

1 A bill to be entitled
 2 An act relating to motor vehicle registration
 3 applications; amending s. 320.02, F.S.; requiring the
 4 application for motor vehicle registration to include
 5 language indicating an applicant is deaf or hard of
 6 hearing; requiring such information to be included in
 7 certain databases; amending s. 320.27, F.S.;
 8 conforming a cross-reference; providing an effective
 9 date.

10

11 Be It Enacted by the Legislature of the State of Florida:

12

13 Section 1. Subsections (14) through (19) of section
 14 320.02, Florida Statutes, are renumbered as subsections (15)
 15 through (20), respectively, and a new subsection (14) is added
 16 to that section to read:

17 320.02 Registration required; application for
 18 registration; forms.—

19 (14) The application form for motor vehicle registration
 20 must include language allowing an applicant who is deaf or hard
 21 of hearing to voluntarily indicate that he or she is deaf or
 22 hard of hearing. If the applicant indicates on the application
 23 that he or she is deaf or hard of hearing, such information
 24 shall be included through the Driver and Vehicle Information
 25 Database and available through the Florida Crime Information

26 | Center system.

27 | Section 2. Paragraph (b) of subsection (9) of section
 28 | 320.27, Florida Statutes, is amended to read:

29 | 320.27 Motor vehicle dealers.—

30 | (9) DENIAL, SUSPENSION, OR REVOCATION.—

31 | (b) The department may deny, suspend, or revoke any
 32 | license issued hereunder or under the provisions of s. 320.77 or
 33 | s. 320.771 upon proof that a licensee has committed, with
 34 | sufficient frequency so as to establish a pattern of wrongdoing
 35 | on the part of a licensee, violations of one or more of the
 36 | following activities:

37 | 1. Representation that a demonstrator is a new motor
 38 | vehicle, or the attempt to sell or the sale of a demonstrator as
 39 | a new motor vehicle without written notice to the purchaser that
 40 | the vehicle is a demonstrator. For the purposes of this section,
 41 | a "demonstrator," a "new motor vehicle," and a "used motor
 42 | vehicle" shall be defined as under s. 320.60.

43 | 2. Unjustifiable refusal to comply with a licensee's
 44 | responsibility under the terms of the new motor vehicle warranty
 45 | issued by its respective manufacturer, distributor, or importer.
 46 | However, if such refusal is at the direction of the
 47 | manufacturer, distributor, or importer, such refusal shall not
 48 | be a ground under this section.

49 | 3. Misrepresentation or false, deceptive, or misleading
 50 | statements with regard to the sale or financing of motor

51 vehicles which any motor vehicle dealer has, or causes to have,
52 advertised, printed, displayed, published, distributed,
53 broadcast, televised, or made in any manner with regard to the
54 sale or financing of motor vehicles.

55 4. Failure by any motor vehicle dealer to provide a
56 customer or purchaser with an odometer disclosure statement and
57 a copy of any bona fide written, executed sales contract or
58 agreement of purchase connected with the purchase of the motor
59 vehicle purchased by the customer or purchaser.

60 5. Failure of any motor vehicle dealer to comply with the
61 terms of any bona fide written, executed agreement, pursuant to
62 the sale of a motor vehicle.

63 6. Failure to apply for transfer of a title as prescribed
64 in s. 319.23(6).

65 7. Use of the dealer license identification number by any
66 person other than the licensed dealer or his or her designee.

67 8. Failure to continually meet the requirements of the
68 licensure law.

69 9. Representation to a customer or any advertisement to
70 the public representing or suggesting that a motor vehicle is a
71 new motor vehicle if such vehicle lawfully cannot be titled in
72 the name of the customer or other member of the public by the
73 seller using a manufacturer's statement of origin as permitted
74 in s. 319.23(1).

75 10. Requirement by any motor vehicle dealer that a

76 customer or purchaser accept equipment on his or her motor
 77 vehicle which was not ordered by the customer or purchaser.

78 11. Requirement by any motor vehicle dealer that any
 79 customer or purchaser finance a motor vehicle with a specific
 80 financial institution or company.

81 12. Requirement by any motor vehicle dealer that the
 82 purchaser of a motor vehicle contract with the dealer for
 83 physical damage insurance.

84 13. Perpetration of a fraud upon any person as a result of
 85 dealing in motor vehicles, including, without limitation, the
 86 misrepresentation to any person by the licensee of the
 87 licensee's relationship to any manufacturer, importer, or
 88 distributor.

89 14. Violation of any of the provisions of s. 319.35 by any
 90 motor vehicle dealer.

91 15. Sale by a motor vehicle dealer of a vehicle offered in
 92 trade by a customer prior to consummation of the sale, exchange,
 93 or transfer of a newly acquired vehicle to the customer, unless
 94 the customer provides written authorization for the sale of the
 95 trade-in vehicle prior to delivery of the newly acquired
 96 vehicle.

97 16. Willful failure to comply with any administrative rule
 98 adopted by the department or the provisions of s. 320.131(8).

99 17. Violation of chapter 319, this chapter, or ss.
 100 559.901-559.9221, which has to do with dealing in or repairing

101 motor vehicles or mobile homes. Additionally, in the case of
102 used motor vehicles, the willful violation of the federal law
103 and rule in 15 U.S.C. s. 2304, 16 C.F.R. part 455, pertaining to
104 the consumer sales window form.

105 18. Failure to maintain evidence of notification to the
106 owner or coowner of a vehicle regarding registration or titling
107 fees owed as required in s. 320.02(17) ~~320.02(16)~~.

108 19. Failure to register a mobile home salesperson with the
109 department as required by this section.

110 Section 3. This act shall take effect October 1, 2018.