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CHAMBER ACTION

<u>Senate</u>	.	<u>House</u>
Comm: 4/RCS	.	
3/11/2008	.	
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	.	

1 The Committee on Transportation (Baker) recommended the
 2 following **amendment**:

3
 4 **Senate Amendment (with title amendment)**

5 Between line(s) 759-760

6 insert:

7
 8 Section 23. Subsection (3) of section 320.27, Florida
 9 Statutes, is amended to read:

10 320.27 Motor vehicle dealers.--

11 (3) APPLICATION AND FEE.--The application for the license
 12 shall be in such form as may be prescribed by the department and
 13 shall be subject to such rules with respect thereto as may be so
 14 prescribed by it. Such application shall be verified by oath or
 15 affirmation and shall contain a full statement of the name and

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16 birth date of the person or persons applying therefor; the name
17 of the firm or copartnership, with the names and places of
18 residence of all members thereof, if such applicant is a firm or
19 copartnership; the names and places of residence of the
20 principal officers, if the applicant is a body corporate or
21 other artificial body; the name of the state under whose laws
22 the corporation is organized; the present and former place or
23 places of residence of the applicant; and prior business in
24 which the applicant has been engaged and the location thereof.
25 Such application shall describe the exact location of the place
26 of business and shall state whether the place of business is
27 owned by the applicant and when acquired, or, if leased, a true
28 copy of the lease shall be attached to the application. The
29 applicant shall certify that the location provides an adequately
30 equipped office and is not a residence; that the location
31 affords sufficient unoccupied space upon and within which
32 adequately to store all motor vehicles offered and displayed for
33 sale; and that the location is a suitable place where the
34 applicant can in good faith carry on such business and keep and
35 maintain books, records, and files necessary to conduct such
36 business, which will be available at all reasonable hours to
37 inspection by the department or any of its inspectors or other
38 employees. The applicant shall certify that the business of a
39 motor vehicle dealer is the principal business which shall be
40 conducted at that location. Such application shall contain a
41 statement that the applicant is either franchised by a
42 manufacturer of motor vehicles, in which case the name of each
43 motor vehicle that the applicant is franchised to sell shall be



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44 included, or an independent (nonfranchised) motor vehicle
45 dealer. Such application shall contain such other relevant
46 information as may be required by the department, including
47 evidence that the applicant is insured under a ~~garage~~ liability
48 insurance policy, which shall include, at a minimum, \$25,000
49 combined single-limit liability coverage including bodily injury
50 and property damage protection and \$10,000 personal injury
51 protection. Such policy shall be for the license period, and
52 evidence of a new or continued policy shall be delivered to the
53 department at the beginning of each license period. Upon making
54 such initial application, the person applying therefor shall pay
55 to the department a fee of \$300 in addition to any other fees
56 now required by law; upon making a subsequent renewal
57 application, the person applying therefor shall pay to the
58 department a fee of \$75 in addition to any other fees now
59 required by law. Upon making an application for a change of
60 location, the person shall pay a fee of \$50 in addition to any
61 other fees now required by law. The department shall, in the
62 case of every application for initial licensure, verify whether
63 certain facts set forth in the application are true. Each
64 applicant, general partner in the case of a partnership, or
65 corporate officer and director in the case of a corporate
66 applicant, must file a set of fingerprints with the department
67 for the purpose of determining any prior criminal record or any
68 outstanding warrants. The department shall submit the
69 fingerprints to the Department of Law Enforcement for state
70 processing and forwarding to the Federal Bureau of Investigation
71 for federal processing. The actual cost of such state and



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72 federal processing shall be borne by the applicant and is to be
73 in addition to the fee for licensure. The department may issue a
74 license to an applicant pending the results of the fingerprint
75 investigation, which license is fully revocable if the
76 department subsequently determines that any facts set forth in
77 the application are not true or correctly represented.

78
79 ===== T I T L E A M E N D M E N T =====

80 And the title is amended as follows:

81 Line 78, after the first semicolon
82 insert:

83 amending s. 320.27, F.S., revising evidence required for
84 motor vehicle dealer applications;