

By Senator Horne

6-116A-98

1 A bill to be entitled
 2 An act relating to the Department of Highway
 3 Safety and Motor Vehicles; repealing s.
 4 324.201(5), F.S., which requires recovery
 5 agents to notify law enforcement of the tag
 6 seizure; amending s. 324.202, F.S.; expanding a
 7 pilot project that authorizes a recovery agent
 8 or recovery agency to seize the license plate
 9 of a motor vehicle following suspension of the
 10 vehicle's registration or suspension of the
 11 driver's license of the owner or operator of
 12 the vehicle for failing to maintain personal
 13 injury protection; requiring that the
 14 department provide procedures for paying fees
 15 and transmitting a seized license plate to the
 16 local law enforcement agency; requiring the
 17 department to report to the Legislature on the
 18 results of the pilot project; providing an
 19 effective date.

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

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 23 Section 1. Subsection (5) of section 324.201, Florida
 24 Statutes, is repealed.

25 Section 2. Section 324.202, Florida Statutes, is
 26 amended to read:

27 324.202 Seizure of motor vehicle license plates by
 28 recovery agents.--

29 (1) The Department of Highway Safety and Motor
 30 Vehicles shall implement a statewide pilot project ~~in Broward~~
 31 ~~County, Dade County, and Hillsborough County~~ to determine the

1 effectiveness of using recovery agents for the seizure of
2 license plates. On January 1, 2000, ~~October 1, 1996~~, the
3 department shall provide a report to the President of the
4 Senate, the Speaker of the House of Representatives, the chair
5 of the Senate Commerce Committee, the chair of the House
6 Insurance Committee, and the Majority and Minority Leaders of
7 the Senate and the House of Representatives, on the results of
8 the pilot project. A licensed recovery agent or agents and
9 recovery agency, agencies as described in s. 493.6101(20) and
10 (21), may seize the license plate plates of a motor vehicle if
11 the vehicle's registration or the driver's license of the
12 owner or operator of the vehicle has ~~vehicles whose~~
13 ~~registrations have~~ been suspended pursuant to s. 316.646 or s.
14 627.733, ~~in such counties~~ upon compliance with this section
15 and rules of the Department of Highway Safety and Motor
16 Vehicles.

17 (2) The Department of Highway Safety and Motor
18 Vehicles shall:

19 (a) Provide a procedure for the payment of fees to
20 recovery agents or recovery agencies who seize license plates
21 pursuant to this section. This procedure shall include the
22 development and distribution of forms and monthly renewal
23 notices, including the name and most current address available
24 to the department of persons not in compliance with s. 316.646
25 or s. 627.733, ~~which shall be used by the seizing recovery~~
26 ~~agent or recovery agency to transmit the seized license plate~~
27 ~~to the local law enforcement agency pursuant to s. 324.201.~~

28 (b) Provide a method for the payment of the fee in s.
29 627.733(7) to the recovery agent or recovery agency seizing
30 the license plate pursuant to this section. The requirements
31 with respect to payment must provide that when the owner or

1 operator whose driver's license has been suspended under s.
2 316.646 or s. 627.733 pays the reinstatement fee to the
3 Department of Highway Safety and Motor Vehicles, the
4 department shall pay the recovery agent.

5 Section 3. This act shall take effect upon becoming a
6 law.

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9 SENATE SUMMARY

10 Deletes the requirement that a recovery agent notify law
11 enforcement agencies of the seizure of a license plate.
12 Requires the Department of Highway Safety and Motor
13 Vehicles to expand statewide a pilot project under which
14 a licensed recovery agent may seize the license plate of
15 a motor vehicle if the vehicle's registration or the
16 driver's license of its owner or operator has been
17 suspended for failure to provide personal injury
18 protection.
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