

By Senator Ring

32-530-07

See HB 105

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A bill to be entitled

An act relating to used motor vehicle sales;  
creating s. 501.98, F.S.; providing  
definitions; requiring a seller of a used motor  
vehicle to provide the buyer with a motor  
vehicle history report meeting specified  
requirements; providing remedies; providing an  
effective date.

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

Section 1. Section 501.98, Florida Statutes, is  
created to read:

501.98 Used vehicle history disclosure.--

(1) For purposes of this section, the term:

(a) "Motor vehicle" has the same meaning provided in  
s. 320.01.

(b) "Motor vehicle history report" means a report that  
is an account of the vehicle's history, including the  
following:

- 1. Accidents.
- 2. Major repairs.
- 3. Title.
- 4. Registration.

(c) "Seller" has the same meaning provided in s.  
672.103.

(d) "Used motor vehicle" has the same meaning provided  
in s. 319.001.

(2) The seller of a used motor vehicle shall, at or  
prior to the time of sale, provide the buyer with a written  
motor vehicle history report. The report shall be, to the best

1 of the seller's knowledge, accurate and shall be complete to  
2 the extent that information is personally known to the seller  
3 or available to the seller from commercial or governmental  
4 sources. The seller may comply with this section by providing  
5 the buyer with a motor vehicle history report meeting the  
6 requirements of this section prepared by another entity.

7 (3)(a) If the seller fails to comply with subsection  
8 (2), the buyer is entitled to void the transaction within 10  
9 days following the day of the sale and return the vehicle for  
10 a full refund. The full refund shall be provided within 5 days  
11 after the return of the vehicle.

12 (b) If the seller fails to provide a full refund  
13 following the return of the vehicle as provided in paragraph  
14 (a), the buyer may institute litigation and the prevailing  
15 party is entitled to recovery of reasonable attorney fees and  
16 costs in addition to any other damages.

17 Section 2. This act shall take effect October 1, 2007.  
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