

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:

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Amendment to Amendment (635611) (with title amendment)

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On page 29, between lines 7 and 8,

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insert:

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Section 27. Subsection (7) of section 320.27, Florida Statutes, is amended to read:

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320.27 Motor vehicle dealers.--

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(7) CERTIFICATE OF TITLE REQUIRED.--For each used

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motor vehicle in the possession of a licensee and offered for sale by him or her, the licensee either shall have in his or her possession a duly assigned certificate of title from the owner in accordance with the provisions of chapter 319, from the time when the motor vehicle is delivered to the licensee and offered for sale by him or her until it has been disposed of by the licensee, or shall have reasonable indicia of ownership or right of possession, or shall have made proper application for a certificate of title or duplicate certificate of title in accordance with the provisions of chapter 319. A motor vehicle dealer may not sell or offer for

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1 sale a vehicle in his or her possession unless the dealer
2 satisfies the requirements of this subsection. Reasonable
3 indicia of ownership shall include a duly assigned certificate
4 of title; in the case of a new motor vehicle, a manufacturer's
5 certificate of origin issued to or reassigned to the dealer; a
6 consignment contract between the owner and the dealer along
7 with a secure power of attorney from the owner to the dealer
8 authorizing the dealer to apply for a duplicate certificate of
9 title and assign the title on behalf of the owner; a court
10 order awarding title to the vehicle to the dealer; a salvage
11 certificate of title; a photocopy of a duly assigned
12 certificate of title being held by a financial institution as
13 collateral for a business loan of money to the dealer ("floor
14 plan"); a copy of a canceled check or other documentation
15 evidencing that an outstanding lien on a vehicle taken in
16 trade by a licensed dealer has been satisfied and that the
17 certificate of title will be, but has not yet been, received
18 by the dealer; a vehicle purchase order or installment
19 contract for a specific vehicle identifying that vehicle as a
20 trade-in on a replacement vehicle; or a duly executed odometer
21 disclosure statement as required by Title IV of the Motor
22 Vehicle Information and Cost Savings Act of 1972 (Pub. L. No.
23 92-513, as amended by Pub. L. No. 94-364 and Pub. L. No.
24 100-561) and by Part 580, Title 49, Code of Federal
25 Regulations, bearing the signatures of the titled owners of a
26 traded-in vehicle.

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

30 And the title is amended as follows:

31 On page 42, line 14, of the amendment

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1 after the semicolon insert:
2 amending s. 320.27, F.S.; revising language
3 with respect to certificate of title to provide
4 additional indicia of ownership;
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