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LEGISLATIVE ACTION

Senate

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House

Appropriations Subcommittee on Transportation, Tourism, and
Economic Development (Brandes) recommended the following:

Senate Amendment (with title amendment)

Between lines 82 and 83

insert:

Section 1. Section 319.141, Florida Statutes, is amended to
read:

319.141 Pilot rebuilt motor vehicle inspection program.—

(1) As used in this section, the term:



379468

10 (a) "Facility" means a rebuilt motor vehicle inspection
11 facility authorized and operating under this section.

12 (b) "Rebuilt inspection services" means an examination of a
13 rebuilt vehicle and a properly endorsed certificate of title,
14 salvage certificate of title, or manufacturer's statement of
15 origin and an application for a rebuilt certificate of title, a
16 rebuilder's affidavit, a photograph of the junk or salvage
17 vehicle taken before repairs began, a photograph of the interior
18 driver and passenger sides of the vehicle if airbags were
19 previously deployed and replaced, receipts or invoices for all
20 major component parts, as defined in s. 319.30, and repairs
21 which were changed, and proof that notice of rebuilding of the
22 vehicle has been reported to the National Motor Vehicle Title
23 Information System.

24 (2) ~~By July 1, 2015,~~ The department shall oversee a pilot
25 program in Miami-Dade County to evaluate alternatives for
26 rebuilt inspection services offered by existing private sector
27 operators, including the continued use of private facilities,
28 the cost impact to consumers, and the potential savings to the
29 department.

30 (3) The department shall establish a memorandum of
31 understanding that allows private parties participating in the
32 pilot program to conduct rebuilt motor vehicle inspections and
33 specifies requirements for oversight, bonding and insurance,
34 procedures, and forms and requires the electronic transmission
35 of documents.

36 (4) Before an applicant is approved or renewed, the
37 department shall ensure that the applicant meets basic criteria
38 designed to protect the public. At a minimum, the applicant



379468

39 shall meet all of the following requirements:

40 (a) Have and maintain a surety bond or irrevocable letter
41 of credit in the amount of \$100,000 executed by the applicant.

42 (b) Secure and maintain a facility at a permanent fixed
43 structure which has at an address identified by a county-issued
44 tax folio number and recognized by the United States Postal
45 Service where the only services provided on such property are
46 rebuilt inspection services. The operator of a facility shall
47 annually attest that:

48 1. He or she is not employed by or does not have an
49 ownership interest in or other financial arrangement with the
50 owner, operator, manager, or employee of a motor vehicle repair
51 shop as defined in s. 559.903, a motor vehicle dealer as defined
52 in s. 320.27(1)(c), a towing company, a vehicle storage company,
53 a vehicle auction, an insurance company, a salvage yard, a metal
54 retailer, or a metal rebuilder, from which he or she receives
55 remuneration, directly or indirectly, for the referral of
56 customers for rebuilt inspection services;

57 2. There have been no changes to the ownership structure of
58 the approved facility; and

59 3. The only services being provided by the operator of the
60 facility at the property are rebuilt vehicle inspection services
61 approved by the department.

62 (c) Have and maintain garage liability and other insurance
63 required by the department.

64 (d) Have completed criminal background checks of the
65 owners, partners, and corporate officers and the inspectors
66 employed by the facility.

67 (e) Have a designated office and customer waiting area that



379468

68 is separate from and not within view of the vehicle inspection
69 area. The vehicle inspection area must be capable of
70 accommodating all vehicle types and must be equipped with
71 cameras allowing the department to view and monitor every
72 inspection.

73 (f) ~~(e)~~ Meet any additional criteria the department
74 determines necessary to conduct proper inspections.

75 (5) A participant in the program shall access vehicle and
76 title information and enter inspection results through an
77 electronic filing system authorized by the department and shall
78 maintain records of each rebuilt vehicle inspection processed at
79 such facility for at least 5 years.

80 (6) A participant in the program may not conduct an
81 inspection of a vehicle rebuilt before its purchase by the
82 current applicant. Such vehicles must be inspected by the
83 department.

84 (7) Any applicant for a rebuilt title that fails an initial
85 rebuilt inspection may have that vehicle reinspected only by the
86 department or the facility that conducted the original
87 inspection.

88 (8) Any person or business authorized by the department to
89 train, certify, or recertify operators and inspectors of private
90 rebuilt motor vehicle inspection facilities may not certify or
91 recertify themselves or any of their employees.

92 (9) ~~(6)~~ The department shall conduct an onsite facility
93 inspection at least twice a year and shall immediately terminate
94 any operator from the program who fails to meet the minimum
95 eligibility requirements specified in subsection (4). Before any
96 a change in ownership or transfer of a rebuilt inspection



379468

97 facility, the current operator must give the department 45 days'
98 written notice of the intended sale or transfer. The prospective
99 owner or transferee must meet the eligibility requirements of
100 this section and execute a new memorandum of understanding with
101 the department before operating the facility.

102 (10)(7) This section is repealed on July 1, 2020 ~~2018~~,
103 unless saved from repeal through reenactment by the Legislature.
104 On or before January 1, 2019, the department shall submit a
105 written report to the Governor and Cabinet evaluating the
106 current program and the benefits to the consumer and the
107 department.

108
109 ===== T I T L E A M E N D M E N T =====

110 And the title is amended as follows:

111 Delete line 2

112 and insert:

113 An act relating to transportation; amending s.
114 319.141, F.S.; redefining the term "rebuilt inspection
115 services"; deleting obsolete language; requiring the
116 Department of Highway Safety and Motor Vehicles to
117 ensure that an applicant of the pilot rebuilt motor
118 vehicle inspection program meets basic criteria
119 designed to protect the public before the applicant is
120 renewed; revising requirements for the applicant;
121 requiring the operator of a facility to annually make
122 certain attestations; prohibiting a program
123 participant from conducting an inspection of a vehicle
124 rebuilt before its purchase by the current applicant;
125 requiring that such vehicles be inspected by the



379468

126 department; requiring any applicant that fails an
127 initial rebuilt inspection to have that vehicle
128 reinspected only by the department or the facility
129 that conducted the original inspection; prohibiting
130 any person or business authorized by the department to
131 train, certify, or recertify operators and inspectors
132 of private rebuilt motor vehicle inspection facilities
133 from certifying or recertifying themselves or any of
134 their employees; requiring the department to conduct
135 an onsite facility inspection at least twice a year;
136 requiring a current operator to give the department
137 certain notice of a transfer before any transfer of a
138 rebuilt inspection facility; requiring a transferee to
139 meet certain eligibility requirements and execute a
140 new memorandum of understanding with the department
141 before operating the facility; extending the date for
142 future repeal of this section; requiring the
143 department to submit a certain written report to the
144 Governor and Cabinet, on or before a specified date;
145 amending