

By Senator King

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1 A bill to be entitled
2 An act relating to the dismantling and destruction of
3 motor vehicles and mobile homes; amending s. 319.30, F.S.;
4 revising definitions; defining "certificate of title,"
5 "derelict motor vehicle," "derelict motor vehicle
6 certificate," "recreational vehicle," and "salvage
7 certificate of title"; revising provisions requiring that
8 certain documents accompany a motor vehicle or mobile home
9 sold, transported, or delivered to a salvage motor vehicle
10 dealer or a secondary metals recycler; providing
11 requirements for the transfer of a derelict motor vehicle
12 to a salvage motor vehicle dealer or a secondary metals
13 recycler; requiring the purchaser to record and maintain
14 certain information; providing for the use of a derelict
15 motor vehicle certificate if the certificate of title,
16 salvage certificate of title, or certificate of
17 destruction is not available; restricting reassignment of
18 a derelict motor vehicle certificate; providing penalties;
19 revising provisions for reporting to the Department of
20 Highway Safety and Motor Vehicles and cancellation of
21 title records; providing for an electronic notification
22 system to be established by the department; providing for
23 the placement of a hold on a motor vehicle or mobile home
24 in the possession of a salvage motor vehicle dealer or
25 secondary metals recycler by an agent or employee of the
26 department or a law enforcement officer who has reason to
27 believe that the motor vehicle or mobile home was stolen
28 or is fraudulently titled; authorizing the department to
29 adopt rules and charge described fees; amending s. 319.14,

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30 F.S.; correcting a cross-reference; providing an effective
31 date.

32
33 Be It Enacted by the Legislature of the State of Florida:

34
35 Section 1. Section 319.30, Florida Statutes, is amended to
36 read:

37 319.30 Definitions; dismantling, destruction, change of
38 identity of motor vehicle or mobile home; salvage.--

39 (1) As used in this section, the term:

40 (a) "Certificate of destruction" means the certificate
41 issued pursuant to s. 713.78(11) or s. 713.785(7)(a).

42 (b) "Certificate of registration number" means the
43 certificate of registration number issued by the Department of
44 Revenue of the State of Florida pursuant to s. 538.25.

45 (c) "Certificate of title" means a certificate of title
46 issued by the department or by a motor vehicle department
47 authorized to issue titles in another state.

48 (d) ~~(e)~~ "Derelict" means any material which is or may have
49 been a motor vehicle or mobile home, which is not a major part or
50 major component part with or without all component parts, which
51 is inoperable, and which ~~material~~ is in such condition that its
52 highest or primary value is ~~either~~ in its sale or transfer as
53 scrap metal ~~or for its component parts, or a combination of the~~
54 ~~two.~~

55 (e) "Derelict motor vehicle" means any motor vehicle as
56 defined in s. 320.01(1) or mobile home as defined in s.
57 320.01(2), with or without all parts, major parts, or major
58 component parts, which is valued under \$1,000, is at least 10

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59 model years old, and is in such condition that its highest or
60 primary value is for sale, transport, or delivery to a licensed
61 salvage motor vehicle dealer or registered secondary metals
62 recycler for dismantling its component parts or conversion to
63 scrap metal.

64 (f) "Derelict motor vehicle certificate" means a
65 certificate completed by the derelict motor vehicle owner, the
66 owner's authorized transporter when different from the owner, and
67 the licensed salvage motor vehicle dealer or the registered
68 secondary metals recycler and submitted to the department for
69 cancellation of the title record of the derelict motor vehicle. A
70 derelict motor vehicle certificate may be reassigned only one
71 time if the derelict motor vehicle certificate was completed by a
72 licensed salvage motor vehicle dealer and the derelict motor
73 vehicle was sold to a secondary metals recycler.

74 (g) ~~(d)~~ "Junk" means any material which is or may have been
75 a motor vehicle or mobile home, with or without all component
76 parts, which is inoperable and which material is in such
77 condition that its highest or primary value is either in its sale
78 or transfer as scrap metal or for its component parts, or a
79 combination of the two, except when sold or delivered to or when
80 purchased, possessed, or received by a secondary metals recycler
81 or salvage motor vehicle dealer.

82 (h) ~~(e)~~ "Major component parts" means:

83 1. For motor vehicles other than motorcycles, the front-end
84 assembly (fenders, hood, grill, and bumper), cowl assembly, rear
85 body section (both quarter panels, trunk lid, door, decklid, and
86 bumper), floor pan, door assemblies, engine, frame, transmission,
87 and airbag.

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88 2. For trucks, in addition to those parts listed in
89 subparagraph 1., any truck bed, including dump, wrecker, crane,
90 mixer, cargo box, or any bed which mounts to a truck frame.

91 3. For motorcycles, the body assembly, frame, fenders, gas
92 tanks, engine, cylinder block, heads, engine case, crank case,
93 transmission, drive train, front fork assembly, and wheels.

94 4. For mobile homes, the frame.

95 (i)~~(f)~~ "Major part" means the front-end assembly, cowl
96 assembly, or rear body section.

97 (j)~~(g)~~ "Materials" means motor vehicles, derelicts, and
98 major parts that are not prepared materials.

99 (k)~~(h)~~ "Mobile home" means mobile home as defined in s.
100 320.01(2).

101 (l)~~(i)~~ "Motor vehicle" means motor vehicle as defined in s.
102 320.01(1).

103 (m)~~(j)~~ "Parts" means parts of motor vehicles or
104 combinations thereof that do not constitute materials or prepared
105 materials.

106 (n)~~(k)~~ "Personal identification card" means personal
107 identification card as defined in s. 538.18(5).

108 (o)~~(l)~~ "Prepared materials" means motor vehicles, mobile
109 homes, derelict motor vehicles ~~derelicts~~, major parts, or parts
110 that have been processed by mechanically flattening or crushing,
111 or otherwise processed such that they are not the motor vehicle
112 or mobile home described in the certificate of title, or their
113 only value is as scrap metal.

114 (p)~~(m)~~ "Processing" means the business of performing the
115 manufacturing process by which ferrous metals or nonferrous
116 metals are converted into raw material products consisting of

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117 prepared grades and having an existing or potential economic
118 value, or the purchase of materials, prepared materials, or parts
119 therefor.

120 (q) "Recreational vehicle" means a motor vehicle as defined
121 in s. 320.01(1).

122 (r)~~(n)~~ "Salvage" means a motor vehicle or mobile home which
123 is a total loss as defined in paragraph (3) (a).

124 (s) "Salvage certificate of title" means a salvage
125 certificate of title issued by the department or by another motor
126 vehicle department authorized to issue titles in another state.

127 (t)~~(o)~~ "Salvage motor vehicle dealer" means salvage motor
128 vehicle dealer as defined in s. 320.27(1) (c) 5.

129 (u)~~(p)~~ "Secondary metals recycler" means secondary metals
130 recycler as defined in s. 538.18(8).

131 (2) (a) Each person mentioned as owner in the last issued
132 certificate of title, when such motor vehicle or mobile home is
133 dismantled, destroyed, or changed in such manner that it is not
134 the motor vehicle or mobile home described in the certificate of
135 title, shall surrender his or her certificate of title to the
136 department, and thereupon the department shall, with the consent
137 of any lienholders noted thereon, enter a cancellation upon its
138 records. Upon cancellation of a certificate of title in the
139 manner prescribed by this section, the department may cancel and
140 destroy all certificates in that chain of title. Any person who
141 willfully and deliberately violates this paragraph commits a
142 misdemeanor of the second degree, punishable as provided in s.
143 775.082 or s. 775.083.

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144 (b)1. When a motor vehicle, recreational vehicle, or mobile
145 home is sold, transported, or delivered to a licensed salvage
146 motor vehicle dealer, it shall be accompanied by:

147 a. A valid certificate of title issued in the name of the
148 seller or properly endorsed over to the seller;

149 b. A valid salvage certificate of title issued in the name
150 of the seller or properly endorsed over to the seller; or

151 c. A valid certificate of destruction issued in the name of
152 the seller or properly endorsed over to the seller.

153 ~~1. A properly endorsed certificate of title, salvage~~
154 ~~certificate of title, or vehicle certificate of destruction~~
155 ~~issued by the department; or~~

156 ~~2. If the certificate of title has been surrendered to the~~
157 ~~department, a notarized affidavit signed by the owner stating~~
158 ~~that the title has been returned to the State of Florida pursuant~~
159 ~~to paragraph (a), the date on which such return was made, the~~
160 ~~year, make, and vehicle identification number of the motor~~
161 ~~vehicle, and the name, address, and personal identification card~~
162 ~~number of the owner. Any person who willfully and deliberately~~
163 ~~violates this paragraph ~~subparagraph~~ by selling, transporting,~~
164 ~~delivering, purchasing, or receiving a motor vehicle,~~
165 ~~recreational vehicle, or mobile home without obtaining a properly~~
166 ~~endorsed certificate of title, salvage certificate of title, or~~
167 ~~certificate of destruction from the owner ~~falsifying a required~~~~
168 ~~affidavit~~ commits a felony of the third degree, punishable as
169 provided in s. 775.082, s. 775.083, or s. 775.084.

170 (c)1. When a derelict motor vehicle is sold, transported,
171 or delivered to a licensed salvage motor vehicle dealer, the
172 purchaser shall record the date of purchase and the name,

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173 address, and personal identification card number of the person
174 selling the derelict motor vehicle, and it shall be accompanied
175 by:

176 a. A valid certificate of title issued in the name of the
177 seller or properly endorsed over to the seller;

178 b. A valid salvage certificate of title issued in the name
179 of the seller or properly endorsed over to the seller; or

180 c. A valid certificate of destruction issued in the name of
181 the seller or properly endorsed over to the seller.

182 2. If the certificate of title, salvage certificate of
183 title, or certificate of destruction is not available, a derelict
184 motor vehicle certificate shall be completed by the owner of the
185 motor vehicle or mobile home, the owner's authorized transporter,
186 and the licensed salvage motor vehicle dealer at the time of
187 sale, transport, or delivery to the licensed salvage motor
188 vehicle dealer. The derelict motor vehicle certificate shall be
189 used by the owner, the owner's authorized transporter, and the
190 licensed salvage motor vehicle dealer. The licensed salvage motor
191 vehicle dealer shall secure the motor vehicle or mobile home for
192 3 full business days, excluding weekends and holidays, before
193 destroying or dismantling the derelict motor vehicle and shall
194 follow all reporting procedures established by the department,
195 including electronic notification to the department or delivery
196 of the original derelict motor vehicle certificate to an agent of
197 the department within 24 hours after receiving the derelict motor
198 vehicle.

199 3. Any person who willfully and deliberately violates this
200 paragraph by selling, transporting, delivering, purchasing, or
201 receiving a derelict motor vehicle without obtaining a

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202 certificate of title, salvage certificate of title, certificate
203 of destruction, or derelict motor vehicle certificate; enters
204 false or fictitious information on a derelict motor vehicle
205 certificate; does not complete the derelict motor vehicle
206 certificate as required or does not make the required
207 notification to the department; or destroys or dismantles a
208 derelict motor vehicle without waiting the required 3 full
209 business days ~~Anyone who willfully and knowingly induces a person~~
210 ~~to sign an affidavit that falsely asserts that the vehicle title~~
211 ~~has been surrendered to the department~~ commits a felony of the
212 third degree, punishable as provided in s. 775.082, ~~or~~ s.
213 775.083, or s. 775.084.

214 (3)(a)1. As used in this section, a motor vehicle or mobile
215 home is a "total loss":

216 a. When an insurance company pays the vehicle owner to
217 replace the wrecked or damaged vehicle with one of like kind and
218 quality or when an insurance company pays the owner upon the
219 theft of the motor vehicle or mobile home; or

220 b. When an uninsured motor vehicle or mobile home is
221 wrecked or damaged and the cost, at the time of loss, of
222 repairing or rebuilding the vehicle is 80 percent or more of the
223 cost to the owner of replacing the wrecked or damaged motor
224 vehicle or mobile home with one of like kind and quality.

225 2. A motor vehicle or mobile home shall not be considered a
226 "total loss" if the insurance company and owner of a motor
227 vehicle or mobile home agree to repair, rather than to replace,
228 the motor vehicle or mobile home. However, if the actual cost to
229 repair the motor vehicle or mobile home to the insurance company
230 exceeds 100 percent of the cost of replacing the wrecked or

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231 | damaged motor vehicle or mobile home with one of like kind and
232 | quality, the owner shall forward to the department, within 72
233 | hours after the agreement, a request to brand the certificate of
234 | title with the words "Total Loss Vehicle." Such a brand shall
235 | become a part of the vehicle's title history.

236 | (b) The owner, including persons who are self-insured, of
237 | any motor vehicle or mobile home which is considered to be
238 | salvage shall, within 72 hours after the motor vehicle or mobile
239 | home becomes salvage, forward the title to the motor vehicle or
240 | mobile home to the department for processing. However, an
241 | insurance company which pays money as compensation for total loss
242 | of a motor vehicle or mobile home shall obtain the certificate of
243 | title for the motor vehicle or mobile home and, within 72 hours
244 | after receiving such certificate of title, shall forward such
245 | title to the department for processing. The owner or insurance
246 | company, as the case may be, may not dispose of a vehicle or
247 | mobile home that is a total loss before it has obtained a salvage
248 | certificate of title or certificate of destruction from the
249 | department. When applying for a salvage certificate of title or
250 | certificate of destruction, the owner or insurance company must
251 | provide the department with an estimate of the costs of repairing
252 | the physical and mechanical damage suffered by the vehicle for
253 | which a salvage certificate of title or certificate of
254 | destruction is sought. If the estimated costs of repairing the
255 | physical and mechanical damage to the vehicle are equal to 80
256 | percent or more of the current retail cost of the vehicle, as
257 | established in any official used car or used mobile home guide,
258 | the department shall declare the vehicle unrebuildable and print
259 | a certificate of destruction, which authorizes the dismantling or

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260 destruction of the motor vehicle or mobile home described
261 therein. However, if the damaged motor vehicle is equipped with
262 custom-lowered floors for wheelchair access or a wheelchair lift,
263 the insurance company may, upon determining that the vehicle is
264 repairable to a condition that is safe for operation on public
265 roads, submit the certificate of title to the department for
266 reissuance as a salvage rebuildable title and the addition of a
267 title brand of "insurance-declared total loss." The ~~This~~
268 certificate of destruction shall be reassignable a maximum of two
269 times before dismantling or destruction of the vehicle shall be
270 required, and shall accompany the motor vehicle or mobile home
271 for which it is issued, when such motor vehicle or mobile home is
272 sold for such purposes, in lieu of a certificate of title, and,
273 thereafter, the department shall refuse issuance of any
274 certificate of title for that vehicle. Nothing in this subsection
275 shall be applicable when a vehicle is worth less than \$1,500
276 retail in undamaged condition in any official used motor vehicle
277 guide or used mobile home guide or when a stolen motor vehicle or
278 mobile home is recovered in substantially intact condition and is
279 readily resalable without extensive repairs to or replacement of
280 the frame or engine. Any person who willfully and deliberately
281 violates this paragraph or falsifies any document to avoid the
282 requirements of this paragraph commits a misdemeanor of the first
283 degree, punishable as provided in s. 775.082 or s. 775.083.

284 (4) It is unlawful for any person to have in his or her
285 possession any motor vehicle or mobile home when the
286 manufacturer's or state-assigned identification number plate or
287 serial plate has been removed therefrom.

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288 (a) Nothing in this subsection shall be applicable when a
289 vehicle defined in this section as a derelict or salvage was
290 purchased or acquired from a foreign state requiring such
291 vehicle's identification number plate to be surrendered to such
292 state, provided the person shall have an affidavit from the
293 seller describing the vehicle by manufacturer's serial number and
294 the state to which such vehicle's identification number plate was
295 surrendered.

296 (b) Nothing in this subsection shall be applicable if a
297 certificate of destruction has been obtained for the vehicle.

298 (5)(a) It is unlawful for any person to knowingly possess,
299 sell, or exchange, offer to sell or exchange, or give away any
300 certificate of title or manufacturer's or state-assigned
301 identification number plate or serial plate of any motor vehicle,
302 mobile home, or derelict that has been sold as salvage contrary
303 to the provisions of this section, and it is unlawful for any
304 person to authorize, direct, aid in, or consent to the
305 possession, sale, or exchange or to offer to sell, exchange, or
306 give away such certificate of title or manufacturer's or state-
307 assigned identification number plate or serial plate.

308 (b) It is unlawful for any person to knowingly possess,
309 sell, or exchange, offer to sell or exchange, or give away any
310 manufacturer's or state-assigned identification number plate or
311 serial plate of any motor vehicle or mobile home that has been
312 removed from the motor vehicle or mobile home for which it was
313 manufactured, and it is unlawful for any person to authorize,
314 direct, aid in, or consent to the possession, sale, or exchange
315 or to offer to sell, exchange, or give away such manufacturer's
316 or state-assigned identification number plate or serial plate.

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317 (c) This chapter does not apply to anyone who removes,
318 possesses, or replaces a manufacturer's or state-assigned
319 identification number plate, in the course of performing repairs
320 on a vehicle, that require such removal or replacement. If the
321 repair requires replacement of a vehicle part that contains the
322 manufacturer's or state-assigned identification number plate, the
323 manufacturer's or state-assigned identification number plate that
324 is assigned to the vehicle being repaired will be installed on
325 the replacement part. The manufacturer's or state-assigned
326 identification number plate that was removed from this
327 replacement part will be installed on the part that was removed
328 from the vehicle being repaired.

329 (6) (a) In the event of a purchase by a salvage motor
330 vehicle dealer of materials or major component parts for any
331 reason, the purchaser shall:

332 1. ~~(a)~~ For each item of materials or major component parts
333 purchased, the salvage motor vehicle dealer shall record the date
334 of purchase and the name, and address ~~of the seller~~, and the
335 personal identification card number of the person selling
336 ~~delivering~~ such items, as well as the vehicle identification
337 number, if available.

338 2. ~~(b)~~ With respect to each item of materials or major
339 component parts purchased, obtain such documentation as may be
340 required by subsection (2).

341 (b) Any person who violates this subsection commits a
342 felony of the third degree ~~misdemeanor of the first degree~~,
343 punishable as provided in s. 775.082, ~~or~~ s. 775.083, or s.
344 775.084.

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345 (7) (a) In the event of a purchase by a secondary metals
346 recycler, that has been issued a certificate of registration
347 number, of:

348 1.(a) Materials, prepared materials, or parts from any
349 seller for purposes other than the processing of such materials,
350 prepared materials, or parts, the purchaser shall obtain such
351 documentation as may be required by this section~~7~~ and shall
352 record the seller's name and address, date of purchase, and the
353 personal identification card number of the person delivering such
354 items.

355 2.(b) Parts or prepared materials from any seller for
356 purposes of the processing of such parts or prepared materials,
357 the purchaser shall record the seller's name and address and date
358 of purchase~~7~~ and, in the event of a purchase transaction
359 consisting primarily of parts or prepared materials, the personal
360 identification card number of the person delivering such items.

361 3.(c) Materials from another secondary metals recycler for
362 purposes of the processing of such materials, the purchaser shall
363 record the seller's name and~~7~~ address~~7~~ and date of purchase.

364 4.a.(d) Motor vehicles, recreational vehicles, mobile
365 homes, or derelict motor vehicles ~~derelicts~~ from other than a
366 secondary metals recycler for purposes of the processing of such
367 motor vehicles, recreational vehicles, mobile homes, or derelict
368 motor vehicles ~~derelicts~~, the purchaser shall record the date of
369 purchase and the ~~seller's~~ name, address, ~~date of purchase~~~~7~~ and
370 ~~the~~ personal identification card number of the person selling
371 ~~delivering~~ such items~~7~~ and shall obtain the following
372 documentation from the seller with respect to each item
373 purchased:

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374 (I)1. A valid certificate of title issued in the name of
375 the seller or properly endorsed over to the seller;

376 (II)2. A valid certificate of destruction issued in the
377 name of the seller or properly endorsed over to the seller; or

378 (III)3. A valid derelict motor vehicle certificate
379 completed by a licensed salvage motor vehicle dealer and properly
380 reassigned to the secondary metals recycler.

381 b. If a valid certificate of title, salvage certificate of
382 title, or a valid certificate of destruction, or derelict motor
383 vehicle certificate is not available and the motor vehicle or
384 mobile home is a derelict motor vehicle, a derelict motor vehicle
385 certificate shall be completed by the owner of the motor vehicle
386 or mobile home, the owner's authorized transporter, and the
387 registered secondary metals recycler at the time of sale,
388 transport, or delivery to the registered secondary metals
389 recycler. The derelict motor vehicle certificate shall be used by
390 the owner, the owner's authorized transporter, and the registered
391 secondary metals recycler. The registered secondary metals
392 recycler shall secure the derelict motor vehicle for 3 full
393 business days, excluding weekends and holidays, before destroying
394 or dismantling the derelict motor vehicle and shall follow all
395 reporting procedures established by the department, including
396 electronic notification to the department or delivery of the
397 original derelict motor vehicle certificate to an agent of the
398 department within 24 hours after receiving the derelict motor
399 vehicle an affidavit signed by the seller stating that the seller
400 returned the certificate of title to the State of Florida
401 pursuant to subsection (2) and the date on which such return was

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402 ~~made, and setting forth the vehicle identification number of such~~
403 ~~motor vehicle, mobile home, or derelict.~~

404 c. Any person who willfully and deliberately violates this
405 subparagraph by selling, transporting, delivering, purchasing, or
406 receiving a motor vehicle, recreational motor vehicle, mobile
407 home, or derelict motor vehicle without obtaining a certificate
408 of title, salvage certificate of title, certificate of
409 destruction, or derelict motor vehicle certificate; enters false
410 or fictitious information on a derelict motor vehicle
411 certificate; does not complete the derelict motor vehicle
412 certificate as required or does not make the required
413 notification to the department; or destroys or dismantles a
414 derelict motor vehicle without waiting the required 3 full
415 business days commits a felony of the third degree, punishable as
416 provided in s. 775.082, s. 775.083, or s. 775.084.

417 5.(e) Major parts from other than a secondary metals
418 recycler for purposes of the processing of such major parts, the
419 purchaser shall record the seller's name, address, date of
420 purchase, and the personal identification card number of the
421 person delivering such items, as well as the vehicle
422 identification number, if available, of each major part
423 purchased.

424 (b) Any person who violates this subsection commits a
425 felony of the third degree, punishable as provided in s. 775.082,
426 s. 775.083, or s. 775.084.

427 (8) (a) Secondary metals recyclers and salvage motor vehicle
428 dealers shall return to the department on a monthly basis all
429 certificates of title and salvage certificates of title that are
430 required by this section to be obtained. Secondary metals

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431 recyclers and salvage motor vehicle dealers may elect to notify
432 the department electronically through procedures established by
433 the department when they receive each motor vehicle or mobile
434 home, salvage motor vehicle or mobile home, or derelict motor
435 vehicle with a certificate of title or salvage certificate of
436 title through procedures established by the department. The
437 department may adopt rules and establish fees as it deems
438 necessary or proper for the administration of the electronic
439 notification service.

440 (b) Secondary metals recyclers and salvage motor vehicle
441 dealers shall keep originals, or a copy in the event the original
442 was returned to the department, of all certificates of title,
443 salvage certificates of title, certificates of destruction,
444 derelict motor vehicle certificates ~~all certificates of~~
445 ~~destruction, seller's affidavits,~~ and all other information
446 required by this section to be recorded or obtained, on file in
447 the offices of such secondary metals recyclers or salvage motor
448 vehicle dealers for a period of 3 years after ~~from~~ the date of
449 purchase of the items reflected in such certificates of title,
450 salvage certificates of title, certificates of destruction, or
451 derelict motor vehicle certificates ~~seller's affidavits~~. These
452 records shall be maintained in chronological order.

453 (c) For the purpose of enforcement of this section, the
454 department or its agents and employees have the same right of
455 inspection as law enforcement officers as provided in s. 812.055.

456 (d) Whenever the department, its agent or employee, or any
457 law enforcement officer has reason to believe that a stolen or
458 fraudulently titled motor vehicle, mobile home, recreational
459 vehicle, salvage motor vehicle, or derelict motor vehicle is in

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460 the possession of a salvage motor vehicle dealer or secondary
461 metals recycler, the department, its agent or employee, or the
462 law enforcement officer may issue a hold notice, not to exceed 5
463 business days, excluding weekends and holidays, to the salvage
464 motor vehicle dealer or registered secondary metals recycler.

465 (e) Whenever a salvage motor vehicle dealer or registered
466 secondary metals recycler is notified by the department, its
467 agent or employee, or any law enforcement officer to hold a motor
468 vehicle, mobile home, recreational vehicle, salvage motor
469 vehicle, or derelict motor vehicle that is believed to be stolen
470 or fraudulently titled, the salvage motor vehicle dealer or
471 registered secondary metals recycler shall hold the motor
472 vehicle, mobile home, recreational vehicle, salvage motor
473 vehicle, or derelict motor vehicle and may not dismantle or
474 destroy the motor vehicle, mobile home, recreational vehicle,
475 salvage motor vehicle, or derelict motor vehicle until it is
476 recovered by law enforcement, the hold is released by the
477 department or the law enforcement officer placing the hold, or
478 the 5 working days has passed since being notified of the hold.

479 (f) The department is authorized to adopt rules pursuant to
480 ss. 120.536(1) and 120.54 establishing policies and procedures to
481 administer and enforce this section.

482 (g) The department shall charge a fee of \$3 for each
483 derelict motor vehicle certificate delivered to the department or
484 one of its agents for processing and shall mark the title record
485 canceled. A service charge may be collected under s. 320.04.

486 (9) Except as otherwise provided in this section, any
487 person who violates this section commits a felony of the third

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488 degree, punishable as provided in s. 775.082, s. 775.083, or s.
489 775.084.

490 Section 2. Paragraph (b) of subsection (1) of section
491 319.14, Florida Statutes, is amended to read:

492 319.14 Sale of motor vehicles registered or used as
493 taxicabs, police vehicles, lease vehicles, or rebuilt vehicles
494 and nonconforming vehicles.--

495 (1)

496 (b) No person shall knowingly offer for sale, sell, or
497 exchange a rebuilt vehicle until the department has stamped in a
498 conspicuous place on the certificate of title for the vehicle
499 words stating that the vehicle has been rebuilt or assembled from
500 parts, or is a kit car, glider kit, replica, or flood vehicle
501 unless proper application for a certificate of title for a
502 vehicle that is rebuilt or assembled from parts, or is a kit car,
503 glider kit, replica, or flood vehicle has been made to the
504 department in accordance with this chapter and the department has
505 conducted the physical examination of the vehicle to assure the
506 identity of the vehicle and all major component parts, as defined
507 in s. 319.30(1)~~(e)~~, which have been repaired or replaced.
508 Thereafter, the department shall affix a decal to the vehicle, in
509 the manner prescribed by the department, showing the vehicle to
510 be rebuilt.

511 Section 3. This act shall take effect July 1, 2008.