

Bill No. SB 612

Barcode 541746

CHAMBER ACTION

Senate

House

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The Committee on Community Affairs (Crist) recommended the following **substitute for amendment** (474546):

**Senate Amendment (with title amendment)**

On page 13, line 16, through  
page 30, line 16, delete those lines

and insert:

508.102 Wrecker Operator Advisory Council.--

(1) The Wrecker Operator Advisory Council is created within the department. The council shall advise and assist the department in administering this chapter.

(2)(a) The council shall be composed of seven members appointed by the Commissioner of Agriculture.

(b) Four members, two of whom operate three trucks or fewer, of the council must each be an ultimate equitable owner of a wrecker company who has been an ultimate equitable owner of that company for at least 5 years before his or her appointment; one member must be a wrecker operator who is not an ultimate equitable owner of a wrecker company and who has been a wrecker operator for at least 5 years before his or her

Bill No. SB 612

Barcode 541746

1 appointment; and two members must be laypersons. Each member  
2 must be a resident of this state. This paragraph expires July  
3 1, 2013.

4 (c) Effective July 1, 2013, four members, two of whom  
5 operate three trucks or fewer, of the council must each be an  
6 ultimate equitable owner of a wrecker company registered under  
7 this chapter who has been an ultimate equitable owner of that  
8 company registered for at least 5 years before his or her  
9 appointment; one member must be a wrecker operator certified  
10 under this chapter who is not an ultimate equitable owner of a  
11 wrecker company and who has been a certified wrecker operator  
12 for at least 5 years before his or her appointment; and two  
13 members must be laypersons. Each member must be a resident of  
14 this state.

15 (3) The term of each member of the council is 4 years,  
16 except, in order to establish staggered terms, two members who  
17 are owners of wrecker companies and one layperson shall be  
18 appointed initially for a 2-year term. Members may be  
19 reappointed for additional terms that may not exceed 8 years  
20 of consecutive service. A vacancy shall be filled for the  
21 remainder of the unexpired term in the same manner as the  
22 original appointment.

23 (4)(a) From among its members, the council shall  
24 annually elect a chair, who shall preside over the meetings of  
25 the council, and a vice chair.

26 (b) In conducting its meetings, the council shall use  
27 accepted rules of procedure. The department shall keep a  
28 complete record of each meeting showing the names of members  
29 present and the actions taken. These records and other  
30 documents regarding matters within the jurisdiction of the  
31 council must be kept on file with the department.

Bill No. SB 612

Barcode 541746

1       (5) The members of the council shall serve without  
2 compensation, but are entitled to reimbursement of travel and  
3 per diem expenses under s. 112.061.

4       (6) The department shall provide administrative and  
5 staff support services relating to the functions of the  
6 council.

7       (7) The council shall review the rules adopted by the  
8 department to administer this chapter and shall advise the  
9 department on matters relating to industry standards and  
10 practices and other issues that require technical expertise  
11 and consultation or that promote better consumer protection in  
12 the wrecker industry.

13       508.103 Rulemaking authority.--The department may  
14 adopt rules under ss. 120.536(1) and 120.54 to administer this  
15 chapter.

16       508.105 Registration requirements; renewal of  
17 registrations.--

18       (1) Each wrecker company engaged or attempting to  
19 engage for hire in the business of towing, carrying, or  
20 transporting vehicles or vessels by wrecker upon the streets  
21 and highways of this state must annually register with the  
22 department on forms prescribed by the department. The  
23 application for registration must include at least the  
24 following information:

25       (a) The name and federal employer identification  
26 number of the wrecker company.

27       (b) The mailing address, physical address, and  
28 telephone number of the wrecker company's primary place of  
29 business.

30       (c) The fictitious name under which the wrecker  
31 company transacts business in this state.

Bill No. SB 612

Barcode 541746

1       (d) The full name, residence address, business  
2 address, and telephone number of the applicant. If the  
3 applicant is other than a natural person, the application must  
4 also contain the full name, residence address, business  
5 address, telephone number, and federal employer identification  
6 number, if applicable, of each ultimate equitable owner of the  
7 business entity and each officer, director, partner, manager,  
8 member, or managing member of the entity.

9       (e) If the applicant is other than a natural person,  
10 the full name of the business entity's registered agent and  
11 the address of the registered office for service of process.

12       (f) The physical address and telephone number of each  
13 business location and each storage facility where the wrecker  
14 company stores towed vehicles or vessels.

15       (2) Each initial and renewal application for  
16 registration must be accompanied by the registration fee  
17 prescribed in s. 508.116.

18       (3) Each initial application for registration must be  
19 accompanied by a complete set of the applicant's fingerprints  
20 taken by a law enforcement agency. If the applicant is other  
21 than a natural person, a complete set of fingerprints must be  
22 filed for each ultimate equitable owner of the business entity  
23 and each officer, director, partner, manager, member, or  
24 managing member of the entity. The department shall submit the  
25 fingerprints to the Department of Law Enforcement for state  
26 processing, and the Department of Law Enforcement shall  
27 forward the fingerprints to the Federal Bureau of  
28 Investigation for national processing. The applicant must also  
29 pay the Department of Law Enforcement a fingerprint-processing  
30 fee of \$23 for state processing, and the amount of the fee  
31 charged by the Federal Bureau of Investigation for federal

Bill No. SB 612

Barcode 541746

1 processing, for each applicant's name submitted. Registration  
 2 renewal applications need not be accompanied by a set of  
 3 fingerprints for an individual who previously submitted a set  
 4 of fingerprints to the department as part of a prior year's  
 5 registration application.

6 (4) The department shall review each application in  
 7 accordance with s. 120.60 and shall issue a registration  
 8 certificate, in the form and size prescribed by the  
 9 department, to each wrecker company whose application is  
 10 approved. The certificate must show at least the name and  
 11 address of the wrecker company and the registration number.  
 12 The registration certificate must be prominently displayed in  
 13 the wrecker company's primary place of business.

14 (5) Each advertisement of a wrecker company must  
 15 include the phrase "Fla. Wrecker Co. Reg. No. ." For the  
 16 purpose of this subsection, the term "advertisement" means a  
 17 printed or graphic statement made in a newspaper or other  
 18 publication or contained in any notice, handbill, or sign,  
 19 including signage on a vehicle, flyer, catalog, or letter.

20 (6) A registration is invalid for a wrecker company  
 21 transacting business at a place other than the location  
 22 specified in the registration application unless the  
 23 department is first notified in writing before the change of  
 24 location. A registration issued under this chapter is not  
 25 transferable or assignable, and a wrecker company may not  
 26 conduct business under a name other than the name registered.  
 27 A wrecker company desiring to change its registered name,  
 28 location, or registered agent for service of process at a time  
 29 other than upon renewal of registration must notify the  
 30 department of the change.

31 (7)(a) Each registration must be renewed annually on

Bill No. SB 612

Barcode 541746

1 or before the expiration date of the current registration. A  
 2 late fee of \$25 must be paid, in addition to the registration  
 3 fee or any other penalty, for a registration renewal  
 4 application that is received by the department after the  
 5 expiration date of the current registration. The department  
 6 may not issue a registration until all fees are paid.

7 (b) A wrecker company whose primary place of business  
 8 is located within a county or municipality that requires, by  
 9 local ordinance, a local business tax receipt under chapter  
 10 205 may not renew a registration under this chapter unless the  
 11 wrecker company obtains the business tax receipt from the  
 12 county or municipality.

13 (8) Each wrecker company must provide the department  
 14 with a certificate of insurance for the insurance coverage  
 15 required under s. 627.7415 before the department may issue the  
 16 certificate for an initial or renewal registration. The  
 17 department must be named as a certificateholder on the  
 18 insurance certificate and must be notified at least 30 days  
 19 before any change in insurance coverage.

20 (9) The department shall notify the Department of  
 21 Highway Safety and Motor Vehicles when a registration issued  
 22 under this chapter has been suspended or revoked by order of  
 23 the department. Notification must be sent within 10 days after  
 24 the department issues the suspension or revocation order.

25 508.106 Denial of registration.--The department may  
 26 deny, revoke, or refuse to renew the registration of a wrecker  
 27 company based upon a determination that the applicant or, if  
 28 the applicant is other than a natural person, the wrecker  
 29 company or any of its ultimate equitable owners, officers,  
 30 directors, partners, managers, members, or managing members  
 31 has:

Bill No. SB 612

Barcode 541746

1       (1) Not met the requirements for registration under  
2 this chapter;

3       (2) Been convicted or found guilty of, regardless of  
4 adjudication, or pled guilty or nolo contendere to, a felony  
5 within the last 10 years;

6       (3) Been convicted or found guilty of, regardless of  
7 adjudication, or pled guilty or nolo contendere to, a crime  
8 within the last 10 years involving repossession of a motor  
9 vehicle under chapter 493, repair of a motor vehicle under ss.  
10 559.901-559.9221, theft of a motor vehicle under s. 812.014,  
11 carjacking under s. 812.133, operation of a chop shop under s.  
12 812.16, failure to maintain records of motor vehicle parts and  
13 accessories under s. 860.14, violations relating to airbags  
14 under s. 860.145 or use of fake airbags under s. 860.146,  
15 overcharging for repairs and parts under s. 860.15, or a  
16 violation of towing or storage requirements for a motor  
17 vehicle under this chapter, s. 321.051, chapter 323, s.  
18 713.78, or s. 715.07;

19       (4) Not satisfied a civil fine or penalty arising out  
20 of an administrative or enforcement action brought by the  
21 department, another governmental agency, or a private person  
22 based upon conduct involving a violation of this chapter;

23       (5) Pending against him or her a criminal,  
24 administrative, or enforcement proceeding in any jurisdiction  
25 based upon conduct involving a violation of this chapter; or

26       (6) Had a judgment entered against him or her in an  
27 action brought by the department under this chapter.

28       508.1061 Acceptable forms of payment.--A wrecker  
29 company shall accept a minimum of two of the three following  
30 forms of payment:

31       (1) Cash, cashier's check, money order, or traveler's

Bill No. SB 612

Barcode 541746

1 check.

2       (2) Valid personal check, showing upon its face the  
3 name and address of the vehicle or vessel owner or authorized  
4 representative.

5       (3) Valid credit card, including, but not limited to,  
6 Visa or MasterCard.

7       508.107 Wrecker operator certification program.--

8       (1) The department, in consultation with the council,  
9 shall establish a wrecker operator certification program by  
10 December 31, 2007. Under this program, the department shall  
11 approve certification courses for wrecker operators conducted  
12 by approved organizations. The department shall prescribe the  
13 minimum curricula for these courses, including instruction for  
14 operators of light duty, medium duty, and rollback trucks,  
15 which must be at least a 16-hour course for light duty, medium  
16 duty, and rollback wreckers. Included in the course must be  
17 instruction in towing and winching a passenger vehicle and  
18 uprighting an overturned passenger vehicle, including the  
19 proper use of chains, wire rope, and straps; towing and  
20 winching a medium-sized commercial vehicle and uprighting an  
21 overturned medium-sized commercial vehicle; and proper  
22 loading, securing, transporting, and unloading of a vehicle on  
23 a flatbed-rollback wrecker. Such instruction must be equally  
24 apportioned between theoretical instruction and practical  
25 training. This class shall be 16 hours and should be taken  
26 within the first 6 months after employment. The department  
27 must approve each organization and its certification course  
28 before the course is accepted for certification of wrecker  
29 operators under this chapter.

30       (2) Each approved wrecker operator certification  
31 course must include a certification examination demonstrating



Bill No. SB 612

Barcode 541746

1 a wrecker operator's knowledge, skills, and abilities in  
 2 performing wrecker services and proficiency in the subject  
 3 matter of the certification course. The department must  
 4 approve each certification examination before the examination  
 5 is accepted for certification of wrecker operators under this  
 6 chapter.

7 (3) Each organization conducting an approved wrecker  
 8 operator certification course must issue on forms prescribed  
 9 by the department a certificate to each wrecker operator who  
 10 completes the approved certification course and passes the  
 11 approved certification examination.

12 508.108 Specialized wrecker services.--

13 (1) In addition to the minimum curricula for  
 14 certification of wrecker operators, approved certification  
 15 courses may offer optional instruction, training, and  
 16 examination of wrecker operators for each of the following  
 17 specialized wrecker services:

18 (a) Heavy and ultra-heavy duty.--Towing and winching a  
 19 standard large-sized commercial vehicle and uprighting an  
 20 overturned standard large-sized commercial vehicle; towing and  
 21 winching a specialty large-sized commercial vehicle or another  
 22 complex vehicle and uprighting an overturned specialty  
 23 large-sized commercial vehicle or another complex vehicle.  
 24 This class shall be 16 hours and should be taken within the  
 25 first year of employment.

26 (b) Hazardous materials.--Awareness of hazardous  
 27 materials. Instruction and training for this wrecker service  
 28 must comprise at least 8 hours in order to be approved.

29 (c) Air cushions.--Proper use of air cushions in the  
 30 recovery of a heavy-duty vehicle.

31 (2) The department shall adopt rules prescribing

Bill No. SB 612

Barcode 541746

1 specific standards to further define each of the specialized  
 2 wrecker services described in subsection (1). The department,  
 3 in consultation with the council, must approve the  
 4 instruction, training, and examination for a specialized  
 5 wrecker service before the specialized wrecker service is  
 6 accepted for endorsement of a wrecker operator's certification  
 7 under this chapter.

8       (3) Each organization conducting an approved wrecker  
 9 operator certification course must issue on forms prescribed  
 10 by the department a certificate to each wrecker operator who  
 11 completes the approved instruction and training for a  
 12 specialized wrecker service and passes the approved  
 13 endorsement examination for that specialized wrecker service.

14       508.109 Certification cards.--

15       (1) Each organization conducting an approved wrecker  
 16 operator certification course must issue a certification card  
 17 to each wrecker operator who completes the approved  
 18 certification course and passes the approved certification  
 19 examination. The department must approve the form of the  
 20 certification cards issued by each organization. Each  
 21 certification card must include the wrecker operator's name, a  
 22 color photograph or digital image of the wrecker operator, and  
 23 the expiration date of the certification card.

24       (2) Each certification card must also include the  
 25 wrecker operator's applicable endorsements for those  
 26 specialized wrecker services for which the wrecker operator  
 27 has completed the approved instruction and training and passed  
 28 the approved endorsement examination.

29       (3)(a) The department may adopt rules governing the  
 30 issuance of a certification card to a wrecker operator who:

31       1. Completes a certification course and passes a

Bill No. SB 612

Barcode 541746

1 certification examination in another state, which course and  
 2 examination are substantially equivalent to the approved  
 3 certification courses and approved certification examinations  
 4 in this state.

5       2. Completed a certification course and passed a  
 6 certification examination in this state between January 1,  
 7 2003, and December 31, 2007, which course and examination are  
 8 substantially equivalent to the approved certification courses  
 9 and the approved certification examinations. This subparagraph  
 10 expires July 1, 2008.

11       3. Completed instruction and training for a  
 12 specialized wrecker service and passed an endorsement  
 13 examination for that specialized wrecker service between  
 14 January 1, 2003, and December 31, 2007, which instruction,  
 15 training, and examination are substantially equivalent to the  
 16 approved instruction and training and the approved endorsement  
 17 examinations. This subparagraph expires July 1, 2008.

18       (b) For the purposes of this subsection, the  
 19 department shall approve each certification examination in  
 20 another state, and shall approve the instruction, training,  
 21 and examination for each specialized wrecker service in  
 22 another state, which the department determines are  
 23 substantially equivalent to the approved certification courses  
 24 and approved certification examinations in this state or to  
 25 the approved instruction, training, and endorsement  
 26 examinations for a specialized wrecker service in this state.

27       (4) Each certification card expires 5 years after the  
 28 date of issuance.

29       (5) Certification cards shall be issued by the  
 30 organizations conducting approved wrecker operator  
 31 certification courses. The department is not responsible for

Bill No. SB 612

Barcode 541746

1 issuing certification cards or for the costs associated with  
2 the issuance of certification cards.

3 508.111 Renewal of certification; continuing education  
4 requirements.--

5 (1) The department, in consultation with the council,  
6 shall establish a continuing education program for the  
7 recertification of wrecker operators by December 31, 2008. In  
8 order to renew a wrecker operator's certification card, an  
9 operator must complete 4 hours of continuing education every 5  
10 years. The department must prescribe the minimum curricula and  
11 proper examination for each continuing education course, each  
12 of which must be at least 4 hours in length. The department  
13 shall approve each organization, and the continuing education  
14 course it proposes to offer, before the course is approved for  
15 recertifying wrecker operators. Coursework may be completed in  
16 a classroom setting or, if available, online.

17 (2) Each organization conducting an approved wrecker  
18 operator continuing education course must issue, on forms  
19 prescribed by the department, a certificate to each wrecker  
20 operator who completes the approved course and passes an  
21 approved recertification examination.

22 508.112 Prohibited acts.--It is a violation of this  
23 chapter for a person to:

24 (1) Charge rates that exceed the maximum rates imposed  
25 by the ordinances of the respective county or municipality  
26 under s. 125.0103(1)(c) or s. 166.043(1)(c).

27 (2) Violate s. 321.051, relating to the Florida  
28 Highway Patrol wrecker-allocation system.

29 (3) Violate s. 323.002, relating to county and  
30 municipal wrecker allocation systems.

31 (4) Violate s. 713.78, relating to liens for

Bill No. SB 612

Barcode 541746

1 recovering, towing, or storing vehicles and vessels.

2 (5) Violate s. 715.07, relating to towing or removing  
3 vehicles and vessels parked on real property without  
4 permission.

5 (6) Refuse to allow a law enforcement officer to  
6 inspect a towing and storage facility as required in s.  
7 812.055.

8 (7) Allow a person who is not certified as a wrecker  
9 operator under this chapter to perform wrecker services or  
10 specialized wrecker services for the wrecker company for more  
11 than 6 months after first being employed by, or becoming an  
12 ultimate equitable owner of, the wrecker company.

13 (8) Allow a wrecker operator certified under this  
14 chapter to perform a specialized wrecker service for the  
15 wrecker company if the wrecker operator's certification does  
16 not include an endorsement for that specialized wrecker  
17 service.

18 (9) Perform an act otherwise prohibited by this  
19 chapter or fail to perform an act otherwise required by this  
20 chapter.

21 508.113 Administrative penalties; inspection of  
22 records.--

23 (1) The department may take one or more of the  
24 following actions if the department finds that a person has  
25 violated this chapter or the rules or orders issued under this  
26 chapter:

27 (a) Issue a notice of noncompliance under s. 120.695.

28 (b) Impose an administrative fine not to exceed \$5,000  
29 for each act or omission.

30 (c) Direct the person to cease and desist specified  
31 activities.

Bill No. SB 612

Barcode 541746

1 (d) Refuse to register the wrecker company or suspend  
2 or revoke the wrecker company's registration.

3 (e) Place the wrecker company on probation for a  
4 period of time, subject to the conditions specified by the  
5 department.

6 (2) Chapter 120 shall govern an administrative  
7 proceeding resulting from an order imposing a penalty  
8 specified in subsection (1).

9 508.114 Civil penalties.--The department may bring a  
10 civil action in a court of competent jurisdiction to recover  
11 any penalties or damages allowed in this chapter and for  
12 injunctive relief to enforce compliance with this chapter. The  
13 department may seek a civil penalty of up to \$5,000 for each  
14 violation of this chapter and may seek restitution for and on  
15 behalf of any owner of a vehicle or vessel who is aggrieved or  
16 injured by a violation of this chapter.

17 508.116 Fees.--The department shall adopt by rule a  
18 fee schedule not to exceed the following amounts:

19 (1) Wrecker company registration fee: \$495.

20 (2) Wrecker company registration renewal fee: \$495.

21  
22 The department shall collect and maintain data relating to the  
23 registration fees and shall review the fee amounts after the  
24 first 2 years of the registration program's existence.

25 508.117 General Inspection Trust Fund; payments.--All  
26 fees, penalties, or other funds collected by the department  
27 under this chapter must be deposited in the General Inspection  
28 Trust Fund and may be used only for the purpose of  
29 administering this chapter.

30 508.118 County and municipal ordinances.--A county or  
31 municipality may enact ordinances governing the business of

Bill No. SB 612

Barcode 541746

1 transporting vehicles or vessels by wrecker which are more  
2 restrictive than this chapter. This section does not limit the  
3 authority of a political subdivision to impose regulatory fees  
4 or charges or to levy local business taxes under chapter 205.  
5 The department may enter into a cooperative agreement with any  
6 county or municipality that provides for the referral,  
7 investigation, and prosecution of consumer complaints alleging  
8 violations of this chapter. The department may delegate  
9 enforcement of this chapter to any county or municipality  
10 entering into a cooperative agreement.

11 508.119 Records.--

12 (1) Each wrecker company shall maintain records of its  
13 wrecker services for at least 12 months. These records shall  
14 be maintained at the wrecker company's principal place of  
15 business.

16 (2) Each wrecker company shall maintain records on  
17 each of its wrecker operators which are sufficient to  
18 demonstrate that the operator has successfully completed an  
19 approved wrecker operator certification course or an approved  
20 wrecker operator continuing education course and is certified  
21 to perform wrecker services. These records shall be maintained  
22 at the wrecker company's principal place of business for as  
23 long as the operator is employed by the wrecker company and  
24 for at least 6 months thereafter.

25 (3) Each organization approved to conduct a wrecker  
26 operator certification course or approved to offer a wrecker  
27 operator continuing education course shall maintain records of  
28 each person who successfully completes one of the courses. The  
29 records shall be maintained at the organization's principal  
30 place of business for at least 5 years. The department may, at  
31 any time during normal business hours, enter the

Bill No. SB 612

Barcode 541746

1 organization's principal place of business to examine the  
2 records.

3 Section 2. Effective January 1, 2008, section 508.104,  
4 Florida Statutes, is created to read:

5 508.104 Wrecker companies; registration required.--

6 (1) A person may not own, operate, solicit business  
7 for, advertise services for, or otherwise engage for hire in  
8 the business of a wrecker company in this state unless that  
9 person is registered with the department under this chapter.

10 (2) A person applying for or renewing a local business  
11 tax receipt to engage for hire in the business of a wrecker  
12 company must exhibit a current registration certificate from  
13 the department before the local business tax receipt may be  
14 issued or reissued under chapter 205.

15 (3) This section does not apply to a motor vehicle  
16 repair shop registered with the department under s. 559.904  
17 which meets all of the following requirements:

18 (a) The motor vehicle repair shop derives at least 80  
19 percent of its gross sales from motor vehicle repairs;

20 (b) Each wrecker used to perform wrecker services on  
21 behalf of the motor vehicle repair shop is registered with the  
22 Department of Highway Safety and Motor Vehicles under the  
23 legal name of the owner of the motor vehicle repair shop;

24 (c) Any wrecker services must be performed by an  
25 employee of the motor vehicle repair shop;

26 (d) Each wrecker operator performing wrecker services  
27 on behalf of the motor vehicle repair shop is certified  
28 pursuant to ss. 508.107, 508.108, 508.109, and 508.110.

29 (4) This section does not apply to any franchised  
30 motor vehicle dealer licensed pursuant to s. 320.27 when  
31 wrecker services are incidental to the operation of the



Bill No. SB 612

Barcode 541746

1 franchise.

2 Section 3. Effective January 1, 2008, section 508.110,  
3 Florida Statutes, is created to read:

4 508.110 Wrecker operators; certification required;  
5 inspection of employment records.--

6 (1) A person may not perform wrecker services in this  
7 state unless he or she is an employee or ultimate equitable  
8 owner of a wrecker company that is registered with the  
9 department under this chapter and those wrecker services are  
10 performed on behalf of the wrecker company.

11 (2) Notwithstanding subsection (1), a person may  
12 perform wrecker services or specialized wrecker services in  
13 this state if he or she is an employee or ultimate equitable  
14 owner of a motor vehicle repair shop registered with the  
15 department under s. 559.904 and those wrecker services or  
16 specialized wrecker services are performed on behalf of the  
17 motor vehicle repair shop.

18 (3)(a) A person may not perform wrecker services or  
19 specialized wrecker services for:

20 1. A wrecker company for more than 6 months after  
21 first being employed by, or becoming an ultimate equitable  
22 owner of, the wrecker company;

23 2. A motor vehicle repair shop for more than 6 months  
24 after first being employed by the motor vehicle repair shop;  
25 or

26 3. A franchised motor vehicle dealer for more than 6  
27 months after first being employed by the franchised motor  
28 vehicle dealer

29  
30 without being certified as a wrecker operator under this  
31 chapter.

Bill No. SB 612

Barcode 541746

1       (b) A wrecker operator certified under this chapter  
 2 may not perform a specialized wrecker service for a wrecker  
 3 company unless the wrecker operator's certification includes  
 4 an endorsement for that specialized wrecker service.

5       (4) The department may, at any time during business  
 6 hours, enter any business location of a wrecker company and  
 7 examine the company's books or records. If the department  
 8 reasonably believes a violation of this chapter has occurred  
 9 or is occurring, the department may subpoena any necessary  
 10 books or records.

11  
12 (Redesignate subsequent sections.)

13  
14

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

16 And the title is amended as follows:

17           On page 2, line 13, through  
 18           page 5, line 3, delete those lines

19  
20

and insert:

21           creating s. 508.107, F.S.; requiring the  
 22           department to establish a certification program  
 23           for wrecker operators; providing for the  
 24           department to approve certification courses and  
 25           the organizations conducting the courses;  
 26           providing for the department to prescribe  
 27           course curricula; providing requirements for  
 28           courses; requiring that each course include an  
 29           examination approved by the department;  
 30           providing criteria for the examination;  
 31           requiring the organization conducting the

Bill No. SB 612

Barcode 541746

1 course to issue the certificate to the wrecker  
2 operator; creating s. 508.108, F.S.; requiring  
3 each certification course to offer optional  
4 specialized wrecker services instruction,  
5 training, and examinations; describing  
6 specialized wrecker services; directing the  
7 department to adopt rules prescribing specific  
8 standards to further define each specialized  
9 wrecker service; requiring council approval of  
10 the instruction, training, and examination;  
11 requiring the organization conducting the  
12 course to issue the certificate to the wrecker  
13 operator; creating s. 508.109, F.S.; providing  
14 for form and content of certification cards;  
15 authorizing the department to adopt rules for  
16 issuance of certification cards to an operator  
17 who completes a certification course and passes  
18 a certification examination in another state or  
19 completed a certification course and passed a  
20 certification examination in this state during  
21 a certain time period; authorizing the  
22 department to adopt rules for issuance of  
23 endorsements for specialized services to a  
24 wrecker operator who completed instruction and  
25 training for a specialized wrecker service and  
26 passed an endorsement examination for that  
27 specialized wrecker service during a certain  
28 time period; providing for approval by the  
29 council of out-of-state certification  
30 instructions, training, and examinations;  
31 providing for expiration of certification;

Bill No. SB 612

Barcode 541746

1 requiring that certification cards be issued by  
2 the organizations conducting the courses;  
3 creating s. 508.111, F.S.; providing  
4 requirements for recertification; providing for  
5 a continuing education program to be  
6 established by the department; providing for  
7 curricula and examinations to be prescribed by  
8 the council; requiring course approval by the  
9 council; providing for a certificate to be  
10 issued by the training organization to the  
11 wrecker operator; creating s. 508.112, F.S.;  
12 prohibiting certain acts; creating ss. 508.113  
13 and 508.114, F.S.; providing administrative and  
14 civil penalties; creating s. 508.116, F.S.;  
15 providing for registration and renewal fees;  
16 creating s. 508.117, F.S.; providing for  
17 deposit and use of fees, penalties, and other  
18 funds; creating s. 508.118, F.S.; authorizing  
19 counties and municipalities to enact ordinances  
20 governing wrecker operators; providing for the  
21 department to enter into a cooperative  
22 agreement with a county or municipality for the  
23 referral, investigation, and prosecution of  
24 consumer complaints or enforcement of specified  
25 wrecker services provisions; creating s.  
26 508.119, F.S.; requiring that a wrecker company  
27 maintain records of its services and operators;  
28 requiring organizations that conduct operator  
29 certification or continuing education courses  
30 to maintain records on each person who  
31 successfully completes one of the courses;

Bill No. SB 612

Barcode 541746

1 authorizing inspection of records by the  
2 department; creating s. 508.104, F.S.;  
3 prohibiting persons from owning, operating, or  
4 being issued a local business tax receipt on  
5 behalf of a wrecker company without first  
6 registering with the department; requiring  
7 registration prior to issuance or renewal of  
8 local business tax receipt; excluding certain  
9 motor vehicle repair shops;

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