



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

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

7 324.202 Seizure of motor vehicle license plates by  
8 recovery agents.--

9 (1) Upon the implementation of the vehicle information  
10 system overall reorganization to the Oracle database of driver  
11 licenses, the Department of Highway Safety and Motor Vehicles  
12 shall implement a statewide program pilot project in Broward  
13 County, Dade County, and Hillsborough County to determine the  
14 effectiveness of using recovery agents for the seizure of  
15 license plates. Until such statewide implementation occurs,  
16 the existing pilot project with Broward, Dade, and  
17 Hillsborough Counties shall continue in effect pursuant to  
18 chapter 95-202, Laws of Florida. On October 1, 1996, the  
19 department shall provide a report to the President of the  
20 Senate, the Speaker of the House of Representatives, the chair  
21 of the Senate Commerce Committee, the chair of the House  
22 Insurance Committee, and the Majority and Minority Leaders of  
23 the Senate and the House of Representatives, on the results of  
24 the pilot project. A licensed recovery agent or agents and  
25 recovery agency, agencies as described in s. 493.6101(20) and  
26 (21) may seize the license plate plates of a motor vehicle if  
27 the vehicle's registration or the driver's license of the  
28 owner or operator of the vehicle has vehicles whose  
29 registrations have been suspended pursuant to s. 316.646 or s.  
30 627.733, in such counties upon compliance with this section  
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1 and rules of the Department of Highway Safety and Motor  
2 Vehicles.

3 (2) The Department of Highway Safety and Motor  
4 Vehicles shall:

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

14 (b) Provide a method for the payment of a the fee of  
15 \$25 in s. 627.733(7)to the recovery agent or recovery agency  
16 seizing an eligible the license plate pursuant to this  
17 section. ~~The requirements with respect to payment must~~  
18 ~~provide that when the owner or operator whose driver's license~~  
19 ~~has been suspended under s. 316.646 or s. 627.733 pays the~~  
20 ~~reinstatement fee to the Department of Highway Safety and~~  
21 ~~Motor Vehicles, the department shall pay the recovery agent.~~

22 Section 3. Subsection (7) of section 627.733, Florida  
23 Statutes, 1998 Supplement, is amended to read:

24 627.733 Required security.--

25 (7)(a) Any operator or owner whose driver's license or  
26 registration has been suspended pursuant to this section or s.  
27 316.646 may effect its reinstatement upon compliance with the  
28 requirements of this section and upon payment to the  
29 Department of Highway Safety and Motor Vehicles of a  
30 nonrefundable reinstatement fee of \$150 for the first  
31 reinstatement. Such reinstatement fee shall be \$250 for the

1 second reinstatement and \$500 for each subsequent  
2 reinstatement during the 3 years following the first  
3 reinstatement. Any person reinstating her or his insurance  
4 under this subsection must also secure noncancelable coverage  
5 as described in s. 627.7275(2) and present to the appropriate  
6 person proof that the coverage is in force on a form  
7 promulgated by the Department of Highway Safety and Motor  
8 Vehicles, such proof to be maintained for 2 years. If the  
9 person does not have a second reinstatement within 3 years  
10 after her or his initial reinstatement, the reinstatement fee  
11 shall be \$150 for the first reinstatement after that 3-year  
12 period. In the event that a person's license and registration  
13 are suspended pursuant to this section or s. 316.646, only one  
14 reinstatement fee shall be paid to reinstate the license and  
15 the registration. All fees shall be collected by the  
16 Department of Highway Safety and Motor Vehicles at the time of  
17 reinstatement. The Department of Highway Safety and Motor  
18 Vehicles shall issue proper receipts for such fees and shall  
19 promptly deposit those fees in the Highway Safety Operating  
20 Trust Fund. One-third of the fee collected under this  
21 subsection shall be distributed from the Highway Safety  
22 Operating Trust Fund to the local government entity or state  
23 agency which employed the law enforcement officer or the  
24 recovery agent who seizes a license plate pursuant to s.  
25 324.201 or to s. 324.202. Such funds may be used by the local  
26 government entity or state agency for any authorized purpose.

27 ~~(b) One-third of the fee collected for the seizure of~~  
28 ~~a license plate by a recovery agent shall be paid to the~~  
29 ~~recovery agent, and the balance shall remain in the Highway~~  
30 ~~Safety Operating Trust Fund and be distributed pursuant to s.~~  
31 ~~321.245.~~

1           Section 4. Effective July 1, 2000, subsection (7) of  
2 section 627.733, Florida Statutes, 1998 Supplement, as amended  
3 by chapter 98-223, Laws of Florida, is amended to read:

4           (7)~~(a)~~ Any operator or owner whose registration has  
5 been suspended pursuant to this section or s. 316.646 may  
6 effect its reinstatement upon compliance with the requirements  
7 of this section and upon payment to the Department of Highway  
8 Safety and Motor Vehicles of a nonrefundable reinstatement fee  
9 of \$150 for the first reinstatement. Such reinstatement fee  
10 shall be \$250 for the second reinstatement and \$500 for each  
11 subsequent reinstatement during the 3 years following the  
12 first reinstatement. Any person reinstating her or his  
13 insurance under this subsection must also secure noncancelable  
14 coverage as described in s. 627.7275(2) and present to the  
15 appropriate person proof that the coverage is in force on a  
16 form promulgated by the Department of Highway Safety and Motor  
17 Vehicles, such proof to be maintained for 2 years. If the  
18 person does not have a second reinstatement within 3 years  
19 after her or his initial reinstatement, the reinstatement fee  
20 shall be \$150 for the first reinstatement after that 3-year  
21 period. All fees shall be collected by the Department of  
22 Highway Safety and Motor Vehicles at the time of  
23 reinstatement. The Department of Highway Safety and Motor  
24 Vehicles shall issue proper receipts for such fees and shall  
25 promptly deposit those fees in the Highway Safety Operating  
26 Trust Fund. One-third of the fee collected under this  
27 subsection shall be distributed from the Highway Safety  
28 Operating Trust Fund to the local government entity or state  
29 agency which employed the law enforcement officer or the  
30 recovery agent who seizes a license plate pursuant to s.

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1 324.201 or to s. 324.202. Such funds may be used by the local  
2 government entity or state agency for any authorized purpose.

3 ~~(b) One third of the fee collected for the seizure of~~  
4 ~~a license plate by a recovery agent shall be paid to the~~  
5 ~~recovery agent, and the balance shall remain in the Highway~~  
6 ~~Safety Operating Trust Fund and be distributed pursuant to s.~~  
7 ~~321.245.~~

8 Section 5. Except as otherwise provided herein, this  
9 act shall take effect July 1, 1999.

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HOUSE SUMMARY

Eliminates the requirement that recovery agents notify law enforcement of a license plate seizure. Expands into additional counties a pilot project that authorizes a recovery agent or recovery agency to seize the license plate of a motor vehicle following suspension of the vehicle's registration or suspension of the driver's license of the owner or operator of the vehicle for failure to maintain personal injury protection. Eliminates payment of a fee to recovery agents. See bill for details.