

Amendment No.

CHAMBER ACTION

Senate

House

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1 Representative Burgin offered the following:

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3 **Amendment (with title amendment)**

4 Remove line 476 and insert:

5 Section 11. Effective October 1, 2009, paragraph (c) is
6 added to subsection (2) of section 320.0609, Florida Statutes,
7 to read:

8 320.0609 Transfer and exchange of registration license
9 plates; transfer fee.--

10 (2)

11 (c) If a retail sale by a licensed independent motor
12 vehicle dealer results in the transfer of a registration license
13 plate, a temporary tag shall be issued and displayed during the
14 time that the application for transfer of such registration
15 license plate is being processed unless the department's records
16 reflect that the transfer has occurred. However, this paragraph

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17 shall not apply to independent motor vehicle dealers that are
18 owned by principals that also hold a franchise motor vehicle
19 dealer license in this state. This paragraph is repealed June
20 30, 2010.

21 Section 12. Effective July 1, 2010, subsection (8) is
22 added to section 320.0609, Florida Statutes, to read:

23 320.0609 Transfer and exchange of registration license
24 plates; transfer fee.--

25 (8) (a) When the owner of a vehicle transfers a
26 registration license plate to a replacement or substitute
27 vehicle acquired from a motor vehicle dealer licensed under this
28 chapter, the dealer shall timely provide to the department, via
29 an electronic system administered by the department for this
30 purpose, information regarding the transfer which is required by
31 the department. The dealer shall also give the owner written
32 notice documenting the transfer if the dealer cannot timely
33 provide the required transfer information to the department due
34 to system or connectivity problems. The dealer shall maintain
35 all records required by the department which must be open to
36 inspection by the department or its agents during reasonable
37 business hours. The dealer may charge the vehicle owner a fee to
38 comply with this subsection. The department may charge a fee of
39 \$2 to be deposited into the Highway Safety Operating Trust Fund
40 for each transfer in addition to any other fee imposed by law.

41 (b) A dealer is not required to comply with paragraph (a)
42 if the department's records are otherwise modified on the date
43 of transfer to reflect that the transfer has occurred.

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44 (c) The department has authority to adopt rules pursuant
45 to ss. 120.536(1) and 120.54 to administer this subsection.

46 Section 13. Effective October 1, 2009, paragraph (m) is
47 added to subsection (1) of section 320.131, Florida Statutes, to
48 read:

49 320.131 Temporary tags.--

50 (1) The department is authorized and empowered to design,
51 issue, and regulate the use of temporary tags to be designated
52 "temporary tags" for use in the following cases:

53 (m) For a retail sale by a licensed independent motor
54 vehicle dealer when an application for the transfer of a
55 registration license plate is being processed. This paragraph is
56 repealed June 30, 2010.

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58 Further, the department is authorized to disallow the purchase
59 of temporary tags by licensed dealers, common carriers, or
60 financial institutions in those cases where abuse has occurred.

61 Section 14. Except as otherwise expressly provided in this
62 act, this act shall take effect July 1, 2009.

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70 **T I T L E A M E N D M E N T**

71 Remove line 35 and insert:

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72 amending s. 320.0609, F.S., relating to the transfer and
73 exchange of registration license plates and transfer fees;
74 requiring that a temporary tag be issued and displayed during
75 the time that an application for a transfer of a registration
76 license plate is being processed; providing exceptions; amending
77 s. 320.131, F.S.; authorizing the department to issue temporary
78 tags for the time that an application for a transfer of a
79 registration license plate is being processed; amending s.
80 320.0609, F.S., relating to the transfer and exchange of
81 registration license plates and transfer fees; requiring a
82 licensed motor vehicle dealer to provide certain required
83 information via an electronic system to the department when the
84 owner of a vehicle transfers a registration license plate to a
85 replacement or substitute vehicle acquired from the dealer;
86 providing that the electronic system shall be administered by
87 the department; requiring the dealer to give the owner written
88 notice documenting the transfer if the dealer cannot provide the
89 required transfer information to the department under certain
90 circumstances; requiring the dealer to maintain certain records;
91 providing for the dealer and the department to charge a fee;
92 providing for exceptions; authorizing the department to adopt
93 rules; providing effective dates.

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