Florida House of Representatives - 2002 By Representative Wishner

A bill to be entitled 1 2 An act relating to motor vehicle lease disclosure; amending s. 521.004, F.S.; 3 4 requiring retail lessors to disclose charges assessed for wear and tear in the lease 5 agreement; amending s. 521.006, F.S.; directing б 7 the Department of Agriculture and Consumer Services to provide, by rule, for a definition 8 9 of "wear and tear of a leased vehicle"; providing a penalty; providing an effective 10 11 date. 12 13 Be It Enacted by the Legislature of the State of Florida: 14 15 Section 1. Subsection (3) is added to section 521.004, 16 Florida Statutes, to read: 521.004 Disclosures.--A retail lessor must: 17 (3) Include disclosure in the lease agreement of the 18 19 charges assessed to the lessee with respect to wear and tear of the leased vehicle. The Department of Agriculture and 20 21 Consumer Services shall provide, by rule, for a uniform 2.2 definition of "wear and tear of a leased vehicle," to be 23 utilized in lease agreements. Such a rule shall be adopted by 24 July 1, 2002. Section 2. Section 521.006, Florida Statutes, reads: 25 26 521.006 Civil remedies.--27 (1) A retail lessor who fails to comply with the requirements of this act shall be liable to the retail lessee 28 29 for actual damages sustained, a civil penalty of up to \$1,000 per lease transaction, and reasonable attorney fees and costs. 30 31 1

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1 In addition to any other remedies provided by law, (2) 2 a retail lessee may bring an action in circuit court to 3 recover actual damages sustained, civil penalties up to \$1,000 per lease transaction, and reasonable attorney fees and costs. 4 5 (3) In addition to any other remedies provided by law except for subsection (2), the Department of Legal Affairs may 6 7 bring an action in circuit court to recover actual damages 8 sustained and civil penalties up to \$1,000 per lease 9 transaction on behalf of a consumer, and reasonable attorney 10 fees and costs. 11 (4) An action authorized by this section must be brought within 1 year from the date of the last payment under 12 13 the lease agreement. 14 (5) A bona fide printing error identified on the face 15 of the lease agreement shall not constitute a violation of 16 this act. 17 Section 3. This act shall take effect upon becoming a 18 law. 19 20 21 HOUSE SUMMARY 22 Revises the provisions of the Motor Vehicle Lease 23 Disclosure Act to require disclosure of charges assessed to the lessee with respect to wear and tear of the leased vehicle. Directs the Department of Agriculture and Consumer Services to provide, by rule adopted on or before July 1, 2002, for a definition of "wear and tear of a leased vehicle." 24 25 26 27 28 29 30 31

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