

1 upon conduct involving fraud, dishonest dealing, or any
2 violation of this part;

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

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

10 (e) Have not maintained in force the insurance
11 required under subsection (12).

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

21 Section 3. Paragraph (b) of subsection (4) of section
22 559.921, Florida Statutes, is amended, and subsection (9) is
23 added to that section, to read:

24 559.921 Remedies.--

25 (4)

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

29 1. Issuing a notice of noncompliance pursuant to s.
30 120.695.

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

4 3. Imposing an administrative fine not to exceed
5 \$5,000 per violation for failure to maintain the liability
6 insurance required under s. 559.904(12).

7 ~~4.3.~~ Directing that the motor vehicle repair shop
8 cease and desist specified activities.

9 ~~5.4.~~ Refusing to register or revoking or suspending a
10 registration.

11 ~~6.5.~~ Placing the registrant on probation for a period
12 of time, subject to such conditions as the department may
13 specify.

14 (9) A person who engages in motor vehicle repair and
15 does not maintain current and valid liability insurance as
16 required under s. 559.904(12) commits a misdemeanor of the
17 second degree, punishable as provided in s. 775.082 or s.
18 775.083.

19 Section 4. This act shall take effect July 1, 2007.

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22 SENATE SUMMARY

23 Requires motor vehicle repair shops to maintain liability
24 insurance in the amount of \$300,000 as a condition of
25 registration. Provides that failure to maintain such
26 insurance is grounds for denying, revoking, or refusing
27 to renew a shop's registration. Provides administrative
28 fines and criminal penalties for failing to maintain the
29 required insurance.
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