



LEGISLATIVE ACTION

Senate	.	House
	.	
	.	
Floor: 2/AD/2R	.	
04/30/2009 11:46 AM	.	
	.	

Senator Haridopolos moved the following:

Senate Amendment (with title amendment)

Between lines 648 and 649
insert:

Section 6. Subsection (10) of section 320.771, Florida
Statutes, is amended to read:

320.771 License required of recreational vehicle dealers.-

(10) EVIDENCE OF TITLE REQUIRED.-

(a) The licensee shall also have in his or her possession
for each new recreational vehicle a manufacturer's invoice or
statement of origin, ~~and for each used recreational vehicle a
properly assigned certificate of title or registration~~



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13 ~~certificate if the used recreational vehicle was previously~~
14 ~~registered in a nontitle state, from the time the recreational~~
15 ~~vehicle is delivered to the licensee until it has been disposed~~
16 ~~of by the licensee.~~

17 (b) For each used recreational vehicle in the possession of
18 a licensee and offered for sale by him or her, the licensee
19 either shall have in his or her possession or control a duly
20 assigned certificate of title from the owner in accordance with
21 the provisions of chapter 319, or a registration certificate if
22 the used recreational vehicle was previously registered in a
23 nontitle state, from the time when the vehicle is delivered to
24 the licensee and offered for sale by him or her until it has
25 been disposed of by the licensee, or shall have reasonable
26 indicia of ownership or right of possession, or shall have made
27 proper application for a certificate of title or duplicate
28 certificate of title in accordance with the provisions of
29 chapter 319. A dealer may not sell or offer for sale a vehicle
30 in his or her possession unless the dealer satisfies the
31 requirements of this subsection. Reasonable indicia of ownership
32 shall include a duly assigned certificate of title; in the case
33 of a new vehicle, a manufacturer's certificate of origin issued
34 to or reassigned to the dealer; a consignment contract between
35 the owner and the dealer along with a secure power of attorney
36 from the owner to the dealer authorizing the dealer to apply for
37 a duplicate certificate of title and assign the title on behalf
38 of the owner; a court order awarding title to the vehicle to the
39 dealer; a salvage certificate of title; a photocopy of a duly
40 assigned certificate of title being held by a financial
41 institution as collateral for a business loan of money to the



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42 dealer ("floor plan"); a copy of a canceled check or other
43 documentation evidencing that an outstanding lien on a vehicle
44 taken in trade by a licensed dealer has been satisfied and that
45 the certificate of title will be, but has not yet been, received
46 by the dealer; a vehicle purchase order or installment contract
47 for a specific vehicle identifying that vehicle as a trade-in on
48 a replacement vehicle; or a duly executed odometer disclosure
49 statement as required by Title IV of the Motor Vehicle
50 Information and Cost Savings Act of 1972 (Pub. L. No. 92-513, as
51 amended by Pub. L. No. 94-364 and Pub. L. No. 100-561) and by 49
52 C.F.R. part 580 bearing the signatures of the titled owners of a
53 traded-in vehicle.

54
55
56 ===== T I T L E A M E N D M E N T =====

57 And the title is amended as follows:

58 Delete line 41

59 and insert:

60 severability; amending s. 320.771, F.S.; conforming
61 provisions relating to certificate of title
62 requirements for recreational vehicle dealers;
63 providing an effective date.