

Bill No. CS for SB 454

Barcode 295946

CHAMBER ACTION

Senate

House

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11 The Committee on Criminal Justice (King) recommended the
12 following amendment:

14 **Senate Amendment (with title amendment)**

15 On page 8, between lines 25 and 26,

17 insert:

18 Section 8. Subsection (19) is added to section 320.02,
19 Florida Statutes, to read:

20 320.02 Registration required; application for
21 registration; forms; withholding of registration.--

22 (19) The department is authorized to withhold
23 registration or re-registration of a motor vehicle if the
24 owner, or one of the co-owners' name appears on a list with
25 the department that was submitted by a licensed motor vehicle
26 dealer to the department for a previous registration of that
27 vehicle. The motor vehicle dealer must maintain signed
28 evidence that the owner or co-owner acknowledged the dealer's
29 authority to submit the list to the department if they failed
30 to pay, and note the amount the owner or co-owner would be
31 responsible for their vehicle registration. The dealer must

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1 maintain the necessary documentation required in this
2 subsection or face penalties as provided in s. 320.27. This
3 subsection does not affect the issuance of a title to a motor
4 vehicle.

5 (a) The motor vehicle owner or co-owner may dispute
6 the claim that money is owed to a dealer for registration fees
7 by submitting a form to the department if the motor vehicle
8 owner or co-owner has documentary proof that the registration
9 fees have been paid to the dealer for the disputed amount.
10 Without clear evidence of the amounts owed for the vehicle
11 registration and repayment, the department will assume initial
12 payments are applied to government assessed fees first.

13 (b) If the registered owner's dispute complies with
14 paragraph (a), the department shall immediately remove the
15 motor vehicle owner or co-owner's name form the list thereby
16 allowing the issuance of a license plate or revalidation
17 sticker.

18 Section 9. Subparagraph 18 is added to paragraph (b)
19 of subsection (9) of section 320.27, Florida Statutes, to
20 read:

21 320.27 Motor vehicle dealers.--

22 (9) DENIAL, SUSPENSION, OR REVOCATION.--

23 (b) The department may deny, suspend, or revoke any
24 license issued hereunder or under the provisions of s. 320.77
25 or s. 320.771 upon proof that a licensee has committed, with
26 sufficient frequency so as to establish a pattern of
27 wrongdoing on the part of a licensee, violations of one or
28 more of the following activities:

29 18. Failure to maintain evidence of notification to
30 the owner or co-owner of a vehicle regarding registration or
31 titling fees owned as required in s. 320.02(19).

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(Redesignate subsequent sections.)

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

And the title is amended as follows:

On page 1, line 25, after the semicolon

insert:

amending s. 320.02, F.S.; authorizing the
withholding of motor vehicle registrations or
re-registrations in certain situations;
requiring motor vehicle dealers to maintain
certain information; allowing owners and
co-owners to dispute dealer's claims of money
owned; amending s. 320.27, F.S.; providing for
motor vehicle dealer license discipline for
failure to maintain evidence of notification to
the owner or co-owner of a vehicle regarding
registration and titling fees owed;