Purpose
To provide seat belts for all passengers in a farm labor vehicle and to ensure all such vehicles meet state and federal standards (Florida Statutes Chapter 316.622).

Who Must Comply
Any person who operates a farm labor vehicle which is defined as any vehicle that transports nine or more migrant or seasonal workers to a place of employment or employment related activities.

A vehicle is NOT a farm labor vehicle if it
- Carries only members of the owner’s immediate family.
- Operates as a common carrier of passengers (i.e., commercial bus for hire).
- Carpools workers without direction or payment from an employer or other third party.

Transporter Requirements
Transporters must comply with the provisions of Chapter 316.622, Florida Statutes, which provides that
- The owner of a farm labor vehicle ensures that the vehicle conforms to safety standards outlined in the Migrant Seasonal Worker Protection Act (MSPA) subsection, Motor Vehicle Safety and Insurance. FE418, Motor Carrier Safety Regulations for Transporting Migrant and Seasonal Farm Worker, outlines the specific details of vehicle safety standards. These standards are described in the United States Code of Federal Regulations for MSPA and farm labor vehicles (29 CFR, Chapter V, Part 500, Subpart D).
- After January 1, 2008, any farm labor vehicle having gross vehicle weight rating of 10,000 pounds or less must be equipped with a seat belt for every passenger position.
• Instructions must be clearly posted stating the use of seat belts by all passengers is required.

• Failure to use seat belts will not excuse negligence of an operator or farm vehicle owner, but failure to use seat belts may be used as evidence in determining comparative negligence in a civil suit.

• The Florida Department of Business and Professional Regulation (DBPR) has the authority to inspect farm labor vehicles for safety standards and issue stickers authorizing specific vehicles for transporting migrant and seasonal farm workers. A farm labor vehicle must clearly display the authorization sticker issued by DBPR.

Fines and Penalties
• $100 fine for the failure to display the DBPR authorization sticker.

• $200 fine for the failure to provide seat belts for all passenger positions.

• A warning may be issued for the first offence of failure to display the DBPR authorization sticker. Fines thereafter start at $250 increments for the second and third offenses, and could escalate up to $2,500 per violation per day.

Related Information
• Chapters 316.003, 316.622, 316.450, and 450.33(10) Florida Statutes

• 29 CFR, Chapter V, Part 500, subpart D


Responsible Agency
Florida Department of Highway Safety and Motor Vehicles
2900 Apalachee Parkway
Tallahassee, FL 32399
(850) 617-2000
https://www.flhsmv.gov/

Florida Department of Business and Professional Regulation
Division of Regulation
2601 Blair Stone Road
Tallahassee, FL 32399
(850) 488-6603
Toll-free 1-866-532-1440