

By the Committee on Transportation; and Senator Baker

596-04813-10

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1 A bill to be entitled
2 An act relating to motor vehicle dealers; amending s.
3 320.61, F.S.; providing clarification regarding
4 licensure renewal requirements; amending s. 320.63,
5 F.S.; requiring the submission of an affidavit along
6 with a license renewal application acknowledging that
7 the provisions of the licensee's franchise agreements
8 are consistent with the requirements of laws and
9 rules; providing an effective date.

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11 Be It Enacted by the Legislature of the State of Florida:

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13 Section 1. Subsection (2) of section 320.61, Florida
14 Statutes, is amended to read:

15 320.61 Licenses required of motor vehicle manufacturers,
16 distributors, importers, etc.—

17 (2) The department may prescribe an abbreviated application
18 for renewal of a license if the licensee had previously filed an
19 initial application pursuant to s. 320.63. The application for
20 renewal shall include any information necessary to bring current
21 the information required in the initial application. The
22 department may not renew any license unless the licensee
23 complies with the provisions of s. 320.63.

24 Section 2. Present subsection (7) of section 320.63,
25 Florida Statutes, is renumbered as subsection (8), and a new
26 subsection (7) is added to that section, to read:

27 320.63 Application for license; contents.—Any person
28 desiring to be licensed pursuant to ss. 320.60-320.70 shall make
29 application therefor to the department upon a form containing

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30 such information as the department requires. The department
31 shall require, with such application or otherwise and from time
32 to time, all of the following, which information may be
33 considered by the department in determining the fitness of the
34 applicant or licensee to engage in the business for which the
35 applicant or licensee desires to be licensed:

36 (7) Upon annual renewal of its license, an affidavit
37 acknowledging that the terms or provisions of the licensee's
38 franchise agreements with motor vehicle dealers in this state
39 are consistent with and not prohibited by ss. 320.60-320.70, and
40 rules adopted thereunder, which are in effect. Any provision in
41 such agreements which is inconsistent with or prohibited by such
42 laws or rules is void.

43 Section 3. This act shall take effect July 1, 2010.