

Amendment No.

COMMITTEE/SUBCOMMITTEE ACTION

| | | |
|-----------------------|-------|-------|
| ADOPTED | _____ | (Y/N) |
| ADOPTED AS AMENDED | _____ | (Y/N) |
| ADOPTED W/O OBJECTION | _____ | (Y/N) |
| FAILED TO ADOPT | _____ | (Y/N) |
| WITHDRAWN | _____ | (Y/N) |
| OTHER | | |

1 Committee/Subcommittee hearing bill: Transportation & Highway
2 Safety Subcommittee
3 Representative Combee offered the following:

Amendment (with title amendment)

Remove everything after the enacting clause and insert:
Section 1. Section 319.14, Florida Statutes, is amended to
read:

319.14 Sale of motor vehicles registered or used as
taxicabs, police vehicles, lease vehicles, rebuilt vehicles,
nonconforming vehicles, custom vehicles, or street rod vehicles;
conversion of low-speed vehicles.-

(1) (a) A person may not knowingly offer for sale, sell, or
exchange any vehicle that has been licensed, registered, or used
as a taxicab, police vehicle, or short-term-lease vehicle, or a
vehicle that has been repurchased by a manufacturer pursuant to
a settlement, determination, or decision under chapter 681,
until the department has stamped in a conspicuous place on the
certificate of title of the vehicle, or its duplicate, words

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20 stating the nature of the previous use of the vehicle or the
21 title has been stamped "Manufacturer's Buy Back" to reflect that
22 the vehicle is a nonconforming vehicle. If the certificate of
23 title or duplicate was not so stamped upon initial issuance
24 thereof or if, subsequent to initial issuance of the title, the
25 use of the vehicle is changed to a use requiring the notation
26 provided for in this section, the owner or lienholder of the
27 vehicle shall surrender the certificate of title or duplicate to
28 the department prior to offering the vehicle for sale, and the
29 department shall stamp the certificate or duplicate as required
30 herein. When a vehicle has been repurchased by a manufacturer
31 pursuant to a settlement, determination, or decision under
32 chapter 681, the title shall be stamped "Manufacturer's Buy
33 Back" to reflect that the vehicle is a nonconforming vehicle.

34 (b) A person may not knowingly offer for sale, sell, or
35 exchange a rebuilt vehicle until the department has stamped in a
36 conspicuous place on the certificate of title for the vehicle
37 words stating that the vehicle has been rebuilt or assembled
38 from parts, or is a kit car, glider kit, replica, flood vehicle,
39 custom vehicle, or street rod vehicle unless proper application
40 for a certificate of title for a vehicle that is rebuilt or
41 assembled from parts, or is a kit car, glider kit, replica,
42 flood vehicle, custom vehicle, or street rod vehicle has been
43 made to the department in accordance with this chapter and the
44 department has conducted the physical examination of the vehicle
45 to assure the identity of the vehicle and all major component
46 parts, as defined in s. 319.30(1), which have been repaired or
47 replaced. Thereafter, the department shall affix a decal to the

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48 vehicle, in the manner prescribed by the department, showing the
49 vehicle to be rebuilt.

50 (c) As used in this section, the term:

51 1. "Police vehicle" means a motor vehicle owned or leased
52 by the state or a county or municipality and used in law
53 enforcement.

54 2.a. "Short-term-lease vehicle" means a motor vehicle
55 leased without a driver and under a written agreement to one or
56 more persons from time to time for a period of less than 12
57 months.

58 b. "Long-term-lease vehicle" means a motor vehicle leased
59 without a driver and under a written agreement to one person for
60 a period of 12 months or longer.

61 c. "Lease vehicle" includes both short-term-lease vehicles
62 and long-term-lease vehicles.

63 3. "Rebuilt vehicle" means a motor vehicle or mobile home
64 built from salvage or junk, as defined in s. 319.30(1).

65 4. "Assembled from parts" means a motor vehicle or mobile
66 home assembled from parts or combined from parts of motor
67 vehicles or mobile homes, new or used. "Assembled from parts"
68 does not mean a motor vehicle defined as a "rebuilt vehicle" in
69 subparagraph 3., which has been declared a total loss pursuant
70 to s. 319.30.

71 5. "Kit car" means a motor vehicle assembled with a kit
72 supplied by a manufacturer to rebuild a wrecked or outdated
73 motor vehicle with a new body kit.

74 6. "Glider kit" means a vehicle assembled with a kit
75 supplied by a manufacturer to rebuild a wrecked or outdated

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76 truck or truck tractor.

77 7. "Replica" means a complete new motor vehicle
78 manufactured to look like an old vehicle.

79 8. "Flood vehicle" means a motor vehicle or mobile home
80 that has been declared to be a total loss pursuant to s.
81 319.30(3)(a) resulting from damage caused by water.

82 9. "Nonconforming vehicle" means a motor vehicle which has
83 been purchased by a manufacturer pursuant to a settlement,
84 determination, or decision under chapter 681.

85 10. "Settlement" means an agreement entered into between a
86 manufacturer and a consumer that occurs after a dispute is
87 submitted to a program, or an informal dispute settlement
88 procedure established by a manufacturer or is approved for
89 arbitration before the New Motor Vehicle Arbitration Board as
90 defined in s. 681.102.

91 11. "Custom vehicle" means a motor vehicle that:

92 a. Is 25 years of age or older and of a model year after
93 1948 or was manufactured to resemble a vehicle that is 25 years
94 of age or older and of a model year after 1948; and

95 b. Has been altered from the manufacturer's original
96 design or has a body constructed from nonoriginal materials.

97
98 The model year and year of manufacture that the body of a custom
99 vehicle resembles is the model year and year of manufacture
100 listed on the certificate of title, regardless of when the
101 vehicle was actually manufactured.

102 12. "Street rod" means a motor vehicle that:

103 a. Is of a model year of 1948 or older or was manufactured

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104 after 1948 to resemble a vehicle of a model year of 1948 or
105 older; and

106 b. Has been altered from the manufacturer's original
107 design or has a body constructed from nonoriginal materials.
108

109 The model year and year of manufacture that the body of a street
110 rod resembles is the model year and year of manufacture listed
111 on the certificate of title, regardless of when the vehicle was
112 actually manufactured.

113 (2) A person may not knowingly sell, exchange, or transfer
114 a vehicle referred to in subsection (1) without, before
115 consummating the sale, exchange, or transfer, disclosing in
116 writing to the purchaser, customer, or transferee the fact that
117 the vehicle has previously been titled, registered, or used as a
118 taxicab, police vehicle, or short-term-lease vehicle, is a
119 vehicle that is rebuilt or assembled from parts, is a kit car,
120 glider kit, replica, or flood vehicle, or is a nonconforming
121 vehicle, custom vehicle, or street rod vehicle, as the case may
122 be.

123 (3) Any person who, with intent to offer for sale or
124 exchange any vehicle referred to in subsection (1), knowingly or
125 intentionally advertises, publishes, disseminates, circulates,
126 or places before the public in any communications medium,
127 whether directly or indirectly, any offer to sell or exchange
128 the vehicle shall clearly and precisely state in each such offer
129 that the vehicle has previously been titled, registered, or used
130 as a taxicab, police vehicle, or short-term-lease vehicle or
131 that the vehicle or mobile home is a vehicle that is rebuilt or

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132 assembled from parts, is a kit car, glider kit, replica, or
133 flood vehicle, or is a nonconforming vehicle, custom vehicle, or
134 street rod vehicle, as the case may be. A person who violates
135 this subsection commits a misdemeanor of the second degree,
136 punishable as provided in s. 775.082 or s. 775.083.

137 (4) If a certificate of title, including a foreign
138 certificate, is branded to reflect a condition or prior use of
139 the titled vehicle, the brand must be noted on the registration
140 certificate of the vehicle and such brand shall be carried
141 forward on all subsequent certificates of title and registration
142 certificates issued for the life of the vehicle.

143 (5) A person who knowingly sells, exchanges, or offers to
144 sell or exchange a motor vehicle or mobile home contrary to this
145 section or any officer, agent, or employee of a person who
146 knowingly authorizes, directs, aids in, or consents to the sale,
147 exchange, or offer to sell or exchange a motor vehicle or mobile
148 home contrary to this section commits a misdemeanor of the
149 second degree, punishable as provided in s. 775.082 or s.
150 775.083.

151 (6) A person who removes a rebuilt decal from a rebuilt
152 vehicle with the intent to conceal the rebuilt status of the
153 vehicle commits a felony of the third degree, punishable as
154 provided in s. 775.082, s. 775.083, or s. 775.084.

155 (7) This section applies to a mobile home, travel trailer,
156 camping trailer, truck camper, or fifth-wheel recreation trailer
157 only when the mobile home or vehicle is a rebuilt vehicle or is
158 assembled from parts.

159 (8) A person is not liable or accountable in any civil

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160 action arising out of a violation of this section if the
161 designation of the previous use or condition of the motor
162 vehicle is not noted on the certificate of title and
163 registration certificate of the vehicle which was received by,
164 or delivered to, such person, unless the person has actively
165 concealed the prior use or condition of the vehicle from the
166 purchaser.

167 (9) Subsections (1), (2), and (3) do not apply to the
168 transfer of ownership of a motor vehicle after the motor vehicle
169 has ceased to be used as a lease vehicle and the ownership has
170 been transferred to an owner for private use or to the transfer
171 of ownership of a nonconforming vehicle with 36,000 or more
172 miles on its odometer, or 34 months whichever is later and the
173 ownership has been transferred to an owner for private use. Such
174 owner, as shown on the title certificate, may request the
175 department to issue a corrected certificate of title that does
176 not contain the statement of the previous use of the vehicle as
177 a lease vehicle or condition as a nonconforming vehicle.

178 (10) (a) A vehicle titled or branded and registered as a
179 low-speed vehicle may be converted to a golf cart pursuant to
180 the following:

181 1. The owner of the converted vehicle must contact the
182 regional office of the department to verify the conversion,
183 surrender the registration license plate and the current
184 certificate of title, and pay the appropriate fee established
185 under paragraph (b).

186 2. The owner of the converted vehicle must provide an
187 affidavit to the department attesting that the vehicle has been

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188 modified to comply with the speed restrictions provided in s.
189 320.01(22) and acknowledging that the vehicle must be operated
190 in accordance with s. 316.212, s. 316.2125, s. 316.2126, or s.
191 316.21265.

192 3. Upon verification of the conversion, the department
193 shall note in the vehicle record that the low-speed vehicle has
194 been converted to a golf cart and shall cancel the certificate
195 of title and registration of the vehicle.

196 (b) The department shall establish a fee of \$40 to cover
197 the cost of verification and associated administrative costs for
198 carrying out its responsibilities under this subsection.

199 (c) The department shall issue a decal reflecting the
200 conversion of the vehicle to a golf cart, upon which is clearly
201 legible the following text: "CONVERTED VEHICLE. Max speed 20
202 mph." The decal must be displayed on the rear of the vehicle, so
203 that the decal is plainly visible.

204 Section 2. This act shall take effect July 1, 2013.

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207 **T I T L E A M E N D M E N T**

208 Remove everything before the enacting clause and insert:

209 A bill to be entitled

210 An act relating to low-speed vehicles; amending s.
211 319.14, F.S.; authorizing the conversion of a vehicle
212 titled or branded and registered as a low-speed
213 vehicle to a golf cart; providing procedures;
214 requiring an affidavit; requiring the Department of
215 Highway Safety and Motor Vehicles to issue a decal;

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 71 (2013)

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216 providing specifications for the decal; providing for
217 a fee; providing an effective date.