

By Senator Latvala

19-1192A-02

See HB 347

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A bill to be entitled
An act relating to the Motor Vehicle Warranty
Enforcement Act; amending s. 681.117, F.S.;
providing for the remittance of a fee by motor
vehicle dealers to the Department of Revenue
under certain circumstances; amending s.
681.1096, F.S.; postponing expiration of the
Pilot RV Mediation and Arbitration Program;
providing an effective date.

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

Section 1. Section 681.117, Florida Statutes, is
amended to read:

681.117 Fee.--

(1) A \$2 fee shall be collected by a motor vehicle
dealer, or by a person engaged in the business of leasing
motor vehicles, from the consumer at the consummation of the
sale of a motor vehicle or at the time of entry into a lease
agreement for a motor vehicle. Such fees shall be remitted to
the county tax collector or private tag agency acting as agent
for the Department of Revenue. If the purchaser or lessee
removes the motor vehicle from the state for titling and
registration outside Florida, the fee shall be remitted to the
Department of Revenue.All fees, less the cost of
administration, shall be transferred monthly to the Department
of Legal Affairs for deposit into the Motor Vehicle Warranty
Trust Fund. The Department of Legal Affairs shall distribute
monthly an amount not exceeding one-fourth of the fees
received to the Division of Consumer Services of the
Department of Agriculture and Consumer Services to carry out

1 the provisions of ss. 681.108 and 681.109. The Department of
2 Legal Affairs shall contract with the Division of Consumer
3 Services for payment of services performed by the division
4 pursuant to ss. 681.108 and 681.109.

5 (2) The Department of Revenue shall administer,
6 collect, and enforce the fee authorized under this section
7 pursuant to the provisions of chapter 212. The fee shall not
8 be included in the computation of estimated taxes pursuant to
9 s. 212.11(1)(a), nor shall the dealer's credit provided under
10 s. 212.12 apply to the fee. The provisions of chapter 212
11 regarding the authority to audit and make assessments, the
12 keeping of books and records, and interest and penalties on
13 delinquent fees apply to the fee imposed by this section.

14 Section 2. Subsection (1) of section 681.1096, Florida
15 Statutes, is amended to read:

16 681.1096 Pilot RV Mediation and Arbitration Program;
17 creation and qualifications.--

18 (1) This section and s. 681.1097 shall apply to
19 disputes determined eligible under this chapter involving
20 recreational vehicles acquired on or after October 1, 1997,
21 and shall remain in effect until September 30, 2006 ~~2002~~, at
22 which time recreational vehicle disputes shall be subject to
23 the provisions of ss. 681.109 and 681.1095. The Attorney
24 General shall report to the President of the Senate, the
25 Speaker of the House of Representatives, the Minority Leader
26 of each house of the Legislature, and appropriate legislative
27 committees regarding the effectiveness of the pilot program.

28 Section 3. This act shall take effect July 1, 2002.
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LEGISLATIVE SUMMARY

Provides that a \$2 fee collected by motor vehicle dealers under the Motor Vehicle Warranty Enforcement Act shall be remitted to the Department of Revenue if the purchaser or lessee removes the motor vehicle from the state for titling and registration outside of Florida. Extends the life of the Pilot RV Mediation and Arbitration Program until September 30, 2006.