

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 the record that is
 46 | evidence of ownership of a vehicle, whether a paper certificate
 47 | authorized by the department or a certificate consisting of
 48 | information that is stored in an electronic form in the
 49 | department's database.

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

57 (e) "Derelict motor vehicle" means any motor vehicle as
58 defined in s. 320.01(1) or mobile home as defined in s.
59 320.01(2), with or without all parts, major parts, or major
60 component parts, that is valued under \$1,000, is at least 10
61 model years old, and is in such condition that its highest or
62 primary value is for sale, transport, or delivery to a licensed
63 salvage motor vehicle dealer or registered secondary metals
64 recycler for dismantling its component parts or conversion to
65 scrap metal.

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

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

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

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

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

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

97 4. For mobile homes, the frame.

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

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

102 (k)~~(h)~~ "Mobile home" means mobile home as defined in s.
103 320.01(2).

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

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

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

111 (o)~~(l)~~ "Prepared materials" means motor vehicles, mobile
112 homes, derelict motor vehicles ~~derelicts~~, major parts, or parts

113 that have been processed by mechanically flattening or crushing,
114 or otherwise processed such that they are not the motor vehicle
115 or mobile home described in the certificate of title, or their
116 only value is as scrap metal.

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

123 (q) "Recreational vehicle" means motor vehicle as defined
124 in s. 320.01(1).

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

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

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

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

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

141 of any lienholders noted thereon, enter a cancellation upon its
 142 records. Upon cancellation of a certificate of title in the
 143 manner prescribed by this section, the department may cancel and
 144 destroy all certificates in that chain of title. Any person who
 145 willfully and deliberately violates this paragraph commits a
 146 misdemeanor of the second degree, punishable as provided in s.
 147 775.082 or s. 775.083.

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

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

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

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

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

160 ~~2. If the certificate of title has been surrendered to the~~
 161 ~~department, a notarized affidavit signed by the owner stating~~
 162 ~~that the title has been returned to the State of Florida~~
 163 ~~pursuant to paragraph (a), the date on which such return was~~
 164 ~~made, the year, make, and vehicle identification number of the~~
 165 ~~motor vehicle, and the name, address, and personal~~
 166 ~~identification card number of the owner. Any person who~~
 167 willfully and deliberately violates this paragraph ~~subparagraph~~
 168 by selling, transporting, delivering, purchasing, or receiving a

169 motor vehicle, recreational vehicle, or mobile home without
170 obtaining a properly endorsed certificate of title, salvage
171 certificate of title, or certificate of destruction from the
172 owner ~~falsifying a required affidavit~~ commits a felony of the
173 third degree, punishable as provided in s. 775.082, s. 775.083,
174 or s. 775.084.

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

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

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

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

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

197 the motor vehicle or mobile home for 3 full business days,
 198 excluding weekends and holidays, before destroying or
 199 dismantling the derelict motor vehicle and shall follow all
 200 reporting procedures established by the department, including
 201 electronic notification to the department or delivery of the
 202 original derelict motor vehicle certificate to an agent of the
 203 department within 24 hours after receiving the derelict motor
 204 vehicle.

205 3. Any person who willfully and deliberately violates this
 206 paragraph by selling, transporting, delivering, purchasing, or
 207 receiving a derelict motor vehicle without obtaining a
 208 certificate of title, salvage certificate of title, certificate
 209 of destruction, or derelict motor vehicle certificate; enters
 210 false or fictitious information on a derelict motor vehicle
 211 certificate; does not complete the derelict motor vehicle
 212 certificate as required or does not make the required
 213 notification to the department; or destroys or dismantles a
 214 derelict motor vehicle without waiting the required 3 full
 215 business days ~~Anyone who willfully and knowingly induces a~~
 216 ~~person to sign an affidavit that falsely asserts that the~~
 217 ~~vehicle title has been surrendered to the department~~ commits a
 218 felony of the third degree, punishable as provided in s.
 219 775.082, ~~or~~ s. 775.083, or s. 775.084.

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

222 a. When an insurance company pays the vehicle owner to
 223 replace the wrecked or damaged vehicle with one of like kind and

224 quality or when an insurance company pays the owner upon the
225 theft of the motor vehicle or mobile home; or

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

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

242 (b) The owner, including persons who are self-insured, of
243 any motor vehicle or mobile home which is considered to be
244 salvage shall, within 72 hours after the motor vehicle or mobile
245 home becomes salvage, forward the title to the motor vehicle or
246 mobile home to the department for processing. However, an
247 insurance company which pays money as compensation for total
248 loss of a motor vehicle or mobile home shall obtain the
249 certificate of title for the motor vehicle or mobile home and,
250 within 72 hours after receiving such certificate of title, shall
251 forward such title to the department for processing. The owner

252 or insurance company, as the case may be, may not dispose of a
253 vehicle or mobile home that is a total loss before it has
254 obtained a salvage certificate of title or certificate of
255 destruction from the department. When applying for a salvage
256 certificate of title or certificate of destruction, the owner or
257 insurance company must provide the department with an estimate
258 of the costs of repairing the physical and mechanical damage
259 suffered by the vehicle for which a salvage certificate of title
260 or certificate of destruction is sought. If the estimated costs
261 of repairing the physical and mechanical damage to the vehicle
262 are equal to 80 percent or more of the current retail cost of
263 the vehicle, as established in any official used car or used
264 mobile home guide, the department shall declare the vehicle
265 unrebuildable and print a certificate of destruction, which
266 authorizes the dismantling or destruction of the motor vehicle
267 or mobile home described therein. However, if the damaged motor
268 vehicle is equipped with custom-lowered floors for wheelchair
269 access or a wheelchair lift, the insurance company may, upon
270 determining that the vehicle is repairable to a condition that
271 is safe for operation on public roads, submit the certificate of
272 title to the department for reissuance as a salvage rebuildable
273 title and the addition of a title brand of "insurance-declared
274 total loss." The ~~This~~ certificate of destruction shall be
275 reassignable a maximum of two times before dismantling or
276 destruction of the vehicle shall be required, and shall
277 accompany the motor vehicle or mobile home for which it is
278 issued, when such motor vehicle or mobile home is sold for such
279 purposes, in lieu of a certificate of title, and, thereafter,

280 the department shall refuse issuance of any certificate of title
281 for that vehicle. Nothing in this subsection shall be applicable
282 when a vehicle is worth less than \$1,500 retail in undamaged
283 condition in any official used motor vehicle guide or used
284 mobile home guide or when a stolen motor vehicle or mobile home
285 is recovered in substantially intact condition and is readily
286 resalable without extensive repairs to or replacement of the
287 frame or engine. Any person who willfully and deliberately
288 violates this paragraph or falsifies any document to avoid the
289 requirements of this paragraph commits a misdemeanor of the
290 first degree, punishable as provided in s. 775.082 or s.
291 775.083.

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

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

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

306 (5)(a) It is unlawful for any person to knowingly possess,
307 sell, or exchange, offer to sell or exchange, or give away any

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

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

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

335 replacement part will be installed on the part that was removed
 336 from the vehicle being repaired.

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

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

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

349 (b) Any person who violates this subsection commits a
 350 felony of the third degree ~~misdemeanor of the first degree~~,
 351 punishable as provided in s. 775.082, ~~or~~ s. 775.083, or s.
 352 775.084.

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

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

363 2.~~(b)~~ Parts or prepared materials from any seller for
 364 purposes of the processing of such parts or prepared materials,
 365 the purchaser shall record the seller's name and address and
 366 date of purchase~~;~~ and, in the event of a purchase transaction
 367 consisting primarily of parts or prepared materials, the
 368 personal identification card number of the person delivering
 369 such items.

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

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

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

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

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

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

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

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

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

434 (b) Any person who violates this subsection commits a
435 felony of the third degree, punishable as provided in s.
436 775.082, s. 775.083, or s. 775.084.

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

447 department. The department may adopt rules and establish fees as
 448 it deems necessary or proper for the administration of the
 449 electronic notification service.

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

464 (c) For the purpose of enforcement of this section, the
 465 department or its agents and employees have the same right of
 466 inspection as law enforcement officers as provided in s.
 467 812.055.

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

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

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

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

494 (g) The department shall charge a fee of \$3 for each
 495 derelict motor vehicle certificate delivered to the department
 496 or one of its agents for processing and shall mark the title
 497 record canceled. A service charge may be collected under s.
 498 320.04.

499 (9) Except as otherwise provided in this section, any
 500 person who violates this section commits a felony of the third
 501 degree, punishable as provided in s. 775.082, s. 775.083, or s.
 502 775.084.

503 Section 2. Paragraph (b) of subsection (1) of section
504 319.14, Florida Statutes, is amended to read:

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

508 (1)

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

524 Section 3. This act shall take effect October 1, 2008.