

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 that require  
8           that certain documents accompany a motor vehicle or mobile  
9           home sold, transported, or delivered to a salvage motor  
10          vehicle 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,  
 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  
 50 or major component part with or without all component parts,  
 51 which is inoperable, and which material is in such condition  
 52 that its highest or primary value is either in its sale or  
 53 transfer as scrap metal or for its component parts, or a  
 54 combination of the 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.

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57 320.01(2), with or without all parts, major parts, or major  
58 component parts, that is valued under \$1,000, is at least 10  
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,  
67 and 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.  
70 A derelict motor vehicle certificate can only be reassigned one  
71 time in the event that the derelict motor vehicle certificate  
72 was completed by a licensed salvage motor vehicle dealer and  
73 then the derelict motor vehicle was sold to a secondary metals  
74 recycler.

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

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

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

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

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

95 4. For mobile homes, the frame.

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

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

100 (k)~~(h)~~ "Mobile home" means mobile home as defined in s.  
 101 320.01(2).

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

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

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

109 (o)~~(l)~~ "Prepared materials" means motor vehicles, mobile  
 110 homes, derelict motor vehicles ~~derelicts~~, major parts, or parts  
 111 that have been processed by mechanically flattening or crushing,

112 or otherwise processed such that they are not the motor vehicle  
 113 or mobile home described in the certificate of title, or their  
 114 only value is as scrap metal.

115 (p)~~(m)~~ "Processing" means the business of performing the  
 116 manufacturing process by which ferrous metals or nonferrous  
 117 metals are converted into raw material products consisting of  
 118 prepared grades and having an existing or potential economic  
 119 value, or the purchase of materials, prepared materials, or  
 120 parts therefor.

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

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

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

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

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

133 (2)(a) Each person mentioned as owner in the last issued  
 134 certificate of title, when such motor vehicle or mobile home is  
 135 dismantled, destroyed, or changed in such manner that it is not  
 136 the motor vehicle or mobile home described in the certificate of  
 137 title, shall surrender his or her certificate of title to the  
 138 department, and thereupon the department shall, with the consent  
 139 of any lienholders noted thereon, enter a cancellation upon its

140 records. Upon cancellation of a certificate of title in the  
 141 manner prescribed by this section, the department may cancel and  
 142 destroy all certificates in that chain of title. Any person who  
 143 willfully and deliberately violates this paragraph commits a  
 144 misdemeanor of the second degree, punishable as provided in s.  
 145 775.082 or s. 775.083.

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

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

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

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

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

158 ~~2. If the certificate of title has been surrendered to the~~  
 159 ~~department, a notarized affidavit signed by the owner stating~~  
 160 ~~that the title has been returned to the State of Florida~~  
 161 ~~pursuant to paragraph (a), the date on which such return was~~  
 162 ~~made, the year, make, and vehicle identification number of the~~  
 163 ~~motor vehicle, and the name, address, and personal~~  
 164 ~~identification card number of the owner. Any person who~~  
 165 ~~willfully and deliberately violates this paragraph~~ subparagraph  
 166 ~~by~~ selling, transporting, delivering, purchasing, or receiving a  
 167 motor vehicle, recreational vehicle, or mobile home without

168 obtaining a properly endorsed certificate of title, salvage  
 169 certificate of title, or certificate of destruction from the  
 170 owner ~~falsifying a required affidavit~~ commits a felony of the  
 171 third degree, punishable as provided in s. 775.082, s. 775.083,  
 172 or s. 775.084.

173 (c)1. When a derelict motor vehicle is sold, transported,  
 174 or delivered to a licensed salvage motor vehicle dealer, the  
 175 purchaser shall record the date of purchase and the name,  
 176 address, and personal identification card number of the person  
 177 selling the derelict motor vehicle, and it shall be accompanied  
 178 by:

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

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

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

185 2. If the certificate of title, salvage certificate of  
 186 title, or certificate of destruction is not available, a  
 187 derelict motor vehicle certificate shall be completed by the  
 188 owner of the motor vehicle or mobile home, the owner's  
 189 authorized transporter, and the licensed salvage motor vehicle  
 190 dealer at the time of sale, transport, or delivery to the  
 191 licensed salvage motor vehicle dealer. The derelict motor  
 192 vehicle certificate shall be used by the owner, the owner's  
 193 authorized transporter, and the licensed salvage motor vehicle  
 194 dealer. The licensed salvage motor vehicle dealer shall secure  
 195 the motor vehicle or mobile home for 3 full business days,

196 excluding weekends and holidays, before destroying or  
 197 dismantling the derelict motor vehicle and shall follow all  
 198 reporting procedures established by the department, including  
 199 electronic notification to the department or delivery of the  
 200 original derelict motor vehicle certificate to an agent of the  
 201 department within 24 hours after receiving the derelict motor  
 202 vehicle.

203 3. Any person who willfully and deliberately violates this  
 204 paragraph by selling, transporting, delivering, purchasing, or  
 205 receiving a derelict motor vehicle without obtaining a  
 206 certificate of title, salvage certificate of title, certificate  
 207 of destruction, or derelict motor vehicle certificate; enters  
 208 false or fictitious information on a derelict motor vehicle  
 209 certificate; does not complete the derelict motor vehicle  
 210 certificate as required or does not make the required  
 211 notification to the department; or destroys or dismantles a  
 212 derelict motor vehicle without waiting the required 3 full  
 213 business days ~~Anyone who willfully and knowingly induces a~~  
 214 ~~person to sign an affidavit that falsely asserts that the~~  
 215 ~~vehicle title has been surrendered to the department commits a~~  
 216 ~~felony of the third degree, punishable as provided in s.~~  
 217 ~~775.082, or s. 775.083, or s. 775.084.~~

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

220 a. When an insurance company pays the vehicle owner to  
 221 replace the wrecked or damaged vehicle with one of like kind and  
 222 quality or when an insurance company pays the owner upon the  
 223 theft of the motor vehicle or mobile home; or



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

229           2. A motor vehicle or mobile home shall not be considered  
 230 a "total loss" if the insurance company and owner of a motor  
 231 vehicle or mobile home agree to repair, rather than to replace,  
 232 the motor vehicle or mobile home. However, if the actual cost to  
 233 repair the motor vehicle or mobile home to the insurance company  
 234 exceeds 100 percent of the cost of replacing the wrecked or  
 235 damaged motor vehicle or mobile home with one of like kind and  
 236 quality, the owner shall forward to the department, within 72  
 237 hours after the agreement, a request to brand the certificate of  
 238 title with the words "Total Loss Vehicle." Such a brand shall  
 239 become a part of the vehicle's title history.

240           (b) The owner, including persons who are self-insured, of  
 241 any motor vehicle or mobile home which is considered to be  
 242 salvage shall, within 72 hours after the motor vehicle or mobile  
 243 home becomes salvage, forward the title to the motor vehicle or  
 244 mobile home to the department for processing. However, an  
 245 insurance company which pays money as compensation for total  
 246 loss of a motor vehicle or mobile home shall obtain the  
 247 certificate of title for the motor vehicle or mobile home and,  
 248 within 72 hours after receiving such certificate of title, shall  
 249 forward such title to the department for processing. The owner  
 250 or insurance company, as the case may be, may not dispose of a  
 251 vehicle or mobile home that is a total loss before it has

252 | obtained a salvage certificate of title or certificate of  
253 | destruction from the department. When applying for a salvage  
254 | certificate of title or certificate of destruction, the owner or  
255 | insurance company must provide the department with an estimate  
256 | of the costs of repairing the physical and mechanical damage  
257 | suffered by the vehicle for which a salvage certificate of title  
258 | or certificate of destruction is sought. If the estimated costs  
259 | of repairing the physical and mechanical damage to the vehicle  
260 | are equal to 80 percent or more of the current retail cost of  
261 | the vehicle, as established in any official used car or used  
262 | mobile home guide, the department shall declare the vehicle  
263 | unrebuildable and print a certificate of destruction, which  
264 | authorizes the dismantling or destruction of the motor vehicle  
265 | or mobile home described therein. However, if the damaged motor  
266 | vehicle is equipped with custom-lowered floors for wheelchair  
267 | access or a wheelchair lift, the insurance company may, upon  
268 | determining that the vehicle is repairable to a condition that  
269 | is safe for operation on public roads, submit the certificate of  
270 | title to the department for reissuance as a salvage rebuildable  
271 | title and the addition of a title brand of "insurance-declared  
272 | total loss." The ~~This~~ certificate of destruction shall be  
273 | reassignable a maximum of two times before dismantling or  
274 | destruction of the vehicle shall be required, and shall  
275 | accompany the motor vehicle or mobile home for which it is  
276 | issued, when such motor vehicle or mobile home is sold for such  
277 | purposes, in lieu of a certificate of title, and, thereafter,  
278 | the department shall refuse issuance of any certificate of title  
279 | for that vehicle. Nothing in this subsection shall be applicable

280 when a vehicle is worth less than \$1,500 retail in undamaged  
 281 condition in any official used motor vehicle guide or used  
 282 mobile home guide or when a stolen motor vehicle or mobile home  
 283 is recovered in substantially intact condition and is readily  
 284 resalable without extensive repairs to or replacement of the  
 285 frame or engine. Any person who willfully and deliberately  
 286 violates this paragraph or falsifies any document to avoid the  
 287 requirements of this paragraph commits a misdemeanor of the  
 288 first degree, punishable as provided in s. 775.082 or s.  
 289 775.083.

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

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

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

304 (5)(a) It is unlawful for any person to knowingly possess,  
 305 sell, or exchange, offer to sell or exchange, or give away any  
 306 certificate of title or manufacturer's or state-assigned  
 307 identification number plate or serial plate of any motor

308 vehicle, mobile home, or derelict that has been sold as salvage  
309 contrary to the provisions of this section, and it is unlawful  
310 for any person to authorize, direct, aid in, or consent to the  
311 possession, sale, or exchange or to offer to sell, exchange, or  
312 give away such certificate of title or manufacturer's or state-  
313 assigned identification number plate or serial plate.

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

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

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

338           1. ~~(a)~~ For each item of materials or major component parts  
339 purchased, the salvage motor vehicle dealer shall record the  
340 date of purchase and the, name, and address ~~of the seller~~, and  
341 ~~the~~ personal identification card number of the person selling  
342 ~~delivering~~ such items, as well as the vehicle identification  
343 number, if available.

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

347           (b) Any person who violates this subsection commits a  
348 felony of the third degree ~~misdemeanor of the first degree~~,  
349 punishable as provided in s. 775.082, ~~or~~ s. 775.083, or s.  
350 775.084.

351           (7) (a) In the event of a purchase by a secondary metals  
352 recycler, that has been issued a certificate of registration  
353 number, of:

354           1. ~~(a)~~ Materials, prepared materials, or parts from any  
355 seller for purposes other than the processing of such materials,  
356 prepared materials, or parts, the purchaser shall obtain such  
357 documentation as may be required by this section, ~~and shall~~  
358 record the seller's name and address, date of purchase, and the  
359 personal identification card number of the person delivering  
360 such items.

361           2. ~~(b)~~ Parts or prepared materials from any seller for  
362 purposes of the processing of such parts or prepared materials,

363 the purchaser shall record the seller's name and address and  
 364 date of purchase, and, in the event of a purchase transaction  
 365 consisting primarily of parts or prepared materials, the  
 366 personal identification card number of the person delivering  
 367 such items.

368 3.(e) Materials from another secondary metals recycler for  
 369 purposes of the processing of such materials, the purchaser  
 370 shall record the seller's name and, address, and date of  
 371 purchase.

372 4.a.(d) Motor vehicles, recreational vehicles, mobile  
 373 homes, or derelict motor vehicles ~~derelicts~~ from other than a  
 374 secondary metals recycler for purposes of the processing of such  
 375 motor vehicles, recreational vehicles, mobile homes, or derelict  
 376 motor vehicles ~~derelicts~~, the purchaser shall record the date of  
 377 purchase and the ~~seller's~~ name, address, ~~date of purchase~~, and  
 378 ~~the~~ personal identification card number of the person selling  
 379 ~~delivering~~ such items, and shall obtain the following  
 380 documentation from the seller with respect to each item  
 381 purchased:

382 (I)1- A valid certificate of title issued in the name of  
 383 the seller or properly endorsed over to the seller;

384 (II)2- A valid certificate of destruction issued in the  
 385 name of the seller or properly endorsed over to the seller; or

386 (III)3- A valid derelict motor vehicle certificate  
 387 completed by a licensed salvage motor vehicle dealer and  
 388 properly reassigned to the secondary metals recycler.

389 b. If a valid certificate of title, salvage certificate of  
 390 title, ~~or a valid~~ certificate of destruction, or derelict motor

391 vehicle certificate is not available and the motor vehicle or  
392 mobile home is a derelict motor vehicle, a derelict motor  
393 vehicle certificate shall be completed by the owner of the motor  
394 vehicle or mobile home, the owner's authorized transporter, and  
395 the registered secondary metals recycler at the time of sale,  
396 transport, or delivery to the registered secondary metals  
397 recycler. The derelict motor vehicle certificate shall be used  
398 by the owner, the owner's authorized transporter, and the  
399 registered secondary metals recycler. The registered secondary  
400 metals recycler shall secure the derelict motor vehicle for 3  
401 full business days, excluding weekends and holidays, before  
402 destroying or dismantling the derelict motor vehicle and shall  
403 follow all reporting procedures established by the department,  
404 including electronic notification to the department or delivery  
405 of the original derelict motor vehicle certificate to an agent  
406 of the department within 24 hours after receiving the derelict  
407 motor vehicle ~~an affidavit signed by the seller stating that the~~  
408 ~~seller returned the certificate of title to the State of Florida~~  
409 ~~pursuant to subsection (2) and the date on which such return was~~  
410 ~~made, and setting forth the vehicle identification number of~~  
411 ~~such motor vehicle, mobile home, or derelict.~~

412 c. Any person who willfully and deliberately violates this  
413 subparagraph by selling, transporting, delivering, purchasing,  
414 or receiving a motor vehicle, recreational motor vehicle, mobile  
415 home, or derelict motor vehicle without obtaining a certificate  
416 of title, salvage certificate of title, certificate of  
417 destruction, or derelict motor vehicle certificate; enters false  
418 or fictitious information on a derelict motor vehicle

419 certificate; does not complete the derelict motor vehicle  
420 certificate as required or does not make the required  
421 notification to the department; or destroys or dismantles a  
422 derelict motor vehicle without waiting the required 3 full  
423 business days commits a felony of the third degree, punishable  
424 as provided in s. 775.082, s. 775.083, or s. 775.084.

425 5.(e) Major parts from other than a secondary metals  
426 recycler for purposes of the processing of such major parts, the  
427 purchaser shall record the seller's name, address, date of  
428 purchase, and the personal identification card number of the  
429 person delivering such items, as well as the vehicle  
430 identification number, if available, of each major part  
431 purchased.

432 (b) Any person who violates this subsection commits a  
433 felony of the third degree, punishable as provided in s.  
434 775.082, s. 775.083, or s. 775.084.

435 (8) (a) Secondary metals recyclers and salvage motor  
436 vehicle dealers shall return to the department on a monthly  
437 basis all certificates of title and salvage certificates of  
438 title that are required by this section to be obtained.  
439 Secondary metals recyclers and salvage motor vehicle dealers may  
440 elect to notify the department electronically through procedures  
441 established by the department when they receive each motor  
442 vehicle or mobile home, salvage motor vehicle or mobile home, or  
443 derelict motor vehicle with a certificate of title or salvage  
444 certificate of title through procedures established by the  
445 department. The department may adopt rules and establish fees as



446 it deems necessary or proper for the administration of the  
 447 electronic notification service.

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

462 (c) For the purpose of enforcement of this section, the  
 463 department or its agents and employees have the same right of  
 464 inspection as law enforcement officers as provided in s.  
 465 812.055.

466 (d) Whenever the department, its agent or employee, or any  
 467 law enforcement officer has reason to believe that a stolen or  
 468 fraudulently titled motor vehicle, mobile home, recreational  
 469 vehicle, salvage motor vehicle, or derelict motor vehicle is in  
 470 the possession of a salvage motor vehicle dealer or secondary  
 471 metals recycler, the department, its agent or employee, or the  
 472 law enforcement officer may issue a hold notice, not to exceed 5

473 business days, excluding weekends and holidays, to the salvage  
474 motor vehicle dealer or registered secondary metals recycler.

475 (e) Whenever a salvage motor vehicle dealer or registered  
476 secondary metals recycler is notified by the department, its  
477 agent or employee, or any law enforcement officer to hold a  
478 motor vehicle, mobile home, recreational vehicle, salvage motor  
479 vehicle, or derelict motor vehicle that is believed to be stolen  
480 or fraudulently titled, the salvage motor vehicle dealer or  
481 registered secondary metals recycler shall hold the motor  
482 vehicle, mobile home, recreational vehicle, salvage motor  
483 vehicle, or derelict motor vehicle and may not dismantle or  
484 destroy the motor vehicle, mobile home, recreational vehicle,  
485 salvage motor vehicle, or derelict motor vehicle until it is  
486 recovered by law enforcement, the hold is released by the  
487 department or the law enforcement officer placing the hold, or  
488 the 5 working days has passed since being notified of the hold.

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

492 (g) The department shall charge a fee of \$3 for each  
493 derelict motor vehicle certificate delivered to the department  
494 or one of its agents for processing and shall mark the title  
495 record canceled. A service charge may be collected under s.  
496 320.04.

497 (9) Except as otherwise provided in this section, any  
498 person who violates this section commits a felony of the third  
499 degree, punishable as provided in s. 775.082, s. 775.083, or s.  
500 775.084.

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501 Section 2. Paragraph (b) of subsection (1) of section  
502 319.14, Florida Statutes, is amended to read:

503 319.14 Sale of motor vehicles registered or used as  
504 taxicabs, police vehicles, lease vehicles, or rebuilt vehicles  
505 and nonconforming vehicles.--

506 (1)

507 (b) No person shall knowingly offer for sale, sell, or  
508 exchange a rebuilt vehicle until the department has stamped in a  
509 conspicuous place on the certificate of title for the vehicle  
510 words stating that the vehicle has been rebuilt or assembled  
511 from parts, or is a kit car, glider kit, replica, or flood  
512 vehicle unless proper application for a certificate of title for  
513 a vehicle that is rebuilt or assembled from parts, or is a kit  
514 car, glider kit, replica, or flood vehicle has been made to the  
515 department in accordance with this chapter and the department  
516 has conducted the physical examination of the vehicle to assure  
517 the identity of the vehicle and all major component parts, as  
518 defined in s. 319.30(1)~~(e)~~, which have been repaired or  
519 replaced. Thereafter, the department shall affix a decal to the  
520 vehicle, in the manner prescribed by the department, showing the  
521 vehicle to be rebuilt.

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