

hbd-032

Bill No. CS/CS/HB 1911, 1st Eng.

Amendment No. ____ (for drafter's use only)

	<u>Senate</u>	CHAMBER ACTION	<u>House</u>
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ORIGINAL STAMP BELOW

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Representative(s) Kyle offered the following:

Amendment (with title amendment)

On page 49, line 3 through page 54, line 6,
remove from the bill: all of said lines,

and insert in lieu thereof:

Section 45. Used motor vehicle industry study.--

(1) USED MOTOR VEHICLE INDUSTRY TASK FORCE.--The Used Motor Vehicle Industry Task Force is created within the Department of Highway Safety and Motor Vehicles. The task force is charged with examining and evaluating the used motor vehicle industry, including, without limitation, the licensing of dealers and the enforcement of dealer regulations, and analyzing the structure and manner in which the department carries out its regulatory purpose.

(2) MEMBERSHIP, ORGANIZATION, MEETINGS.--

(a) The task force shall be composed of 12 members. The Governor, the President of the Senate, and the Speaker of the House of Representatives shall each appoint four members. The Governor shall appoint one representative of the

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1 Department of Highway Safety and Motor Vehicles, who must
2 represent the Division of Motor Vehicles; one representative
3 of the independent motor vehicle industry as recommended by
4 the Florida Independent Automobile Dealers Association; one
5 representative of the franchise motor vehicle industry as
6 recommended by the Florida Automobile Dealers Association; and
7 one representative of the auction motor vehicle industry who
8 is from an auction chain and is recommended by a group
9 affiliated with the National Auto Auction Association. The
10 President of the Senate shall appoint one representative from
11 the Department of Revenue; one representative of the franchise
12 motor vehicle industry as recommended by the Florida
13 Automobile Dealers Association; a Florida Tax Collector
14 representative as recommended by the Florida Tax Collectors
15 Association; and one representative from the Better Business
16 Bureau. The Speaker of the House of Representatives shall
17 appoint one representative from the Department of Agriculture
18 and Consumer Services, who must represent the Division of
19 Consumer Services; one representative of the independent motor
20 vehicle industry as recommended by the Florida Independent
21 Automobile Dealers Association; one representative of the
22 auction motor vehicle industry who is from an independent
23 auction and is recommended by a group affiliated by the
24 National Auto Auction Association; and one representative of
25 the insurance industry who writes motor vehicle dealer surety
26 bonds. The Division of Motor Vehicles, the Division of
27 Consumer Services, the Department of Revenue, the Florida
28 Independent Automobile Dealers Association, the Florida Tax
29 Collectors Association, and the Florida Automobile Dealers
30 Association shall submit the names of their recommended
31 representatives to the Department of Highway Safety and Motor

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1 Vehicles. A person who seeks to be considered for appointment
2 to the task force representing the insurance industry or a
3 Better Business Bureau shall submit his or her name, and a
4 statement of the designated category that he or she proposes
5 to represent, to the Department of Highway Safety and Motor
6 Vehicles, which shall forward all recommended names to the
7 appointing authority for the designated category. In order to
8 facilitate and coordinate the efforts of the task force, the
9 Governor, the President of the Senate, and the Speaker of the
10 House of Representatives shall each name a liaison that the
11 task force may contact for assistance and information during
12 the course of the task force's existence. The members shall be
13 appointed by July 1, 2000.

14 (b) Upon appointment of the members, the task force
15 shall schedule an organizational meeting to be held no later
16 than July 20, 2000. Thereafter, the task force shall meet at
17 least once a month at various locations throughout the state.

18 (3) PER DIEM, TRAVEL, AND STAFFING.--Members of the
19 task force from the private sector are not entitled to per
20 diem or reimbursement for travel expenses, but members of the
21 task force from the public sector are entitled to
22 reimbursement, if any, from their agency. Members of the task
23 force may request assistance from the Department of Highway
24 Safety and Motor Vehicles as necessary.

25 (4) REVIEW AND ASSESSMENT OF THE USED MOTOR VEHICLE
26 INDUSTRY IN THE STATE.--The task force shall conduct an
27 in-depth review of the used motor vehicle industry and the
28 problems associated with licensing requirements, unlicensed
29 persons, and enforcement of state statutes and rules. The task
30 force shall, in its review, analyze chapter 320, Florida
31 Statutes, and any other provisions of the Florida Statutes

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1 relating to the used motor vehicle industry and used motor
2 vehicle dealer licensing requirements and enforcement. The
3 task force may:

4 (a) Conduct meetings, hearings, and workshops in
5 Tallahassee and at other locations around the state, and may
6 take evidence, testimony, and argument at the meetings,
7 hearings, and workshops from state agencies and consumer
8 organizations.

9 (b) Examine and evaluate the procedures and methods
10 for approving a dealer applicant and dealer locations,
11 enforcement actions against unlicensed persons, and
12 enforcement of existing statutes and rules governing dealers.
13 The task force shall conduct its evaluation in the context of
14 purpose, goal, and objective regarding motor vehicle dealer
15 licensing requirements and enforcement of regulations
16 governing dealers.

17 (c) Assess the roles of the Department of Highway
18 Safety and Motor Vehicles and County Tax Collectors regarding
19 the motor vehicle industry.

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21 Upon completing its review, assessment, and evaluation of
22 motor vehicle license requirements and enforcement of statutes
23 and rules in the state, the task force may meet further to
24 consider its accomplishments in order that the committee may
25 compile its findings into legislative recommendations.

26 (5) INTERIM AND FINAL REPORT; TERMINATION OF TASK
27 FORCE.--By January 31, 2001, the task force shall submit its
28 interim findings and recommendations in the form of a written
29 report to the Governor, the President of the Senate, and the
30 Speaker of the House of Representatives. The task force shall
31 make the final report of its findings and recommendations,

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1 which may include proposed legislation, to the Governor, the
 2 President of the Senate, and the Speaker of the House of
 3 Representatives March 1, 2001, at which time the task force
 4 shall cease to exist.

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

And the title is amended as follows:

On page 4, line 26, through page 5, line 2,
remove from the title of the bill: all of said lines,

and insert in lieu thereof:

328.735, F.S.; providing for the creation of
 the Used Motor Vehicle Industry Task Force;
 providing for membership, organization, and
 meetings; providing for per diem, travel and
 staffing; providing responsibilities; requiring
 review and assessment of the used motor vehicle
 industry; requiring reports; providing for
 termination of the task force; providing an