



1 (c) Have had against them any civil, criminal, or  
2 administrative adjudication in any jurisdiction, based upon  
3 conduct involving fraud, dishonest dealing, or any violation  
4 of this part; ~~or~~

5 (d) Have had a judgment entered against them in any  
6 action brought by the department or the state attorney  
7 pursuant to ss. 501.201-501.213 or this part; ~~or-~~

8 (e) Have failed to maintain in force the insurance  
9 required under subsection (13).

10 (13) Each applicant for an initial or renewal  
11 registration under this section shall provide the department  
12 with evidence of current and valid liability insurance in an  
13 amount not less than \$300,000 on repairs performed by the  
14 motor vehicle repair shop. The department shall require that  
15 an applicant present a certificate of insurance issued by an  
16 insurance company or carrier authorized to transact business  
17 in this state before an initial or renewal registration  
18 certificate may be issued to the applicant.

19 Section 2. Paragraph (b) of subsection (4) of section  
20 559.921, Florida Statutes, is amended, and subsection (9) is  
21 added to that section, to read:

22 559.921 Remedies.--

23 (4)

24 (b) Upon a finding as set forth in paragraph (a), the  
25 department may enter an order doing one or more of the  
26 following:

27 1. Issuing a notice of noncompliance pursuant to s.  
28 120.695.

29 2. Imposing an administrative fine not to exceed  
30 \$1,000 per violation for each act which constitutes a  
31 violation of this part or a rule or order.

1           3. Imposing an administrative fine not to exceed  
2 \$5,000 per violation for failure to maintain the liability  
3 insurance required under s. 559.904(13).

4           ~~4.3.~~ Directing that the motor vehicle repair shop  
5 cease and desist specified activities.

6           ~~5.4.~~ Refusing to register or revoking or suspending a  
7 registration.

8           ~~6.5.~~ Placing the registrant on probation for a period  
9 of time, subject to such conditions as the department may  
10 specify.

11           (9) A person who engages in motor vehicle repair and  
12 fails to maintain current and valid liability insurance as  
13 required under s. 559.904(13) commits a misdemeanor of the  
14 second degree, punishable as provided in s. 775.082 or s.  
15 775.083.

16           Section 3. This act shall take effect July 1, 2005.

17  
18           STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN  
19           COMMITTEE SUBSTITUTE FOR  
20           Senate Bill 864

21 The committee substitute provides the following changes:

- 22 o Reduces the required amount of liability insurance from  
23 \$1 million to \$300,000 that motor vehicle repair shops  
24 must maintain.  
25 o Imposes an administrative fine not to exceed \$5,000 per  
26 violation for failure to maintain the required liability  
27 insurance.  
28 o Provides that a person who engages in motor vehicle  
29 repair and fails to maintain the required liability  
30 insurance commits a misdemeanor of the second degree.  
31