exceed the permitted size, Florida law provides for a penalty not to exceed \$1,000 per vehicle, based on the number of feet, or portion of a foot, over the permitted width, height, and/or length of the vehicle, and a new permit must be obtained or the offending oversize corrected.

When an operational or safety stipulation(s) on a special permit is violated, Florida law provides for a penalty not to exceed \$1,000 per vehicle and the vehicle will be detained until the safety stipulation(s) is corrected.

When one or more of the following operational or safety requirement(s) prescribed by the rules of FDOT and declared on a special permit is violated, that permit will be declared **NULL AND VOID** and the penalty (or penalties) will be assessed as outlined above for NO VALID SPECIAL PERMIT PRESENT.

- The vehicle does not have the required number of axles.
- The vehicle has an expired permit.
- The vehicle is not on the route designated on the permit or an approved route on the multi-trip (blanket) permit attachments.
- The vehicle is a self-propelled truck crane towing a motor vehicle that exceeds the 5,000-pound limit allowed in *Florida Statutes* 316.550.
- The vehicle is operating with a permit which has been altered or forged.
- The vehicle is not as represented by the facts on the permit.
- The vehicle is multi-loaded (except as allowed per *Florida Administrative Code* 14-26.012).
- The vehicle was operating during nighttime hours when not allowed by the permit or its attachments.
- The tires on the vehicle are smaller than those specified on the permit.
- The vehicle has an external/outer bridge dimension which is less than the minimum specified on the permit.
- The vehicle is being operated under a multi-trip permit and the permit is not accompanied by the attachments described in the permit.
- The vehicle is being operated without verification the route can accommodate the vehicle load for size.
- The vehicle (except those that qualify as special mobile equipment) is operating on an overweight permit, must be registered for 80,000 lbs. and must not violate a registration restriction.

**ANY ATTEMPT TO OPERATE ON AN ALTERED OR FORGED PERMIT WILL RESULT IN THE MAXIMUM WEIGHT ASSESSMENT AND/OR MAXIMUM SIZE VIOLATION THAT IS PRESCRIBED BY LAW.**

# DRIVER / VEHICLE SAFETY EXAMINATIONS & HAZARDOUS MATERIALS



# DRIVER / VEHICLE SAFETY EXAMINATIONS & HAZARDOUS MATERIALS

## SAFETY IS OUR BUSINESS

A major objective of the OCVE is to prevent crashes and protect property. We use various strategies involving enforcement and education.

## SAFETY REGULATIONS IN FLORIDA LAW

Florida Statutes 316.302 and 316.70, contain the safety requirements that apply to the operation of commercial vehicles on the state's public highways. In general, these laws have adopted the *Federal Motor Carrier Safety Regulations* found in [Chapter 49](#) of the *Code of Federal Regulations* (49CFR), Parts 382, 382, 385 and 390 through 397, and the *Hazardous Materials Transportation Regulations* found in 49 CFR, Parts 100 through 180, as they apply to highway transportation. The following pages will address how the more common regulations are applied to commercial motor vehicle operations.

There are specific exceptions to some of these regulations for vehicles operated strictly in **intrastate commerce**. These exceptions can be found in [316.302, Florida Statute](#). You should consult your legal counsel for guidance.

## SAFETY INSPECTIONS

Safety inspections are conducted by OCVE law enforcement personnel and/or authorized agents. It is imperative that you follow the instructions given to you at the time of inspection to avoid unnecessary delays. Personnel conducting inspections will follow a procedure established by the Commercial Vehicle Safety Alliance (CVSA) to inspect the driver and/or vehicle(s). After the inspection, identified defects will be explained, if any, and the driver will be provided a copy of the safety inspection.

## WHAT HAPPENS IF DEFECTS OR VIOLATIONS ARE FOUND?

If defects or violations are discovered, one or more of the following things will happen:

- A 15-day time limit will be given to return the safety inspection certifying the repairs have been made. All defects must be repaired prior to re-dispatching the vehicle. Some of these violations may result in the issuance of penalties.
- If serious defects are discovered, the vehicle and/or driver will be placed out of service and the repairs must be made before the vehicle can be driven again. If the vehicle is operated or the driver operates commercial motor vehicle prior to the out-of-service condition being corrected, a penalty may be assessed and the driver's commercial driver license may be disqualified. Additionally, if the employer violates the Out-of-Service Order, an additional penalty may be assessed.
- [For procedures for protesting a defect or violation listed on a Driver/Vehicle Examination Report \(DVER or Inspection Report\) see the Payment and Protesting of Penalties and Violations.](#)

## **WHAT WILL BE INSPECTED?**

- **DRIVER**

- Commercial Driver's License (Proper Class & Endorsements)
- Medical Certificate (if required)
- Record Duty Status (Log Book)
- Seat Belt Use
- Alcohol or Drug Use and/or Possession
- Shipping Papers for Hazardous Materials Transportation
- Unauthorized Passengers
- Other registrations, credentials, and licenses.

- **VEHICLE**

- Hazardous Materials Transportation
  - Communications, performance oriented packaging, registrations and permits, training, emergency response information, and cargo securement.
- Brakes
- Coupling Devices
- Fuel System
- Rearview Mirrors
- Horn
- Lighting Devices
- Steering Mechanism
- Suspension
- Frame Members
- Body Components
- Tires and Wheels
- Windshield and Wipers
- Exhaust System
- Emergency Equipment
- Cargo Securement

**NOTE:** Due to extreme danger created by unsecured loads, it is imperative that commercial motor vehicle operators properly secure their cargo and dunnage. Cargo securement rules apply to all trucks, truck-tractors, trailers, semi-trailers, and full and pole trailers. All cargo and dunnage is required to be secured in such a manner as to prevent leaking, spilling, blowing, or falling from the motor vehicle.

**REFER TO THE *FEDERAL MOTOR CARRIER SAFETY REGULATIONS* FOR SPECIFIC REQUIREMENTS ON THESE ITEMS**

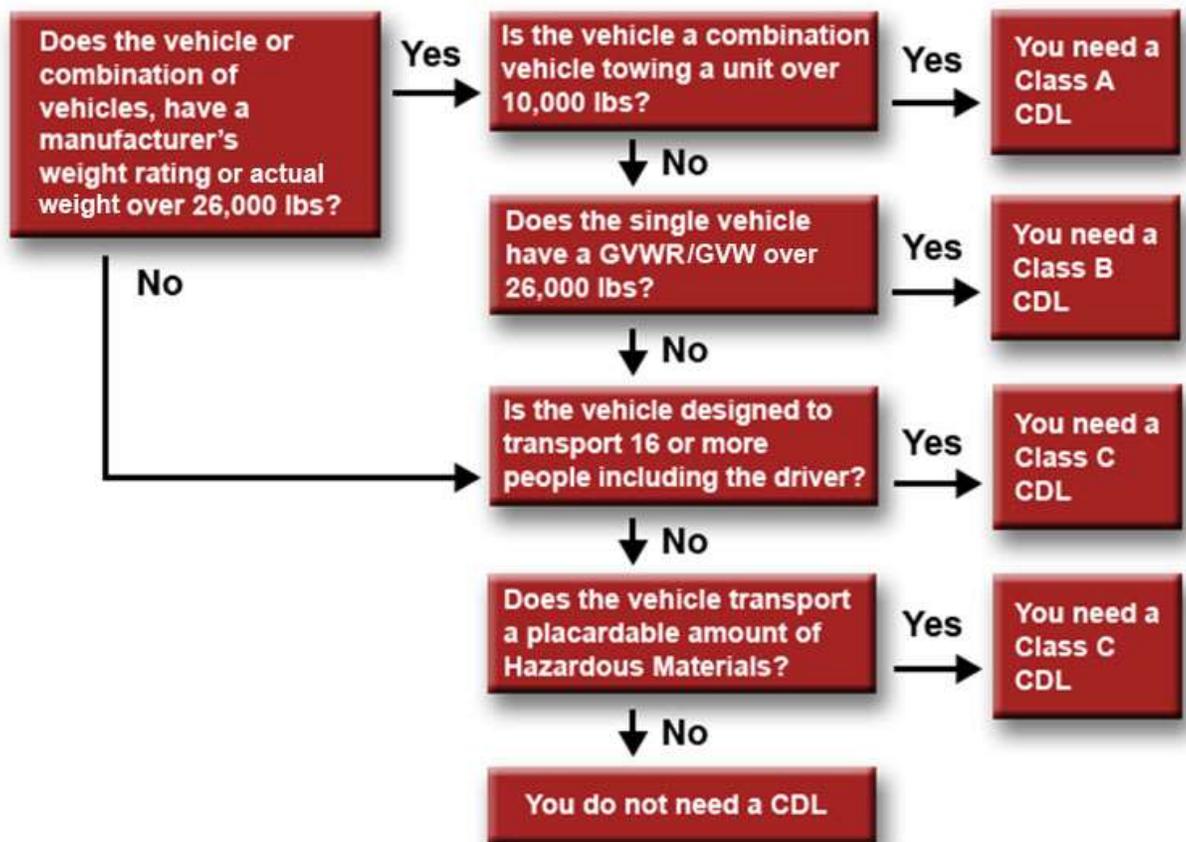
## COMMERCIAL DRIVER LICENSE (CDL)

A CDL is required if you operate any of the following motor vehicles:

- A vehicle combination with a gross weight rating or gross vehicle weight of 26,001 pounds or more with a towed unit with a gross vehicle weight rating or gross vehicle weight of more than 10,000 pounds;
- A vehicle with a gross vehicle weight rating or gross vehicle weight of 26,001 pounds or more;
- A vehicle designed to transport more than 15 persons, including the driver;
- A vehicle of any size used to transport hazardous materials and is required to be placarded.

When driving a vehicle not listed above, a valid Class E License is required.

### Determining Required CDL Class



## **MEDICAL CERTIFICATE REQUIREMENTS**

Drivers are required to possess a valid medical examiner's certificate when operating a commercial motor vehicle:

- With a gross vehicle weight rating, gross combination weight rating, or actual vehicle weight 10,001 pounds or more; or
- Designed to transport more than eight passengers (including the driver) for compensation; or is designed to transport more than 15 passengers, including the driver regardless of compensation; or
- Transporting hazardous materials in a quantity that requires placards.

CDL holders are required to provide their medical examiner's certification to the state driver license agency electronically. Non-CDL holders operating a commercial motor vehicle not requiring a CDL will maintain a paper medical examiner's certification form. Medical examiner's certificates are valid for up to two years.

Federal regulations and state statutes may provide exemptions from medical examiner's certifications. **You should consult your legal counsel legal counsel for guidance on applicability and interpretations regarding laws, regulations and business practices.**

- Florida Statutes:
  - [316.302, Florida Statute- Adoptions of FMCSR](#)
- Federal Regulations:
  - [49 C.F.R. Part 390.3\(f\) Exceptions](#)
  - [49 C.F.R. Part 391.2 General Exceptions Driver](#)

## **RECORD OF DUTY STATUS AND HOURS OF SERVICE LIMITATIONS PROPERTY CARRIER – INTERSTATE COMMERCE**

Commercial motor vehicle drivers are required to maintain Records of Duty Status (RODS) or logbook, unless exempted. The following are some common exemptions to consider.

1. A logbook is required unless the driver is operating a commercial motor vehicle within a 100 mile radius from where the vehicle is based and
  - a. Returns to base and goes off-duty within 12 hours;
  - b. Has at least 10 consecutive hours off-duty before returning to duty; and
  - c. Time records are kept which shows the time the driver reports for duty, the number of hours on duty each day, and the time driver goes off-duty (records must be kept at least 6 months).
2. Driver may not drive after:
  - a. Driving 11 hours after 10 consecutive hours off-duty; \*
  - b. Being on-duty 14 hours after 10 consecutive hours off-duty;
  - c. Being on-duty 60 hours in seven consecutive days or 70 hours in eight consecutive days. However, 34 or more consecutive off-duty hours restarts the 7/8-day period.

\*For other than local drivers, a 30 minute rest period must be taken if more than 8 hours have passed since the last off-duty period less than 30 minutes.

Total driving hours may not exceed 11 hours. Please see the complete federal regulations for sleeper berth, industry and agricultural exceptions: [49 C.F.R. Part 395.1 Hours of Service](#).

## **PASSENGER CARRIER – INTERSTATE AND INTRASTATE COMMERCE**

Commercial motor vehicle drivers are required to maintain Records of Duty Status (RODS) or logbook unless otherwise provided below:

1. A logbook is required unless the driver is operating a commercial motor vehicle within a 100 mile radius from where the vehicle is based and
  - a. Returns to base and goes off-duty within 12 hours;
  - b. Has at least 8 consecutive hours off-duty before returning to duty; and
  - c. Time records are kept which shows the time the driver reports for duty, the number of hours on duty each day, and the time driver goes off-duty (records must be kept at least 6 months).
2. Driver may not drive after:
  - a. Driving 10 hours after 8 consecutive hours off-duty;
  - b. Being on-duty 15 hours after 8 consecutive hours off-duty;
  - c. Being on-duty 60 hours in seven consecutive days or 70 hours in eight consecutive days.

## **PROPERTY CARRIER – INTRASTATE COMMERCE**

If operating in intrastate commerce transporting property, including hazardous materials in amounts that do not require placards:

1. Beyond a 150 air-mile radius from where the vehicle is based, a record of duty status (logbook) is required.
2. Within a 150-air mile radius of where the vehicle is based, a record of duty status is not required providing the motor carrier maintains true time records showing the time the driver reports for duty, the number of hours on-duty each day, and the time the driver goes off duty (records must be kept at least six months). If the driver is not released from duty within 12 hours after the driver arrives for duty, the motor carrier must maintain documentation of the driver's driving times throughout the duty period.
3. The following hours of service limitations shall apply:
  - May not drive more than 12 hours after having 10 consecutive hours off duty; or
  - Driver may not drive after the 16th hour of on-duty time after having 10 consecutive hours off duty; or
  - Drive after more than 70 hours on-duty time in seven consecutive days; or
  - Drive after more than 80 hours on-duty time in eight consecutive days.
  - After 34 consecutive hours of off-duty time a new 7-day or 8-day period will begin.
  - This weekly limit does not apply to a person who operates a commercial motor vehicle solely within this state during harvest periods while transporting any unprocessed agricultural products or unprocessed food or fiber that is subject to seasonal harvesting from place of harvest to the first place of processing or storage or from place of harvest directly to market, or while transporting livestock, livestock feed, or farm supplies directly related to growing or harvesting agricultural products.

**Commercial motor vehicle operators should consult their own legal counsel for guidance on applicability and interpretations regarding laws, regulations and business practices.**

## **SPLASH & SPRAY SUPPRESSANT DEVICES**

Any truck which exceeds 26,000 pounds gross vehicle weight, any truck tractor, or any trailer or semi-trailer with a net weight of 2,000 pounds or more, shall be equipped with fenders, covers, or other splash and spray suppressant devices, such as flexible flaps, on the rearmost wheels of the vehicle or combination of such vehicles.

## **HAZARDOUS MATERIALS**

If you transport hazardous materials, in addition to the general safety regulations, you are subject to requirements found in [49 C.F.R., Parts 100 through 180](#). These regulations cover items such as shipping papers, marking and labeling of packages, placarding of vehicles, and the proper packaging used for hazardous materials. These regulations are extensive, complex, and subject to frequent change. It is imperative that you understand what the requirements are for transporting these materials. As always, you must refer to the regulations for specific information and should consult with your legal counsel regarding compliance. The following items are general guidelines on what we will inspect when you are transporting hazardous materials.

### **SHIPPING PAPERS**

Almost all hazardous material shipments must be accompanied by shipping papers which contain specific information, including:

- 4-Digit Identification Number
- Proper Shipping Name of the Material
- Hazard Class
- Packing Group (PG) of the Material, if applicable
- Emergency Telephone Number
- Emergency Response Information
- Quantity of Material

(Example UN2744, Cyclobutyl chloroformate, 6.1, (8, 3), PG II – and must be in proper sequence with no additional information interspersed)

### **MARKING**

- Identification Number and Proper Shipping Name on non-bulk packages.
- Identification Number on bulk packages.

### **LABELING**

Labels identifying primary and secondary hazards (if applicable) on non-bulk packages.

### **PLACARDING**

Placards, when required, must be displayed identifying primary and secondary hazards (if applicable) on vehicles and bulk packages and must be displayed on all four sides of the vehicle.

An empty cargo tank or portable tank which has been emptied of hazardous materials must remain placarded unless it has been cleaned of residue and purged of vapors, or has been refilled with a material which does not require placards.

## **PACKAGING**

Containers used to transport hazardous materials must be built to international standards and properly marked and maintained as such (includes everything from cardboard boxes to cargo tanks).

There may be additional requirements or exceptions to these items, depending upon the material being transported, the amount of material in each package, and whether you are an international or domestic carrier. Also be aware that, while some requirements are the initial responsibility of the shipper of hazardous materials, final responsibility falls on the carrier to make sure these materials are not placed on the highway in violation of the regulations.

## **COMMERCIAL DRIVER LICENSE (CDL) (HAZMAT)**

If the class or amount of hazardous materials being transported requires the vehicle to be placarded, a CDL with an "H" endorsement is required. This is true even if the vehicle is of a size not otherwise requiring the driver to have a CDL.

Additionally, a vehicle transporting aggregate quantities of 1,000 gallons or more in bulk packagings, requires a tank endorsement. When transporting hazardous materials in amounts that require placards in tanks requiring a tank endorsement, both a tank and a hazardous materials endorsement are required. This is generally identified as an "X" endorsement on the commercial driver license.

## **DRIVING**

In addition to the general traffic laws which apply to all drivers, special rules apply to the driving and parking of vehicles transporting hazardous materials. These rules are set forth in *49 CFR, [Part 392.10](#) and [Part 397](#)*.

## **HAZARDOUS MATERIALS REGISTRATION**

If you are a shipper or a carrier operating in interstate commerce or intrastate commerce transporting hazardous materials, you may be required to register with the USDOT. A Registration Statement must be submitted to the USDOT and the appropriate fee must be paid if you engage in any activities covered in [49 C.F.R. Part 107.601](#):

For further information on the Hazardous Materials Registration Program, contact the USDOT Research and Special Programs Administration at (202)366-4109 or visit the Web site at <http://www.safersys.org/>.

## **INCIDENT REPORTING**

The unintentional release of hazardous materials requires a detailed incident report to be submitted to the USDOT. More serious incidents may require immediate notice to the **National Response Center at (800)424-8802**.

# FEDERAL USDOT NUMBERS & INTRASTATE DOT NUMBERS



## **IDENTIFICATION REQUIREMENTS / VEHICLE MARKING**

Required markings shall be displayed on both sides of the power unit, in letters that contrast sharply in color with the background and are readily visible and readable from a distance of 50 feet.

## **INTERSTATE AND INTRASTATE COMMERCE**

1. Name or trade name of the motor carrier;
2. The United States Department of Transportation (USDOT) number or FDOT.

\*For rented CMVs and drive away services, see *CFR*, [Title 49, Part 390.21](#).

## **WHO NEEDS A FEDERAL USDOT NUMBER AND OPERATING AUTHORITY**

A Federal USDOT number shall be obtained and displayed on all applicable CMVs that:

1. Have a gross vehicle weight rating or gross combination weight rating, or gross vehicle weight or gross combination weight, of 4,536 kg (10,001 pounds) or more, whichever is greater; or,
2. Transport hazardous materials requiring placarding; or,
3. Transport hazardous materials in quantities that require placards; or
4. Designed to transport 8 or more passengers, including the driver, for compensation; or
5. Designed or used to transport more than 15 passengers including the driver.

**Generally, Operating Authority is required when operating in interstate commerce, while operating for-hire, transporting non-exempt commodities. You can find more information at [www.fmcsa.dot.gov/registration](http://www.fmcsa.dot.gov/registration).**

**Motor carriers registering for a USDOT number need only fill out one form for the company, not per vehicle. The application for the USDOT number must be submitted electronically for both, interstate and intrastate operations. For more information call 1-800-832-5660 or visit the following website: [FMCSA DOT Number Registration](#).**

## **EXCEPTIONS FOR INTRASTATE DOT NUMBER REGISTRATION**

1. Motor carriers operating solely intrastate when transporting agricultural, including horticultural or forestry products from farm or harvest place to the first place of processing or storage, or from farm or harvest place directly to market, require identification. *Florida Statutes* [316.302, Florida Statute](#).
2. Motor carriers operating solely intrastate when their vehicles have a declared gross vehicle weight of less than 26,001 pounds or transport petroleum products, as defined in *Florida Statutes* [376.301, Florida Statute](#)

***Commercial motor vehicle operators should consult their own legal counsel for guidance on applicability and interpretations regarding laws, regulations and***

***business practices.***

**INTRASTATE NEW ENTRANT SEMINARS (FLORIDA ONLY)**

Newly formed carriers (New Entrants), regardless of size, may participate in a New Entrant Seminar. New Entrant Safety Seminars are conducted in a classroom environment and are provided to educate safety officials for motor carriers on applicable laws and regulations. Information on seminars can be found by phone at (850) 617-2282 or by email at: [Newentrant@flhsmv.gov](mailto:Newentrant@flhsmv.gov).

**INTERSTATE NEW ENTRANT SAFETY AUDITS**

Carriers starting interstate operations are required to have a designated company official participate in a New Entrant Safety Audit. FMCSA rules require the audit be conducted within a specified period of time following the issuance of a DOT Identification Number. During the audit, an OCVE member will review a limited number of documents such as, log books, random drug testing procedures, and insurance. The audit may be conducted in person or, if qualified, the New Entrant may be able to electronically upload the required documents for the OCVE member to review. New Entrants are contacted by OCVE members to set up the date and time for an audit or to provide instruction to upload required documents.

It is very important that carriers respond quickly to OCVE member requests related to Safety Audits. Failure to comply in any part of the Safety Audit process may result in the carrier being placed Out Of Service by FMCSA.

**COMPLIANCE INVESTIGATIONS**

A compliance investigation is an examination of a motor carrier's operations to determine a motor carrier's safety fitness. Compliance areas include:

- Driver's Hours of Service
- Vehicle Maintenance and Inspection
- Driver Qualification
- Controlled Substance/Alcohol Testing
- Commercial Driver's License (CDL) Requirements
- Financial Responsibility
- Accidents
- Hazardous Materials

## **WHAT CAN TRIGGER A COMPLIANCE INVESTIGATION?**

A compliance investigation may be initiated based on varying factors, including but not limited to:

- Investigation of the carrier's safety management controls based on the motor carrier's safety performance.
- Investigation of safety regulation violations on the part of the motor carrier or its employees.
- Investigation of complaints.

## ***CMV MINIMUM LIMITS OF LIABILITY INSURANCE UNDER FLORIDA STATUTES 627.7415 AND 627.742***

CMVs subject to the regulations of the USDOT, [49 CFR 387](#), must file insurance in an amount equivalent to the minimum levels of financial responsibility as set forth in the following Schedule of Limits based on the type of transportation and commodity transported:

## ***CMV MINIMUM LIMITS OF LIABILITY INSURANCE UNDER FLORIDA STATUTES 627.7415 AND 627.742***

<b>FREIGHT OR PASSENGER VEHICLES</b>		
<b>Type of Transportation</b>	<b>Commodity Transported</b>	<b>Combined Single Limit (CSL) [July 1, 1983]</b>
For-Hire Interstate or foreign commerce	Property (non-hazardous).	\$ 750,000
For-Hire and Private interstate or intrastate commerce	Hazardous substances, as defined in <i>49 CFR 171.8</i> , transported in cargo tanks, portable tanks, or hopper-type vehicles with capacities in excess of 3,500 water gallons; or in bulk Class A and B explosives, poison gas (Poison A), liquefied compressed gas or compressed gas; or large quantity radioactive materials as defined in <i>49 CFR 173.389</i> .	\$ 5,000,000
For-Hire and Private interstate commerce: in any quantity <b>or</b> intrastate commerce: in bulk only	Oil listed in <i>49 CFR 172.101</i> ; hazardous waste, hazardous materials and hazardous substances defined in <i>49 CFR 171.8</i> and listed in <i>49 CFR 172.101</i> , but not mentioned above.	\$ 1,000,000
Passengers, For-Hire interstate or foreign commerce	16 passengers or more in buses.	\$ 5,000,000
Passengers, For-Hire interstate or foreign commerce	15 passengers or less in buses.	\$ 1,500,000

CMVs not regulated by the USDOT under **49 CFR 387** must file automobile bodily injury and property damage liability insurance based on gross vehicle weight (GVW) as described below:

<b>FREIGHT OR PASSENGER VEHICLES / PRIVATE OR FOR-HIRE</b>	
<b>Gross Vehicle Weights</b>	<b>Combined Single Limit (CSL) [May 15, 1986]</b>
CMVs with a GVW of 26,000 pounds or more, but less than 35,000 pounds GVW	\$ 50,000
CMVs with 35,000 pounds GVW, but less than 44,000 pounds GVW	\$ 100,000
CMVs with 44,000 pounds or more GVW	\$ 300,000
Passenger, Non-Public Sector Buses (Section 627.742, Florida Statutes)	\$ 300,000 \$100,000 for bodily injury to, or death of, one person in any accident; \$300,000 for bodily injury to, or death of, two or more persons in any one accident; and \$50,000 because of injury to, or destruction of, property of others in any one accident.

# INTERNATIONAL REGISTRATION PLAN (IRP)

## INTERNATIONAL FUEL TAX AGREEMENT (IFTA)



## ***INTERNATIONAL REGISTRATION PLAN (IRP)***

### **What is the International Registration Plan (IRP) and what are the requirements?**

The International Registration Plan (IRP) is a reciprocal agreement that authorizes the proportional registration among the jurisdictions (states) of commercial motor vehicles. This means if a truck is operated in multiple jurisdictions, the owner must annually report mileage driven in each jurisdiction and taxes are paid proportionately based on the mileage driven. The good news is the owner may pay those taxes in one jurisdiction—referred to as the base jurisdiction or base state. Vehicle owners are required to register under IRP, if:

- their vehicle is over 26,000 pounds gross vehicle weight (GVW); **or**
- has three or more axles, regardless of weight; **or**
- is a power unit and trailer whose combined GVW is in excess of 26,000 pounds, **and**
- your truck is part of a declared fleet that operates in Florida and at least one other IRP jurisdiction.

Further information regarding the IRP can be obtained from the IRP, Inc., website at [www.irponline.org](http://www.irponline.org), or call the Bureau of Commercial Vehicle and Driver Services IRP Customer Service line at (850) 617-3711. You may also access the [IRP TRUCKING MANUAL \(Form HSMV 85500\)](#) at [www.flhsmv.gov](http://www.flhsmv.gov).

**NOTE: Enforcement personnel will verify the vehicle identification number on the cab card against the vehicle itself. Extreme care should be exercised in listing this number correctly on the application for apportioned registration.**

## ***ENFORCEMENT REQUIREMENTS***

Beginning in 1997, Florida began staggering the renewal dates of apportioned vehicles. Upon initial application for apportioned registration, a renewal date will be assigned. This will usually be 12 months from initial application. The license plate expires at 11:59:59 P.M. of the last day of the month indicated by the sticker affixed to the plate. The cab card will reflect the same date. Enforcement begins at 12:01 a.m. on the first day of the following month. **There is NO grace period.**

A Florida apportioned vehicle not displaying a current license plate and cab card, a valid trip permit, or a temporary operational permit will be in violation and the driver is subject to penalties and fines in all jurisdictions.

Enforcement personnel look to the original cab card for verification that vehicle is properly registered and registration fees have been paid. This cab card is to be carried in the vehicle described and must not be mutilated or altered in any way.

Florida carriers traveling into other jurisdictions should learn the requirements before entering those jurisdictions.

## **WHAT HAPPENS IF YOUR TRUCK IS IMPROPERLY LICENSED?**

When your truck is not registered in Florida or for Florida with any other IRP jurisdiction, or the registration is found to be expired, or the vehicle is improperly registered, Florida law requires a penalty assessment of \$.05 per pound for all weight over 10,000 pounds, except **loaded** truck tractor-semitrailer and tandem trailer combinations, which will be assessed for all weight over 35,000 pounds.

When the registered declared gross vehicle weight for your truck is exceeded, a penalty of \$.05 per pound will be assessed for all weight over the registered gross vehicle weight.

### **IMPORTANT:**

**Ensure that your vehicle is properly registered to operate in Florida. Florida Statute reduces a vehicle's legal weight to as low as 10,000 pounds when not properly registered.**

## **INTERNATIONAL FUEL TAX AGREEMENT**

### **What is the International Fuel Tax Agreement (IFTA) and what are the requirements?**

The International Fuel Tax Agreement (IFTA) is an agreement among states to report fuel taxes by interstate motor carriers. To register, you must:

- have an established place of business in Florida from which motor carrier operations are performed,
- mileage must be accrued in Florida,
- your operating records of the fleet must be maintained or can be made available in Florida, and
- you must operate in at least one other IFTA jurisdiction.

Under the IFTA, you are issued an IFTA license and one set of Florida IFTA decals for your truck, which will allow you to operate in all other IFTA jurisdictions without buying additional decals from those jurisdictions. A copy of the IFTA license may be used in your truck instead of the original license.

Further information regarding IFTA can be obtained by calling the Bureau of Commercial Vehicle and Driver Services Customer Service line at (850) 617-3711. You may also access the [IFTA TRUCKING MANUAL \(Form HSMV 85920\)](#) at [www.flhsmv.gov](http://www.flhsmv.gov).

## **ENFORCEMENT REQUIREMENTS**

Credentials must be displayed on the vehicle by 11:59:59 P.M. on December 31<sup>st</sup>. However, IFTA provides a two-month grace period for displaying renewal credentials where enforcement begins March 1<sup>st</sup>. Decals may be displayed one month prior to their effective date. Each vehicle must display two decals on opposing sides of the vehicle and must have the original IFTA registration.

Failure to display the decals and a copy of the license, or a valid emergency fuel permit may subject the operator of the vehicle to the purchase of a \$45 emergency fuel permit **and** a \$50 penalty.

# **PAYMENT & PROTESTING OF PENALTIES & VIOLATIONS**



## **UNIFORM COMMERCIAL VEHICLE CITATION/PERMIT**

Pursuant to *Florida Statutes 316.3025 and 316.545* penalties and fees are due and payable within 20 days of issuance. Partial payments or payment plans are not permitted. Payments must be in the form of certified funds, money order, or check made payable to the HSMV Trust Fund. The citation or a copy of the citation must be included with the payment. Credit cards may be accepted by calling toll free (800)688-5479 or through our Web site at [www.fhpcvepayments.com](http://www.fhpcvepayments.com) Payments may be mailed to:

**Department of Highway Safety and Motor Vehicles  
FHP/CVE Penalty Collection Unit  
Neil Kirkman Building, MS-24  
2900 Apalachee Parkway  
Tallahassee, FL 32399-0500**

Questions regarding the payment of a citation may be directed to the Penalty Collections Unit at (850)617-3206 or email: [PenaltyUnit@flhsmv.gov](mailto:PenaltyUnit@flhsmv.gov)

## **FAILURE TO PAY A PENALTY**

Failure to pay assessed penalties within the prescribed time frame may result in the impoundment of the motor carrier's vehicle(s) and/or the inability of the motor carrier to renew CMV registrations.

## **PROTESTING A PENALTY**

Florida law provides you with the opportunity to protest penalties through the Commercial Motor Vehicle Review Board. This Board is made up of the Secretary of the Department of Transportation, the Executive Director of the Department of Highway Safety and Motor Vehicles, and the Commissioner of Agriculture, or their authorized representatives. Additionally, the Florida's Governor can appoint three members to the review board and Florida's Commissioner of Agriculture can appoint one member to the review board. Penalties assessed for violations may be protested to this Board, which has the authority to provide full relief, partial relief, or no relief.

To protest, you must pay the assessment unless a Governor's Bond has been posted in twice the amount of the assessment. You have 60 days from the date of issuance of the citation within which to write your protest containing all facts the Board should know.

Address your protest to:

**Florida Department of Transportation  
Commercial Motor Vehicle Review Board  
Hayden Burns Building  
605 Suwannee Street  
Tallahassee, FL 32303**

For additional information, you may contact the Commercial Motor Vehicle Review Board at (850)410-5600 or email [cmvrb@dot.state.fl.us](mailto:cmvrb@dot.state.fl.us)

The Board will notify you when and where your protest will be heard. You may personally appear before the Board, have a representative appear for you, or you may let your letter of protest stand. Within 20 days of the hearing, the Board will notify you of their decision.

The posting of the official Review Board meeting dates are listed on the review board web site at [http://www.dot.state.fl.us/trafficoperations/traf\\_incident/CMVRB/CMVRB.shtm](http://www.dot.state.fl.us/trafficoperations/traf_incident/CMVRB/CMVRB.shtm).

## **PROTESTING A DRIVER/VEHICLE EXAMINATION REPORT**

The Federal Motor Carrier Safety Administration (FMCSA) provides an online process for drivers and carriers to protest a violation listed on a Driver/Vehicle Examination Report (DVER). This process is referred to as DataQ.

To get started go to the following FMCSA website: [DataQs: Home](#)

When you go to the link there will be a box on the left side that says “Log in to get started”. If you have used DataQ before, log in. If you have not used this before, you must click on the link at the bottom that says “Register now”. Create an account and then follow the instructions to fill out the challenge to the DVER. If you need help with registering or have any other questions click on “Help Center” or “contact us.” Also, the phone number for DataQ assistance is (877) 688-2984.

The DataQ system will allow you to file a Request for Data Review (RDR). Please complete the online form as thoroughly as possible and attach any documents or photographs that you feel will assist in determining your case.

If an RDR is accepted, the DVER will be revised to remove the violation in question. If the RDR is denied, the violation will remain on the DVER.

There three tiers to the DataQ process:

### **Tier 1 – Supervisor Review:**

Once a DataQ has been submitted, it is forwarded to the supervisor of the trooper that completed the DVER. The supervisor will review all of the information provided and make a determination of whether to accept or deny the challenge. The supervisor’s response will be added to the DataQ and you will be notified of the result.

### **Tier 2 – Troop Commander Review:**

If you are not satisfied with the findings of the Supervisor Review, you may request that the RDR be reviewed by the trooper’s Troop Commander. **This request must be made through the original DataQ. Do not file a new DataQ.** You may add additional information, documents or photographs at this time. The Troop Commander will review all of the information and make a determination of whether to accept or deny the challenge. The Troop Commander’s response will be added to the DataQ and you will be notified of the result.

### **Tier 3 – Commercial Vehicle Enforcement (CVE) Chief:**

If you are not satisfied with the findings of the Troop Commander Review, you may request that the RDR be reviewed by the CVE Chief. **This request must be made through the original DataQ. Do not file a new DataQ.** You may add additional information, documents or photographs at this time. The CVE Chief will review all of the information and make a determination of whether to accept or deny the challenge. The CVE Chief’s response will be added to the DataQ and you will be notified of the result. The findings of the CVE Chief are final.

### **IMPORTANT:**

There are separate processes for protesting citation penalties and inspection violations. Each process stands on its own with its own level of proof. Prevailing in one will not necessarily result in the removal of the other.

# CONTACTS



***FLORIDA HIGHWAY PATROL***  
**OFFICE OF COMMERCIAL VEHICLE ENFORCMENT**

**HEADQUARTERS**

Neil Kirkman Building  
2900 Apalachee Parkway MS 45  
Tallahassee, FL 32399

Phone: (850) 617-3010 Fax: (850) 617-5056

**PENSACOLA OCVE DISTRICT OFFICE**

6025 Old Bagdad Highway  
Milton, FL 32583  
850/981-3100 Fax 981-3024

**PANAMA CITY OCVE SUB-DISTRICT OFFICE**

6030 CR-2321  
Panama City, FL 32404  
850/767-3665 Fax 914-6385

**TALLAHASSEE OCVE SUB-DISTRICT OFFICE**

17 Commerce Blvd.  
Midway, FL 32343-6601  
850/488-5140 Fax 922-8017

**LAKE CITY OCVE DISTRICT OFFICE**

1109 South Marion Avenue  
Mail Station 2105  
Lake City, FL 32025  
386/961-7300 Fax 961-7360

**JACKSONVILLE OCVE DISTRICT OFFICE**

7322 Normandy Blvd  
Jacksonville, FL 32205  
904/695-4000 X 6 Fax 693-5001

**OCALA OCVE SUB-DISTRICT OFFICE**

600 SE 25<sup>th</sup> Avenue  
Ocala, FL 34471  
352-732-1260 # 3 Fax 732-1426

**DELAND OCVE SUB-DISTRICT OFFICE**

1551 E. International Speedway Boulevard  
Deland, FL 32724-6800  
386/736-5350 X 103 Fax 736-5388

**ORLANDO OCVE DISTRICT OFFICE**

Milepost 263, Florida Turnpike  
Turkey Lake Service Plaza, Bldg. 5318  
Post Office Box 613069  
Ocoee, FL 34761  
407/532-2787x3202 Fax 521-2592

**TAMPA OCVE DISTRICT OFFICE**

11305 N. McKinley Drive  
Tampa, FL 33612  
813/558-1815 Fax 631-4778

**FT. MYERS OCVE DISTRICT OFFICE**

10041 Daniels Parkway  
Fort Myers, FL 3390713  
239/225-9600 Fax 225-9891

**WEST PALM BEACH OCVE DISTRICT OFFICE**

P.O. BOX 542470  
Greenacres, FL 33454  
561/357-4230 Fax 357-4266

**MIAMI OCVE SUB-DISTRICT OFFICE**

1011 NW 111th Avenue  
Miami, FL 33172  
305/718-6034 Fax 513-3479

**FLORIDA DEPARTMENT OF TRANSPORTATION  
MOTOR CARRIER SIZE AND WEIGHT**

**Statewide Scale Operations Manager  
Florida Department of Transportation  
Office of Maintenance/MCSAW**  
605 Suwannee St. MS 52  
Tallahassee, FL 32399-0450  
Phone: 850-410-5540 Fax: 850-410-5580

## **Northern Region**

1109 S. Marion Ave MS 2107  
Lake City, FL 32055  
386/961-7254 Phone  
386/961-7092 Fax

### **ESCAMBIA COUNTY SCALE US 90**

11001 Mobile Hwy  
Pensacola, FL 32526  
(US 90 3 miles W of I-10)  
850/941-6050  
850/941-0654 (Fax)

### **ESCAMBIA COUNTY SCALE I-10 at MM 2**

101 Eastbound I-10  
Pensacola FL 32526  
850/941-6028 (EB)  
850-941-6032 (Fax EB)

101 Eastbound I-10  
Pensacola FL 32526  
850/941-6028 (EB)  
850-941-6032 (Fax EB)

### **JACKSON COUNTY SCALE (Sneads) I-10 at MM 155**

7371 Eastbound I-10 (EB)  
Grand Ridge FL 33442  
850/482-1280 (EB)  
850/482-1279 (Fax EB)

7371 Eastbound I-10 (EB)  
Grand Ridge FL 33442  
850/482-1280 (EB)  
850/482-1279 (Fax EB)

### **MADISON COUNTY SCALE I-10 at MM 263**

27856 Eastbound I-10  
Lee, FL 32059  
850/973-5165 (EB)  
850/973-5164 (Fax EB)

27856 Eastbound I-10  
Lee, FL 32059  
850/973-5165 (EB)  
850/973-5164 (Fax EB)

### **HAMILTON COUNTY (White Springs) I-75 at MM 450**

11431 I-75 Southbound (SB)  
Jasper, FL 32052  
386/792-0525 (SB)  
386/792-0527 (Fax SB)

11431 I-75 Southbound (SB)  
Jasper, FL 32052  
386/792-0525 (SB)  
386/792-0527 (Fax SB)

### **NASSAU COUNTY SCALE (Yulee) I-95 at MM 376**

751401 I-95 Southbound (SB)  
Yulee FL 32097  
904/548-0070 (SB)  
904/548-0873 (Fax SB)

751401 I-95 Southbound (SB)  
Yulee FL 32097  
904/548-0070 (SB)  
904/548-0873 (Fax SB)

### **NASSAU COUNTY SCALE US 17**

852120 US Hwy 17 (NB/SB)  
Yulee FL 32097  
(US 17 1 mile S of I-95)  
904/548-0220  
904/548-0222 (Fax)

### **DIXIE COUNTY SCALE (Old Town)**

26680 SE 19<sup>th</sup> Hwy  
Old Town, FL 32680  
352/542-7505  
352/542-3435 (Fax)

## **FLORIDA DEPARTMENT OF TRANSPORTATION MOTOR CARRIER SIZE AND WEIGHT**

**Statewide Scale Operations Manager**  
**Florida Department of Transportation**  
**Office of Maintenance/MCSAW**  
605 Suwannee St. MS 52  
Tallahassee, FL 32399-0450  
Phone: 850-410-5540 Fax: 850-410-5580

## **Southern Region**

PO Box 613069, Bldg. 5318  
Ocoee, FL 34761  
407/264-3247 Phone  
407/521-2592 Fax

### **MARION COUNTY (Wildwood) I-75 at MM 339**

15750 SW SB I-75 (SB)  
Bellevue FL 34420  
352/245-1997 (SB)  
352/245-2291 (Fax SB)

15750 SW SB I-75 (SB)  
Bellevue FL 34420  
352/245-1997 (SB)  
352/245-2291 (Fax SB)

### **FLAGLER COUNTY SCALE I-95 at MM 286**

1500 Southbound I-95  
Palm Coast FL 32164  
386/517-2422 (SB)  
386/517-2429 (Fax SB)

1501 Northbound I-95  
Palm Coast FL 32164  
386/517-2410 (NB)  
386/517-2417 (Fax NB)

### **HILLSBOROUGH COUNTY SCALE (I-4) I-4 at MM 13**

1251 I-4 Eastbound (EB)  
Seffner FL 33584  
813/657-7780 (EB)  
813/657-7782 (Fax EB)

1251 I-4 Eastbound (EB)  
Seffner FL 33584  
813/657-7780 (EB)  
813/657-7782 (Fax EB)

### **CHARLOTTE COUNTY SCALE (Punta Gorda) I-75 at MM 158**

MM160 I-75 SB  
Punta Gorda FL 33951  
941/575-5800 (SB)  
941/575-5803 (Fax SB)

MM160 I-75 SB  
Punta Gorda FL 33951  
941/575-5800 (SB)  
941/575-5803 (Fax SB)

### **MARTIN COUNTY SCALE I-95 at MM 92NB and MM 112SB**

8600 SW I-95  
Palm City FL 32680 (SB)  
(I-95 MM 92)  
772/597-6992 (SB)  
772/597-6998 (Fax SB)

16511 SE I-95  
Hobe Sound FL 33455 (NB)  
(I-95 MM 112)  
772/545-7491 (NB)  
772/545-7498 (Fax NB)

### **MONROE COUNTY SCALE (Plantation Key)**

86001 Overseas Hwy  
Islamorada FL 33026 (NB/SB)  
(US 1 MM 86)  
786/847-2950

## **ADDITIONAL INFORMATION OR ASSISTANCE**

<p><b>OVERWEIGHT / OVERSIZE PERMITS</b></p>	<p>Florida Department of Transportation Office of Maintenance Permit Office 605 Suwannee Street, Mail Station 62 Tallahassee, FL 32399-0450</p>	<p>(850)410-5777</p>
<p><b>INTERNATIONAL REGISTRATION PLAN (IRP) FUEL USE TAX REGISTRATION AND PERMITS INTERNATIONAL FUEL TAX AGREEMENT (IFTA)</b></p>	<p>Florida Department of Highway Safety and Motor Vehicles Bureau of Motor Carrier Services Division of Motor Vehicles Neil Kirkman Building, Room MS-62 2900 Apalachee Parkway Tallahassee, FL 32399-6552</p>	<p>(850)617-3711</p>
<p><b>COMMERCIAL DRIVER LICENSES</b></p>	<p>Florida Department of Highway Safety and Motor Vehicles Bureau of Field Operations Division of Driver Licenses Neil Kirkman Building, Room A-227 2900 Apalachee Parkway Tallahassee, FL 32399-0565</p>	<p>(850)617-2000</p>
<p><b>USDOT – Federal Motor Carrier Safety Administration</b></p>	<p>Federal Motor Carrier Safety Administration 3500 Financial Plaza, Suite 200 Tallahassee, FL 32312</p>	<p>(850)942-9338 Fax: (80)942-9680</p>