

By the Committee on Transportation and Representatives
Hill, Feeney and Heyman

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

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

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24 Section 1. Subsection (5) of section 324.201, Florida
25 Statutes, is amended to read:

26 324.201 Return of license or registration to
27 department.--

28 ~~(5) When a recovery agent or recovery agency obtains a~~
29 ~~seized license plate in accordance with this chapter, local~~
30 ~~law enforcement agencies must be notified of the recovery~~
31 ~~within 6 hours after seizure. The recovery agent or recovery~~

1 ~~agency shall deliver the license plate to the local law~~
2 ~~enforcement authorities and obtain a receipt upon delivery of~~
3 ~~the license plate for claim record purposes with the~~
4 ~~department pursuant to the procedure prescribed in this~~
5 ~~section.~~

6 Section 2. Section 324.202, Florida Statutes, is
7 amended to read:

8 324.202 Seizure of motor vehicle license plates by
9 recovery agents.--

10 (1) The Department of Highway Safety and Motor
11 Vehicles shall implement a pilot project in Broward County,
12 Charlotte County, Dade County, Duval County, and Hillsborough
13 County, Orange County, and Sarasota County to determine the
14 effectiveness of using recovery agents for the seizure of
15 license plates. On January 1, 1999, ~~October 1, 1996,~~ the
16 department shall provide a report to the President of the
17 Senate, the Speaker of the House of Representatives, the chair
18 of the Senate Commerce Committee, the chair of the House
19 Insurance Committee, and the Majority and Minority Leaders of
20 the Senate and the House of Representatives, on the results of
21 the pilot project. A licensed recovery agent or agents and
22 recovery agency, agencies as described in s. 493.6101(20) and
23 (21), may seize the license plate plates of a motor vehicle if
24 the vehicle's registration or the driver's license of the
25 owner or operator of the vehicle has vehicles whose
26 registrations have been suspended pursuant to s. 316.646 or s.
27 627.733 in such counties, upon compliance with this section
28 and rules of the Department of Highway Safety and Motor
29 Vehicles.

30 (2) The Department of Highway Safety and Motor
31 Vehicles shall:

1 (a) Provide a procedure for the payment of fees to
2 recovery agents or recovery agencies who seize license plates
3 pursuant to this section. This procedure shall include the
4 development and distribution of forms and monthly renewal
5 notices, including the name and most current address available
6 to the department of persons not in compliance with s. 316.646
7 or s. 627.733, ~~which shall be used by the seizing recovery~~
8 ~~agent or recovery agency to transmit the seized license plate~~
9 ~~to the local law enforcement agency pursuant to s. 324.201.~~

10 (b) Provide a method for the payment of the fee in s.
11 627.733(7) to the recovery agent or recovery agency seizing
12 the license plate pursuant to this section. The requirements
13 with respect to payment must provide that when the owner or
14 operator whose driver's license has been suspended under s.
15 316.646 or s. 627.733 pays the reinstatement fee to the
16 Department of Highway Safety and Motor Vehicles, the
17 department shall pay the recovery agent.

18 Section 3. This act shall take effect upon becoming a
19 law.

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