

Bill No. CS for CS for SB 522, 1st Eng.

Amendment No. ____ Barcode 901210

1 sufficient frequency so as to establish a pattern of
2 wrongdoing on the part of a licensee, violations of one or
3 more of the following activities:

4 ~~(c) Perpetration of a fraud upon any person as a~~
5 ~~result of dealing in motor vehicles, including, without~~
6 ~~limitation, the misrepresentation to any person by the~~
7 ~~licensee of the licensee's relationship to any manufacturer,~~
8 ~~importer, or distributor.~~

9 1.(d) Representation that a demonstrator is a new
10 motor vehicle, or the attempt to sell or the sale of a
11 demonstrator as a new motor vehicle without written notice to
12 the purchaser that the vehicle is a demonstrator. For the
13 purposes of this section, a "demonstrator," a "new motor
14 vehicle," and a "used motor vehicle" shall be defined as under
15 s. 320.60.

16 2.(e) Unjustifiable refusal to comply with a
17 licensee's responsibility under the terms of the new motor
18 vehicle warranty issued by its respective manufacturer,
19 distributor, or importer. However, if such refusal is at the
20 direction of the manufacturer, distributor, or importer, such
21 refusal shall not be a ground under this section.

22 3.(f) Misrepresentation or false, deceptive, or
23 misleading statements with regard to the sale or financing of
24 motor vehicles which any motor vehicle dealer has, or causes
25 to have, advertised, printed, displayed, published,
26 distributed, broadcast, televised, or made in any manner with
27 regard to the sale or financing of motor vehicles.

28 4. Failure by any motor vehicle dealer to provide a
29 customer or purchaser with an odometer disclosure statement
30 and a copy of any bona fide written, executed sales contract
31 or agreement of purchase connected with the purchase of the

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- 1 motor vehicle purchased by the customer or purchaser.
- 2 5. Failure of any motor vehicle dealer to comply with
 3 the terms of any bona fide written, executed agreement,
 4 pursuant to the sale of a motor vehicle.
- 5 6. Failure to apply for transfer of a title as
 6 prescribed in s. 319.23(6).
- 7 7. Use of the dealer license identification number by
 8 any person other than the licensed dealer or his or her
 9 designee.
- 10 8. Failure to continually meet the requirements of the
 11 licensure law.
- 12 9. Representation to a customer or any advertisement
 13 to the public representing or suggesting that a motor vehicle
 14 is a new motor vehicle if such vehicle lawfully cannot be
 15 titled in the name of the customer or other member of the
 16 public by the seller using a manufacturer's statement of
 17 origin as permitted in s. 319.23(1).
- 18 ~~10.(g) Requirement by any motor vehicle dealer that a~~
 19 ~~customer or purchaser accept equipment on his or her motor~~
 20 ~~vehicle which was not ordered by the customer or purchaser.~~
- 21 ~~11.(h) Requirement by any motor vehicle dealer that~~
 22 ~~any customer or purchaser finance a motor vehicle with a~~
 23 ~~specific financial institution or company.~~
- 24 ~~(i) Failure by any motor vehicle dealer to provide a~~
 25 ~~customer or purchaser with an odometer disclosure statement~~
 26 ~~and a copy of any bona fide written, executed sales contract~~
 27 ~~or agreement of purchase connected with the purchase of the~~
 28 ~~motor vehicle purchased by the customer or purchaser.~~
- 29 ~~(j) Failure of any motor vehicle dealer to comply with~~
 30 ~~the terms of any bona fide written, executed agreement,~~
 31 ~~pursuant to the sale of a motor vehicle.~~

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1 12.(k) Requirement by any ~~the~~ motor vehicle dealer
2 that the purchaser of a motor vehicle contract with the dealer
3 for physical damage insurance.

4 13. Perpetration of a fraud upon any person as a
5 result of dealing in motor vehicles, including, without
6 limitation, the misrepresentation to any person by the
7 licensee of the licensee's relationship to any manufacturer,
8 importer, or distributor.

9 14.(l) Violation of any of the provisions of s. 319.35
10 by any motor vehicle dealer.

11 15. Sale by a motor vehicle dealer of a vehicle
12 offered in trade by a customer prior to consummation of the
13 sale, exchange, or transfer of a newly acquired vehicle to the
14 customer, unless the customer provides written authorization
15 for the sale of the trade-in vehicle prior to delivery of the
16 newly acquired vehicle.

17 16. Willful failure to comply with any administrative
18 rule adopted by the department.

19 17. Violation of chapter 319, this chapter, or ss.
20 559.901-559.9221, which has to do with dealing in or repairing
21 motor vehicles or mobile homes. Additionally, in the case of
22 used motor vehicles, the willful violation of the federal law
23 and rule in 15 U.S.C. s. 2304, 16 C.F.R. part 455, pertaining
24 to the consumer sales window form.

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