



200912

LEGISLATIVE ACTION

Senate

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House

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The Committee on Commerce and Tourism (Passidomo) recommended the following:

**Senate Amendment (with title amendment)**

Delete everything after the enacting clause and insert:

Section 1. Paragraphs (c) and (d) of subsection (1) and subsections (2), (3), and (4) of section 320.27, Florida Statutes, are amended to read:

320.27 Motor vehicle dealers.—

(1) DEFINITIONS.—The following words, terms, and phrases when used in this section have the meanings respectively



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11 ascribed to them in this subsection, except where the context  
12 clearly indicates a different meaning:

13 (c) "Motor vehicle dealer" means any person engaged in the  
14 business of buying, selling, or leasing ~~dealing in~~ motor  
15 vehicles or offering or displaying motor vehicles for sale or  
16 lease at wholesale, excluding sales from a manufacturer, factory  
17 branch, distributor, or importer licensed pursuant to s. 320.61  
18 to a franchised motor vehicle dealer licensed pursuant to this  
19 section, or at retail, or who may service and repair motor  
20 vehicles pursuant to an agreement as defined in s. 320.60(1).  
21 Any person who buys, sells, or leases ~~deals in~~ three or more  
22 motor vehicles in any 12-month period or who offers or displays  
23 for sale or lease three or more motor vehicles in any 12-month  
24 period is shall be prima facie presumed to be a motor vehicle  
25 dealer. Any person who engages in any of the following  
26 activities is deemed to be a motor vehicle dealer: possessing,  
27 storing, or displaying motor vehicles that such person offers  
28 for retail sale or lease; advertising motor vehicles held in  
29 inventory which such person offers for retail sale or lease;  
30 compensating customers for vehicles at wholesale or retail, also  
31 known as trade-ins; negotiating with customers regarding the  
32 terms of sale or lease for a motor vehicle; providing test  
33 drives of motor vehicles that such person offers for retail sale  
34 or lease; delivering or arranging for the delivery of a motor  
35 vehicle in conjunction with the retail sale or lease of the  
36 motor vehicle by such person engaged in such business. The terms  
37 "selling" and "sale" include lease-purchase transactions. A  
38 motor vehicle dealer may, at retail or wholesale, sell a  
39 recreational vehicle as described in s. 320.01(1)(b)1.-6. and



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40 8., acquired in exchange for the sale or lease of a motor  
41 vehicle, provided such acquisition is incidental to the  
42 principal business of being a motor vehicle dealer. However, a  
43 motor vehicle dealer may not buy a recreational vehicle for the  
44 purpose of resale unless licensed as a recreational vehicle  
45 dealer pursuant to s. 320.771. ~~A motor vehicle dealer may apply  
46 for a certificate of title to a motor vehicle required to be  
47 registered under s. 320.08(2)(b), (c), and (d), using a  
48 manufacturer's statement of origin as permitted by s. 319.23(1),  
49 only if such dealer is authorized by a franchised agreement as  
50 defined in s. 320.60(1), to buy, sell, or deal in such vehicle  
51 and is authorized by such agreement to perform delivery and  
52 preparation obligations and warranty defect adjustments on the  
53 motor vehicle; provided this limitation shall not apply to  
54 recreational vehicles, van conversions, or any other motor  
55 vehicle manufactured on a truck chassis. The transfer of a motor  
56 vehicle by a dealer not meeting these qualifications shall be  
57 titled as a used vehicle. The classifications of motor vehicle  
58 dealers are defined as follows:~~

59 1. "Franchised motor vehicle dealer" means any person who  
60 engages in the business of repairing, servicing, buying,  
61 selling, or leasing ~~dealing in~~ motor vehicles pursuant to an  
62 agreement as defined in s. 320.60(1). A motor vehicle dealer may  
63 apply for a certificate of title to a motor vehicle required to  
64 be registered under s. 320.08(2)(b), (c), and (d) or s.  
65 320.08(3)(a), (b), or (c), using a manufacturer's statement of  
66 origin as permitted by s. 319.23(1), only if such dealer is  
67 authorized by a franchise agreement as defined in s. 320.60(1)  
68 to buy, sell, or lease such vehicles and to perform delivery and



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69 preparation obligations and warranty defect adjustments on the  
70 motor vehicle. This limitation does not apply to recreational  
71 vehicles, van conversions, or any other motor vehicle  
72 manufactured on a truck chassis. A motor vehicle dealer may not  
73 transfer a manufacturer's statement of origin for a motor  
74 vehicle to any person who intends to sell such motor vehicle in  
75 this state unless such person is a licensed motor vehicle dealer  
76 authorized by a franchise agreement to buy, sell, or lease such  
77 vehicles.

78       2. "Independent motor vehicle dealer" means any person  
79 other than a franchised or wholesale motor vehicle dealer who  
80 engages in the business of buying, selling, or leasing ~~dealing~~  
81 ~~in~~ motor vehicles, and who may service and repair motor  
82 vehicles.

83       3. "Wholesale motor vehicle dealer" means any person who  
84 engages exclusively in the business of buying or ~~selling, or~~  
85 ~~dealing in~~ motor vehicles at wholesale or with motor vehicle  
86 auctions. Such person shall be licensed to do business in this  
87 state, shall not sell or auction a vehicle to any person who is  
88 not a licensed dealer, and shall not have the privilege of the  
89 use of dealer license plates. Any person who buys, sells, or  
90 deals in motor vehicles at wholesale or with motor vehicle  
91 auctions on behalf of a licensed motor vehicle dealer and as a  
92 bona fide employee of such licensed motor vehicle dealer is not  
93 required to be licensed as a wholesale motor vehicle dealer. In  
94 such cases it shall be prima facie presumed that a bona fide  
95 employer-employee relationship exists. A wholesale motor vehicle  
96 dealer shall be exempt from the display provisions of this  
97 section but shall maintain an office wherein records are kept in



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98 order that those records may be inspected.

99 4. "Motor vehicle auction" means any person offering motor  
100 vehicles or recreational vehicles for sale to the highest bidder  
101 where buyers are licensed motor vehicle dealers. Such person  
102 shall not sell a vehicle to anyone other than a licensed motor  
103 vehicle dealer.

104 5. "Salvage motor vehicle dealer" means any person who  
105 engages in the business of acquiring salvaged or wrecked motor  
106 vehicles for the purpose of reselling them and their parts.

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108 Notwithstanding anything in this subsection to the contrary, the  
109 term "motor vehicle dealer" does not include persons not engaged  
110 in the purchase, ~~or~~ sale, or lease of motor vehicles as a  
111 business who are disposing of vehicles acquired for their own  
112 use or for use in their business or acquired by foreclosure or  
113 by operation of law, provided such vehicles are acquired and  
114 sold in good faith and not for the purpose of avoiding the  
115 provisions of this law; persons engaged in the business of  
116 manufacturing, selling, or offering or displaying for sale or  
117 lease at wholesale or retail no more than 25 trailers in a 12-  
118 month period; public officers while performing their official  
119 duties; receivers; trustees, administrators, executors,  
120 guardians, or other persons appointed by, or acting under the  
121 judgment or order of, any court; banks, finance companies, or  
122 other loan agencies that acquire motor vehicles as an incident  
123 to their regular business; motor vehicle brokers; persons whose  
124 sole dealing in motor vehicles is owning a publication in which,  
125 or hosting a website on which, licensed motor vehicle dealers  
126 display vehicles for sale; persons primarily engaged in the



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127 business of the short-term rental of motor vehicles, which  
128 rental term may not exceed 12 months, who are not involved in  
129 the retail sale or lease of motor vehicles; and motor vehicle  
130 rental and leasing companies that sell motor vehicles only to  
131 motor vehicle dealers licensed under this section. Vehicles  
132 owned under circumstances described in this paragraph may be  
133 disposed of at retail, wholesale, or auction, unless otherwise  
134 restricted. A manufacturer of fire trucks, ambulances, or school  
135 buses may sell such vehicles directly to governmental agencies  
136 or to persons who contract to perform or provide firefighting,  
137 ambulance, or school transportation services exclusively to  
138 governmental agencies without processing such sales through  
139 dealers if such fire trucks, ambulances, school buses, or  
140 similar vehicles are not presently available through motor  
141 vehicle dealers licensed by the department.

142 (d) "Motor vehicle broker" means any person engaged in the  
143 business of, or who holds himself or herself out through  
144 solicitation, advertisement, or other means as being in the  
145 business of, assisting ~~offering to procure or procuring motor~~  
146 ~~vehicles for~~ the general public in purchasing or leasing a motor  
147 vehicle from a licensed motor vehicle dealer. A motor vehicle  
148 broker may, ~~or who holds himself or herself out through~~  
149 ~~solicitation, advertisement, or otherwise as one who offers to~~  
150 ~~procure or procures motor vehicles for the general public, and~~  
151 ~~who does~~ not store, display, or take ownership of any vehicles  
152 for the purpose of selling such vehicles. Any advertisement or  
153 solicitation by a motor vehicle broker must include conspicuous  
154 notice that the broker is receiving a fee and must clearly state  
155 that the broker is not a licensed motor vehicle dealer. A



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156 licensed manufacturer, distributor, or importer is not  
157 considered a motor vehicle broker.

158 (2) LICENSE REQUIRED.—No person shall engage in business  
159 as, serve in the capacity of, or act as a motor vehicle dealer  
160 or motor vehicle broker in this state without first obtaining a  
161 license therefor in the appropriate classification as provided  
162 in this section. With the exception of transactions with motor  
163 vehicle auctions, no person other than a licensed motor vehicle  
164 dealer may advertise for sale or lease any motor vehicle  
165 belonging to another party unless as a direct result of a bona  
166 fide legal proceeding, court order, settlement of an estate, or  
167 by contract with a motor vehicle dealer, or by operation of law.  
168 However, owners of motor vehicles titled in their names may  
169 advertise and offer motor vehicles for sale on their own  
170 behalfes, provided such vehicles are acquired and sold in good  
171 faith and not for the purpose of avoiding the requirements of  
172 this section ~~half~~. It shall be unlawful for a licensed motor  
173 vehicle dealer to allow any person other than its a bona fide  
174 employee to use the motor vehicle dealer license for the purpose  
175 of acting in the capacity of or conducting motor vehicle sales  
176 or lease transactions as a motor vehicle dealer. Any person  
177 acting ~~selling or offering a motor vehicle for sale~~ in violation  
178 of the licensing requirements of this subsection, or who  
179 misrepresents to any person his or her ~~its~~ relationship with any  
180 manufacturer, importer, ~~or~~ distributor, or motor vehicle dealer,  
181 in addition to the penalties provided herein, shall be deemed to  
182 have committed ~~guilty of~~ an unfair and deceptive trade practice  
183 ~~as defined~~ in violation of part II of chapter 501 and shall be  
184 subject to the provisions of subsections (8) and (9).



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185           (3) APPLICATION AND FEE.—The application for the license  
186 shall be in such form as may be prescribed by the department and  
187 shall be subject to such rules with respect thereto as may be so  
188 prescribed by it. Such application shall be verified by oath or  
189 affirmation and shall contain a full statement of the name and  
190 birth date of the person or persons applying therefor; the name  
191 of the firm or copartnership, with the names and places of  
192 residence of all members thereof, if such applicant is a firm or  
193 copartnership; the names and places of residence of the  
194 principal officers, if the applicant is a body corporate or  
195 other artificial body; the name of the state under whose laws  
196 the corporation is organized; the present and former place or  
197 places of residence of the applicant; and prior business in  
198 which the applicant has been engaged and the location thereof.  
199 Such application shall describe the exact location of the place  
200 of business and shall state whether the place of business is  
201 owned by the applicant and when acquired, or, if leased, a true  
202 copy of the lease shall be attached to the application. The  
203 applicant shall certify that the location provides an adequately  
204 equipped office and is not a residence; that the location  
205 affords sufficient unoccupied space upon and within which  
206 adequately to store all motor vehicles offered and displayed for  
207 sale; and that the location is a suitable place where the  
208 applicant can in good faith carry on such business and keep and  
209 maintain books, records, and files necessary to conduct such  
210 business, which shall be available at all reasonable hours to  
211 inspection by the department or any of its inspectors or other  
212 employees. The applicant shall certify that the business of a  
213 motor vehicle dealer is the principal business which shall be





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214 conducted at that location. The application shall contain a  
215 statement that the applicant is ~~either~~ franchised by a  
216 manufacturer of motor vehicles, in which case the name of each  
217 motor vehicle that the applicant is franchised to sell shall be  
218 included; is, or an independent (nonfranchised) motor vehicle  
219 dealer; or is a motor vehicle broker. The application shall  
220 contain other relevant information as may be required by the  
221 department, including evidence that the applicant is insured  
222 under a garage liability insurance policy or a general liability  
223 insurance policy coupled with a business automobile policy,  
224 which shall include, at a minimum, \$25,000 combined single-limit  
225 liability coverage including bodily injury and property damage  
226 protection and \$10,000 personal injury protection. However, a  
227 salvage motor vehicle dealer as defined in subparagraph (1)(c)5.  
228 is exempt from the requirements for garage liability insurance  
229 and personal injury protection insurance on those vehicles that  
230 cannot be legally operated on roads, highways, or streets in  
231 this state. Franchise dealers must submit a garage liability  
232 insurance policy, and all other dealers must submit a garage  
233 liability insurance policy or a general liability insurance  
234 policy coupled with a business automobile policy. Such policy  
235 shall be for the license period, and evidence of a new or  
236 continued policy shall be delivered to the department at the  
237 beginning of each license period. Upon making initial  
238 application, the applicant shall pay to the department a fee of  
239 \$300 in addition to any other fees required by law. Applicants  
240 may choose to extend the licensure period for 1 additional year  
241 for a total of 2 years. An initial applicant shall pay to the  
242 department a fee of \$300 for the first year and \$75 for the



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243 second year, in addition to any other fees required by law. An  
244 applicant for renewal shall pay to the department \$75 for a 1-  
245 year renewal or \$150 for a 2-year renewal, in addition to any  
246 other fees required by law. Upon making an application for a  
247 change of location, the person shall pay a fee of \$50 in  
248 addition to any other fees now required by law. The department  
249 shall, in the case of every application for initial licensure,  
250 verify whether certain facts set forth in the application are  
251 true. Each applicant, general partner in the case of a  
252 partnership, or corporate officer and director in the case of a  
253 corporate applicant, must file a set of fingerprints with the  
254 department for the purpose of determining any prior criminal  
255 record or any outstanding warrants. The department shall submit  
256 the fingerprints to the Department of Law Enforcement for state  
257 processing and forwarding to the Federal Bureau of Investigation  
258 for federal processing. The actual cost of state and federal  
259 processing shall be borne by the applicant and is in addition to  
260 the fee for licensure. The department may issue a license to an  
261 applicant pending the results of the fingerprint investigation,  
262 which license is fully revocable if the department subsequently  
263 determines that any facts set forth in the application are not  
264 true or correctly represented.

265 (4) LICENSE CERTIFICATE.—

266 (a) A license certificate shall be issued by the department  
267 in accordance with such application when the application is  
268 regular in form and in compliance with the provisions of this  
269 section. The license certificate may be in the form of a  
270 document or a computerized card as determined by the department.  
271 The actual cost of each original, additional, or replacement



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272 computerized card shall be borne by the licensee and is in  
273 addition to the fee for licensure. Such license, when so issued,  
274 entitles the licensee to carry on and conduct the business of a  
275 motor vehicle dealer or motor vehicle broker. Each license  
276 issued to a franchise motor vehicle dealer or motor vehicle  
277 broker expires on December 31 of the year of its expiration  
278 unless revoked or suspended before ~~prior to~~ that date. Each  
279 license issued to an independent or wholesale dealer or auction  
280 expires on April 30 of the year of its expiration unless revoked  
281 or suspended prior to that date. At least 60 days before the  
282 license expiration date, the department shall deliver or mail to  
283 each licensee the necessary renewal forms along with a statement  
284 that the licensee is required to complete any applicable  
285 continuing education or industry certification requirements.  
286 ~~Each independent dealer shall certify that the dealer (owner,~~  
287 ~~partner, officer, or director of the licensee, or a full-time~~  
288 ~~employee of the licensee that holds a responsible management-~~  
289 ~~level position) has completed 8 hours of continuing education~~  
290 ~~prior to filing the renewal forms with the department. Such~~  
291 ~~certification shall be filed once every 2 years. The continuing~~  
292 ~~education shall include at least 2 hours of legal or legislative~~  
293 ~~issues, 1 hour of department issues, and 5 hours of relevant~~  
294 ~~motor vehicle industry topics. Continuing education shall be~~  
295 ~~provided by dealer schools licensed under paragraph (b) either~~  
296 ~~in a classroom setting or by correspondence. Such schools shall~~  
297 ~~provide certificates of completion to the department and the~~  
298 ~~customer which shall be filed with the license renewal form, and~~  
299 ~~such schools may charge a fee for providing continuing~~  
300 ~~education.~~ Any licensee who does not file his or her application



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301 and fees and any other requisite documents, as required by law,  
302 with the department at least 30 days prior to the license  
303 expiration date shall cease to engage in business as a motor  
304 vehicle dealer on the license expiration date. A renewal filed  
305 with the department within 45 days after the expiration date  
306 shall be accompanied by a delinquent fee of \$100. Thereafter, a  
307 new application is required, accompanied by the initial license  
308 fee. A license certificate duly issued by the department may be  
309 modified by endorsement to show a change in the name of the  
310 licensee, provided, as shown by affidavit of the licensee, the  
311 majority ownership interest of the licensee has not changed or  
312 the name of the person appearing as franchisee on the sales and  
313 service agreement has not changed. Modification of a license  
314 certificate to show any name change as herein provided shall not  
315 require initial licensure or reissuance of dealer tags; however,  
316 any dealer obtaining a name change shall transact all business  
317 in and be properly identified by that name. All documents  
318 relative to licensure shall reflect the new name. In the case of  
319 a franchise dealer, the name change shall be approved by the  
320 manufacturer, distributor, or importer. A licensee applying for  
321 a name change endorsement shall pay a fee of \$25 which fee shall  
322 apply to the change in the name of a main location and all  
323 additional locations licensed under the provisions of subsection  
324 (5). Each initial license application received by the department  
325 shall be accompanied by verification that, within the preceding  
326 6 months, the applicant, or one or more of his or her designated  
327 employees, has attended a training and information seminar  
328 conducted by a licensed motor vehicle dealer training school.  
329 Any applicant for a new franchised motor vehicle dealer license



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330 who has held a valid franchised motor vehicle dealer license  
331 continuously for the past 2 years and who remains in good  
332 standing with the department is exempt from the prelicensing  
333 training requirement. Such seminar shall include, but is not  
334 limited to, statutory dealer requirements, which requirements  
335 include required bookkeeping and recordkeeping procedures,  
336 requirements for the collection of sales and use taxes, and such  
337 other information that in the opinion of the department will  
338 promote good business practices. No seminar may exceed 8 hours  
339 in length.

340 (b) Each initial license application received by the  
341 department for licensure under subparagraph (1)(c)2. shall be  
342 accompanied by verification that, within the preceding 6 months,  
343 the applicant (owner, partner, officer, or director of the  
344 applicant, or a full-time employee of the applicant that holds a  
345 responsible management-level position) has successfully  
346 completed training conducted by a licensed motor vehicle dealer  
347 training school. Such training must include training in titling  
348 and registration of motor vehicles, laws relating to unfair and  
349 deceptive trade practices, laws relating to financing with  
350 regard to buy-here, pay-here operations, and such other  
351 information that in the opinion of the department will promote  
352 good business practices. Successful completion of this training  
353 shall be determined by examination administered at the end of  
354 the course and attendance of no less than 90 percent of the  
355 total hours required by such school. Any applicant who had held  
356 a valid motor vehicle dealer's license continuously within the  
357 past 2 years and who remains in good standing with the  
358 department is exempt from the prelicensing requirements of this



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359 section. The department shall have the authority to adopt any  
360 rule necessary for establishing the training curriculum; length  
361 of training, which shall not exceed 8 hours for required  
362 department topics and shall not exceed an additional 24 hours  
363 for topics related to other regulatory agencies' instructor  
364 qualifications; and any other requirements under this section.  
365 The curriculum for other subjects shall be approved by any and  
366 all other regulatory agencies having jurisdiction over specific  
367 subject matters; however, the overall administration of the  
368 licensing of these dealer schools and their instructors shall  
369 remain with the department. Such schools are authorized to  
370 charge a fee.

371 (c) Each application received by the department for renewal  
372 of a license under subparagraph (1)(c)2. must certify that the  
373 dealer (owner, partner, officer, or director of the licensee, or  
374 a full-time employee of the licensee that holds a responsible  
375 management-level position) has completed 8 hours of continuing  
376 education prior to filing the renewal forms with the department.  
377 Such certification must be filed once every 2 years. The  
378 continuing education must include at least 2 hours of legal or  
379 legislative issues, 1 hour of department issues, and 5 hours of  
380 relevant motor vehicle industry topics. Continuing education  
381 shall be provided by dealer schools licensed under paragraph (b)  
382 either in a classroom setting or by correspondence. Such schools  
383 shall provide certificates of completion to the department and  
384 the customer which shall be filed with the license renewal form,  
385 and such schools may charge a fee for providing continuing  
386 education.

387 (d) Each application received by the department for renewal



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388 of a license under subparagraph (1)(c)1. must certify that the  
389 dealer (dealer operator, owner, partner, officer, director, or  
390 general manager of the licensee) has completed 4 hours of  
391 industry certification on legal and legislative issues each year  
392 prior to filing the renewal forms with the department. Industry  
393 certification shall be provided by a Florida-based, nonprofit,  
394 dealer-owned, statewide industry association of franchised motor  
395 vehicle dealers with state and federal compliance credentials  
396 approved by the department, and shall be in a classroom setting  
397 in convenient locations within the state. Such association shall  
398 provide certificates of completion to the department and the  
399 customer which shall be filed with the license renewal form. An  
400 application for renewal of a license previously issued for 1  
401 year must be accompanied by a certificate establishing  
402 completion of 4 hours of industry certification during the prior  
403 year. An application for renewal of a license previously issued  
404 for 2 years must be accompanied by certificates establishing  
405 completion of 8 hours of industry certification, except that  
406 renewal of a 2 year license that expires on December 31, 2019,  
407 must be accompanied by a certificate establishing completion of  
408 4 hours of industry certification. An association may charge a  
409 fee for providing the industry certification. In the case of  
410 licensees belonging to a dealership group, the required industry  
411 certification may be satisfied for all licensees in the  
412 dealership group through completion of the industry  
413 certification by a single designated owner, officer, director,  
414 or manager of the dealership group. For purposes of this  
415 section, a dealership group is two or more licensed franchised  
416 motor vehicle dealers with common owners having legal or



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417 equitable title of at least 80 percent of each dealer in the  
418 group. A licensee who seeks to satisfy the required industry  
419 certification through a dealership group must provide the  
420 department with evidence of the required common ownership at the  
421 time of filing the certificate of completion.

422 Section 2. This act shall take effect January 1, 2019.

423

424 ===== T I T L E A M E N D M E N T =====

425 And the title is amended as follows:

426 Delete everything before the enacting clause  
427 and insert:

428 A bill to be entitled  
429 An act relating to motor vehicle dealers; amending s.  
430 320.27, F.S.; revising the definitions of the terms  
431 "motor vehicle dealer," "franchised motor vehicle  
432 dealer," "independent motor vehicle dealer,"  
433 "wholesale motor vehicle dealer," and "motor vehicle  
434 broker"; prohibiting persons from engaging in business  
435 as, serving in the capacity of, or acting as a motor  
436 vehicle broker in this state without first obtaining a  
437 certain license; adding an exception to the  
438 prohibition on persons other than a licensed motor  
439 vehicle dealer from advertising for sale or lease any  
440 motor vehicle belonging to another party; authorizing  
441 owners of motor vehicles titled in their names to  
442 advertise and offer motor vehicles for sale on their  
443 own behalves provided such vehicles are acquired and  
444 sold in good faith and not for the purpose of avoiding  
445 specified requirements; prohibiting a licensed motor





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446 vehicle dealer from allowing any person other than its  
447 bona fide employee to use its motor vehicle dealer  
448 license for the purpose of acting in the capacity of  
449 or conducting motor vehicle lease transactions as a  
450 motor vehicle dealer; providing that any person acting  
451 in violation of specified licensing requirements or  
452 misrepresenting to any person his or her relationship  
453 with any motor vehicle dealer is deemed to have  
454 committed an unfair and deceptive trade practice in  
455 violation of specified provisions; requiring an  
456 application for a license to contain a statement that  
457 the applicant is a motor vehicle broker under certain  
458 circumstances; providing that a certain license  
459 entitles a licensee to carry on and conduct the  
460 business of a motor vehicle broker; providing that  
461 each license issued to a motor vehicle broker expires  
462 on a specified date of the year of its expiration  
463 unless revoked or suspended before that date;  
464 requiring, within a specified timeframe, the  
465 Department of Highway Safety and Motor Vehicles to  
466 deliver or mail to each licensee the necessary renewal  
467 forms along with a statement that the licensee is  
468 required to complete any applicable continuing  
469 education or industry certification requirements;  
470 deleting certain continuing education and  
471 certification requirements; requiring applications  
472 received by the department for renewal of independent  
473 motor vehicle dealer licenses to certify that the  
474 dealer has completed continuing education prior to



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475 filing the renewal forms with the department, subject  
476 to certain requirements; providing requirements for  
477 continuing education and dealer schools; authorizing  
478 such schools to charge a fee for providing continuing  
479 education; requiring applications received by the  
480 department for renewal of franchised motor vehicle  
481 dealer licenses to certify that the dealer has  
482 completed certain industry certification prior to  
483 filing the renewal forms with the department, subject  
484 to certain requirements; providing requirements for  
485 industry certification and certain statewide industry  
486 associations of franchised motor vehicle dealers;  
487 authorizing an association to charge a fee for  
488 providing the industry certification; authorizing  
489 industry certification for licensees belonging to a  
490 certain dealership group to be accomplished by a  
491 certain designated person; requiring a licensee who  
492 seeks to satisfy the certification through a  
493 dealership group to provide the department with  
494 certain evidence at the time of filing the certificate  
495 of completion; providing an effective date.