

Amendment No.

CHAMBER ACTION

Senate

House

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Representative Burgin offered the following:

**Amendment (with title amendment)**

Remove lines 135-565 and insert:

charges to the towing and storage facility pursuant to s. 713.78  
before payment of the fine or before the release form has been  
~~completed which has been parked in one location for more than 24~~  
~~hours after a written notice has been issued. Every written~~  
~~notice issued pursuant to this section shall be affixed in a~~  
~~conspicuous place upon a vehicle by a law enforcement officer,~~  
~~compliance officer, or supervisor of the department. Any vehicle~~  
~~found in violation of subsection (1) within 30 days after a~~  
~~previous violation and written notice is subject to immediate~~  
~~removal without an additional waiting period.~~

~~(5)(6)~~ It is unlawful to offer a vehicle for sale if the  
vehicle identification number has been destroyed, removed,  
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17 covered, altered, or defaced, as described in s. 319.33(1)(d). A  
18 vehicle found in violation of this subsection is subject to  
19 immediate removal without warning.

20 ~~(6)-(7)~~ It is unlawful to knowingly attach to any motor  
21 vehicle a registration that was not assigned or lawfully  
22 transferred to the vehicle pursuant to s. 320.261. A vehicle  
23 found in violation of this subsection is subject to immediate  
24 removal without warning.

25 ~~(7)-(8)~~ It is unlawful to display or offer for sale a  
26 vehicle that does not have a valid registration as provided in  
27 s. 320.02. A vehicle found in violation of this subsection is  
28 subject to immediate removal without warning. This subsection  
29 does not apply to vehicles and recreational vehicles being  
30 offered for sale through motor vehicle auctions as defined in s.  
31 320.27(1)(c)4.

32 ~~(8)-(9)~~ A vehicle is subject to immediate removal without  
33 warning if it bears a telephone number that has been displayed  
34 on three or more vehicles offered for sale within a 12-month  
35 period.

36 ~~(9)-(10)~~ Any other provision of law to the contrary  
37 notwithstanding, a violation of subsection (1), subsection (5),  
38 subsection (6), subsection (7), or subsection (8) shall subject  
39 the owner of such motor vehicle to towing fees reasonably  
40 necessitated by removal and storage of the motor vehicle and a  
41 fine as required by s. 318.18.

42 ~~(10)-(11)~~ This section does not prohibit the governing body  
43 of a municipality or county, with respect to streets, highways,

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44 or other property under its jurisdiction, from regulating the  
45 parking of motor vehicles for any purpose.

46 ~~(11)-(12)~~ A violation of this section is a noncriminal  
47 traffic infraction, punishable as a nonmoving violation as  
48 provided in chapter 318, unless otherwise mandated by general  
49 law.

50 Section 4. Subsection (9) of section 318.14, Florida  
51 Statutes, is amended to read:

52 318.14 Noncriminal traffic infractions; exception;  
53 procedures.-

54 (9) Any person who does not hold a commercial driver's  
55 license and who is cited for an infraction under this section  
56 other than a violation of s. 316.183(2), s. 316.187, or s.  
57 316.189 when the driver exceeds the posted limit by 30 miles per  
58 hour or more, s. 320.0605, s. 320.07(3)(a) or (b), s. 322.065,  
59 s. 322.15(1), s. 322.61, or s. 322.62 may, in lieu of a court  
60 appearance, elect to attend in the location of his or her choice  
61 within this state a basic driver improvement course approved by  
62 the Department of Highway Safety and Motor Vehicles. In such a  
63 case, adjudication must be withheld and points, as provided by  
64 s. 322.27, may not be assessed. However, a person may not make  
65 an election under this subsection if the person has made an  
66 election under this subsection in the preceding 12 months. A  
67 person may make no more than five elections within his or her  
68 lifetime ~~10 years~~ under this subsection. The requirement for  
69 community service under s. 318.18(8) is not waived by a plea of  
70 nolo contendere or by the withholding of adjudication of guilt  
71 by a court. If a person makes an election to attend a basic  
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72 driver improvement course under this subsection, 18 percent of  
73 the civil penalty imposed under s. 318.18(3) shall be deposited  
74 in the State Courts Revenue Trust Fund; however, that portion is  
75 not revenue for purposes of s. 28.36 and may not be used in  
76 establishing the budget of the clerk of the court under that  
77 section or s. 28.35.

78 Section 5. Subsection (21) is added to section 318.18,  
79 Florida Statutes, to read:

80 318.18 Amount of penalties.—The penalties required for a  
81 noncriminal disposition pursuant to s. 318.14 or a criminal  
82 offense listed in s. 318.17 are as follows:

83 (21) One hundred dollars for a violation of s. 316.1951  
84 for a vehicle that is unlawfully displayed for sale, hire, or  
85 rental. Notwithstanding any other law to the contrary, fines  
86 collected under this subsection shall be retained by the  
87 governing authority that authorized towing of the vehicle. Fines  
88 collected by the department shall be deposited into the Highway  
89 Safety Operating Trust Fund.

90 Section 6. Paragraphs (a) and (b) of subsection (6) of  
91 section 319.225, Florida Statutes, are amended to read:

92 319.225 Transfer and reassignment forms; odometer  
93 disclosure statements.—

94 (6) (a) If the certificate of title is physically held by a  
95 lienholder, the transferor may give a power of attorney to his  
96 or her transferee for the purpose of odometer disclosure. The  
97 power of attorney must be on a form issued or authorized by the  
98 department, which form must be in compliance with 49 C.F.R. ss.  
99 580.4 and 580.13. The department shall not require the signature  
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100 of the transferor to be notarized on the form; however, in lieu  
101 of notarization, the form shall include an affidavit with the  
102 following wording: UNDER PENALTY OF PERJURY, I DECLARE THAT I  
103 HAVE READ THE FOREGOING DOCUMENT AND THAT THE FACTS STATED IN IT  
104 ARE TRUE. The transferee shall sign the power of attorney form,  
105 print his or her name, and return a copy of the power of  
106 attorney form to the transferor. Upon receipt of a title  
107 certificate, the transferee shall complete the space for mileage  
108 disclosure on the title certificate exactly as the mileage was  
109 disclosed by the transferor on the power of attorney form. If  
110 the transferee is a licensed motor vehicle dealer who is  
111 transferring the vehicle to a retail purchaser, the dealer shall  
112 make application on behalf of the retail purchaser as provided  
113 in s. 319.23(6) and shall submit the original power of attorney  
114 form to the department with the application for title and the  
115 transferor's title certificate; otherwise, a dealer may reassign  
116 the title certificate by using the dealer reassignment form in  
117 the manner prescribed in subsection (3), and, at the time of  
118 physical transfer of the vehicle, the original power of attorney  
119 shall be delivered to the person designated as the transferee of  
120 the dealer on the dealer reassignment form. A copy of the  
121 executed power of attorney shall be submitted to the department  
122 with a copy of the executed dealer reassignment form within 5  
123 business days after the certificate of title and dealer  
124 reassignment form are delivered by the dealer to its transferee.

125 (b) If the certificate of title is lost or otherwise  
126 unavailable, the transferor may give a power of attorney to his  
127 or her transferee for the purpose of odometer disclosure. The

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128 power of attorney must be on a form issued or authorized by the  
129 department, which form must be in compliance with 49 C.F.R. ss.  
130 580.4 and 580.13. The department shall not require the signature  
131 of the transferor to be notarized on the form; however, in lieu  
132 of notarization, the form shall include an affidavit with the  
133 following wording: UNDER PENALTY OF PERJURY, I DECLARE THAT I  
134 HAVE READ THE FOREGOING DOCUMENT AND THAT THE FACTS STATED IN IT  
135 ARE TRUE. The transferee shall sign the power of attorney form,  
136 print his or her name, and return a copy of the power of  
137 attorney form to the transferor. Upon receipt of the title  
138 certificate or a duplicate title certificate, the transferee  
139 shall complete the space for mileage disclosure on the title  
140 certificate exactly as the mileage was disclosed by the  
141 transferor on the power of attorney form. If the transferee is a  
142 licensed motor vehicle dealer who is transferring the vehicle to  
143 a retail purchaser, the dealer shall make application on behalf  
144 of the retail purchaser as provided in s. 319.23(6) and shall  
145 submit the original power of attorney form to the department  
146 with the application for title and the transferor's title  
147 certificate or duplicate title certificate; otherwise, a dealer  
148 may reassign the title certificate by using the dealer  
149 reassignment form in the manner prescribed in subsection (3),  
150 and, at the time of physical transfer of the vehicle, the  
151 original power of attorney shall be delivered to the person  
152 designated as the transferee of the dealer on the dealer  
153 reassignment form. A copy of the executed power of attorney  
154 shall be submitted to the department with a copy of the executed  
155 dealer reassignment form within 5 business days after the

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156 duplicate certificate of title and dealer reassignment form are  
157 delivered by the dealer to its transferee.

158 Section 7. Subsection (6) of section 319.23, Florida  
159 Statutes, is amended to read:

160 319.23 Application for, and issuance of, certificate of  
161 title.-

162 (6) (a) In the case of the sale of a motor vehicle or  
163 mobile home by a licensed dealer to a general purchaser, the  
164 certificate of title must be obtained in the name of the  
165 purchaser by the dealer upon application signed by the  
166 purchaser, and in each other case such certificate must be  
167 obtained by the purchaser. In each case of transfer of a motor  
168 vehicle or mobile home, the application for a certificate of  
169 title, a ~~or~~ corrected certificate, or an assignment or  
170 reassignment, ~~must~~ be filed within 30 days after ~~from~~ the  
171 delivery of the motor vehicle or mobile home to the purchaser.  
172 An applicant must pay a fee of \$20, in addition to all other  
173 fees and penalties required by law, for failing to file such  
174 application within the specified time. In the case of the sale  
175 of a motor vehicle by a licensed motor vehicle dealer to a  
176 general purchaser who resides in another state or country, the  
177 dealer is not required to apply for a certificate of title for  
178 the motor vehicle; however, the dealer must transfer ownership  
179 and reassign the certificate of title or manufacturer's  
180 certificate of origin to the purchaser, and the purchaser must  
181 sign an affidavit, as approved by the department, that the  
182 purchaser will title and register the motor vehicle in another  
183 state or country.

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184       **(b)** If a licensed dealer acquires a motor vehicle or  
185 mobile home as a trade-in, the dealer must file with the  
186 department, within 30 days, a notice of sale signed by the  
187 seller. The department shall update its database for that title  
188 record to indicate "sold." A licensed dealer need not apply for  
189 a certificate of title for any motor vehicle or mobile home in  
190 stock acquired for stock purposes except as provided in s.  
191 319.225.

192       Section 8. Section 319.241, Florida Statutes, is amended  
193 to read:

194       319.241 Removal of lien from records.—The owner of a motor  
195 vehicle or mobile home upon which a lien has been filed with the  
196 department or noted upon a certificate of title for a period of  
197 5 years may apply to the department in writing for such lien to  
198 be removed from the department files or from the certificate of  
199 title. The application shall be accompanied by evidence  
200 satisfactory to the department that the applicant has notified  
201 the lienholder by certified mail, not less than 20 days prior to  
202 the date of the application, of his or her intention to apply to  
203 the department for removal of the lien. Ten days after receipt  
204 of the application, the department may remove the lien from its  
205 files or from the certificate of title, as the case may be, if  
206 no statement in writing protesting removal of the lien is  
207 received by the department from the lienholder within the 10-day  
208 period. If, however, the lienholder files with the department  
209 within the 10-day period a written statement that the lien is  
210 still outstanding, the department shall not remove the lien  
211 until the lienholder presents a satisfaction of lien to the  
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212 department. Ten days after the receipt of an application for a  
213 derelict motor vehicle certificate and notification to the  
214 lienholder, the department may remove the lien from the derelict  
215 motor vehicle record if a written statement protesting removal  
216 of the lien is not received by the department from the  
217 lienholder within the 10-day period.

218 Section 9. Subsections (1) and (2), paragraph (b) of  
219 subsection (3), paragraph (a) of subsection (7), and subsection  
220 (8) of section 319.30, Florida Statutes, are amended to read:

221 319.30 Definitions; dismantling, destruction, change of  
222 identity of motor vehicle or mobile home; salvage.—

223 (1) As used in this section, the term:

224 (a) "Certificate of destruction" means the certificate  
225 issued pursuant to s. 713.78(11) or s. 713.785(7) (a).

226 (b) "Certificate of registration number" means the  
227 certificate of registration number issued by the Department of  
228 Revenue of the State of Florida pursuant to s. 538.25.

229 (c) "Certificate of title" means a record that serves as  
230 evidence of ownership of a vehicle, whether such record is a  
231 paper certificate authorized by the department or by a motor  
232 vehicle department authorized to issue titles in another state  
233 or a certificate consisting of information stored in electronic  
234 form in the department's database.

235 (d) "Derelict" means any material which is or may have  
236 been a motor vehicle or mobile home, which is not a major part  
237 or major component part, which is inoperable, and which is in  
238 such condition that its highest or primary value is in its sale  
239 or transfer as scrap metal.

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240 (e) "Derelict motor vehicle" means:  
241 1. Any motor vehicle as defined in s. 320.01(1) or mobile  
242 home as defined in s. 320.01(2), with or without all parts,  
243 major parts, or major component parts, which is valued under  
244 \$1,000, is at least 10 model years old, beginning with the model  
245 year of the vehicle as year one, and is in such condition that  
246 its highest or primary value is for sale, transport, or delivery  
247 to a licensed salvage motor vehicle dealer or registered  
248 secondary metals recycler for dismantling its component parts or  
249 conversion to scrap metal; or  
250 2. Any trailer as defined in s. 320.01(1), with or without  
251 all parts, major parts, or major component parts, which is  
252 valued under \$5,000, is at least 10 model years old, beginning  
253 with the model year of the vehicle as year one, and is in such  
254 condition that its highest or primary value is for sale,  
255 transport, or delivery to a licensed salvage motor vehicle  
256 dealer or registered secondary metals recycler for conversion to  
257 scrap metal.

258 (f) "Derelict motor vehicle certificate" means a  
259 certificate issued by the department which serves as evidence  
260 that a derelict motor vehicle will be dismantled or converted to  
261 scrap metal. This certificate may be obtained by completing a  
262 derelict motor vehicle certificate application authorized by the  
263 department ~~completed by the derelict motor vehicle owner, the~~  
264 ~~owner's authorized transporter when different from the owner,~~  
265 ~~and the licensed salvage motor vehicle dealer or the registered~~  
266 ~~secondary metals recycler and submitted to the department for~~  
267 ~~cancellation of the title record of the derelict motor vehicle.~~

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268 A derelict motor vehicle certificate may be reassigned only one  
269 time if the derelict motor vehicle certificate was completed by  
270 a licensed salvage motor vehicle dealer and the derelict motor  
271 vehicle was sold to another licensed salvage motor vehicle  
272 dealer or a secondary metals recycler.

273 (g) "Junk" means any material which is or may have been a  
274 motor vehicle or mobile home, with or without all component  
275 parts, which is inoperable and which material is in such  
276 condition that its highest or primary value is either in its  
277 sale or transfer as scrap metal or for its component parts, or a  
278 combination of the two, except when sold or delivered to or when  
279 purchased, possessed, or received by a secondary metals recycler  
280 or salvage motor vehicle dealer.

281 (h) "Major component parts" means:

282 1. For motor vehicles other than motorcycles, any fender  
283 ~~the front-end assembly (fenders, hood, grill, and bumper),~~ cowl  
284 assembly, rear ~~body section (both quarter panel panels,~~ trunk  
285 lid, door, decklid, ~~and bumper),~~ floor pan, ~~door assemblies,~~  
286 engine, frame, transmission, catalytic converter, or ~~and~~ airbag.

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

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

293 4. For mobile homes, the frame.

294 (i) "Major part" means the front-end assembly, cowl  
295 assembly, or rear body section.

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296 (j) "Materials" means motor vehicles, derelicts, and major  
297 parts that are not prepared materials.

298 (k) "Mobile home" means mobile home as defined in s.  
299 320.01(2).

300 (l) "Motor vehicle" means motor vehicle as defined in s.  
301 320.01(1).

302 (m) "Parts" means parts of motor vehicles or combinations  
303 thereof that do not constitute materials or prepared materials.

304 ~~(n) "Personal identification card" means personal~~  
305 ~~identification card as defined in s. 538.18(5).~~

306 (n)~~(e)~~ "Prepared materials" means motor vehicles, mobile  
307 homes, derelict motor vehicles, major parts, or parts that have  
308 been processed by mechanically flattening or crushing, or  
309 otherwise processed such that they are not the motor vehicle or  
310 mobile home described in the certificate of title, or their only  
311 value is as scrap metal.

312 (o)~~(p)~~ "Processing" means the business of performing the  
313 manufacturing process by which ferrous metals or nonferrous  
314 metals are converted into raw material products consisting of  
315 prepared grades and having an existing or potential economic  
316 value, or the purchase of materials, prepared materials, or  
317 parts therefor.

318 (p)~~(q)~~ "Recreational vehicle" means a motor vehicle as  
319 defined in s. 320.01(1).

320 (q)~~(r)~~ "Salvage" means a motor vehicle or mobile home  
321 which is a total loss as defined in paragraph (3)(a).

322 (r)~~(s)~~ "Salvage certificate of title" means a salvage  
323 certificate of title issued by the department or by another  
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324 motor vehicle department authorized to issue titles in another  
325 state.

326 ~~(s)-(t)~~ "Salvage motor vehicle dealer" means salvage motor  
327 vehicle dealer as defined in s. 320.27(1)(c)5.

328 ~~(t)-(u)~~ "Secondary metals recycler" means secondary metals  
329 recycler as defined in s. 538.18(8).

330 (u) "Seller" means the owner of record or a person who has  
331 physical possession and responsibility for a derelict motor  
332 vehicle and attests that possession of the vehicle was obtained  
333 through lawful means along with all ownership rights. A seller  
334 does not include a towing company, repair shop, or landlord  
335 unless the towing company, repair shop, or landlord has obtained  
336 title, salvage title, or a certificate of destruction in the  
337 name of the towing company, repair shop, or landlord.

338 (2) (a) Each person mentioned as owner in the last issued  
339 certificate of title, when such motor vehicle or mobile home is  
340 dismantled, destroyed, or changed in such manner that it is not  
341 the motor vehicle or mobile home described in the certificate of  
342 title, shall surrender his or her certificate of title to the  
343 department, and thereupon the department shall, with the consent  
344 of any lienholders noted thereon, enter a cancellation upon its  
345 records. Upon cancellation of a certificate of title in the  
346 manner prescribed by this section, the department may cancel and  
347 destroy all certificates in that chain of title. Any person who  
348 knowingly willfully and deliberately violates this paragraph  
349 commits a misdemeanor of the second degree, punishable as  
350 provided in s. 775.082 or s. 775.083.

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351 (b)1. When a motor vehicle, recreational vehicle, or  
352 mobile home is sold, transported, ~~or delivered to,~~ or received  
353 by a salvage motor vehicle dealer, it shall be accompanied by:

354 a. A valid certificate of title issued in the name of the  
355 seller or properly endorsed, as required in s. 319.22, over to  
356 the seller;

357 b. A valid salvage certificate of title issued in the name  
358 of the seller or properly endorsed, as required in s. 319.22,  
359 over to the seller; or

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

362 2. Any person who knowingly ~~willfully and deliberately~~  
363 violates this paragraph by selling, transporting, delivering,  
364 purchasing, or receiving a motor vehicle, recreational vehicle,  
365 or mobile home without obtaining a properly endorsed certificate  
366 of title, salvage certificate of title, or certificate of  
367 destruction from the owner commits a felony of the third degree,  
368 punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

369 (c)1. When a derelict motor vehicle is sold, transported,  
370 or delivered to a licensed salvage motor vehicle dealer, the  
371 purchaser shall record the date of purchase and the name,  
372 address, and valid Florida driver's license number or valid  
373 Florida identification card number, or a valid driver's license  
374 number or identification card number issued by another state,  
375 ~~personal identification card number~~ of the person selling the  
376 derelict motor vehicle, and it shall be accompanied by:

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

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

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

383           2. If a valid ~~the~~ certificate of title, salvage  
384 certificate of title, or certificate of destruction is not  
385 available, a derelict motor vehicle certificate application  
386 shall be completed by the seller or owner of the motor vehicle  
387 or mobile home, the seller's or owner's authorized transporter,  
388 and the licensed salvage motor vehicle dealer at the time of  
389 sale, transport, or delivery to the licensed salvage motor  
390 vehicle dealer. The derelict motor vehicle certificate  
391 application shall be used by the seller or owner, the seller's  
392 or owner's authorized transporter, and the licensed salvage  
393 motor vehicle dealer to obtain a derelict motor vehicle  
394 certificate from the department. The derelict motor vehicle  
395 certificate application must be accompanied by a legible copy of  
396 the seller's or owner's valid Florida driver's license or  
397 Florida identification card, or a valid driver's license or  
398 identification card issued by another state. If the seller is  
399 not the owner of record of the vehicle being sold, the dealer  
400 shall, at the time of sale, ensure that a smudge-free right  
401 thumbprint, or other digit if the seller has no right thumb, of  
402 the seller is imprinted upon the derelict motor vehicle  
403 certificate application and that a legible copy of the seller's  
404 driver's license or identification card is affixed to the  
405 application and transmitted to the department. The licensed  
406 salvage motor vehicle dealer shall secure the derelict motor  
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407 vehicle ~~or mobile home~~ for 3 full business days, excluding  
408 weekends and holidays, if there is no active lien or a lien of 3  
409 years or more on the department's records before destroying or  
410 dismantling the derelict motor vehicle and shall follow all  
411 reporting procedures established by the department, including  
412 electronic notification to the department or delivery of the  
413 original derelict motor vehicle certificate application to an  
414 agent of the department within 24 hours after receiving the  
415 derelict motor vehicle. If there is an active lien of less than  
416 3 years on the derelict motor vehicle, the licensed salvage  
417 motor vehicle dealer shall secure the derelict motor vehicle for  
418 10 days. The department shall notify the lienholder that a  
419 derelict motor vehicle certificate has been issued and shall  
420 notify the lienholder of its intention to remove the lien. Ten  
421 days after receipt of the motor vehicle derelict certificate  
422 application, the department may remove the lien from its records  
423 if a written statement protesting removal of the lien is not  
424 received by the department from the lienholder within the 10-day  
425 period. However, if the lienholder files with the department and  
426 the licensed salvage motor vehicle dealer within the 10-day  
427 period a written statement that the lien is still outstanding,  
428 the department shall not remove the lien and shall place an  
429 administrative hold on the record for 30 days to allow the  
430 lienholder to apply for title to the vehicle or a repossession  
431 certificate under s. 319.28. The licensed salvage motor vehicle  
432 dealer must secure the derelict motor vehicle until the  
433 department's administrative stop is removed, the lienholder

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434 submits a lien satisfaction, or the lienholder takes possession  
435 of the vehicle.

436 3. Any person who knowingly ~~willfully and deliberately~~  
437 violates this paragraph by selling, transporting, delivering,  
438 purchasing, or receiving a derelict motor vehicle without  
439 obtaining a certificate of title, salvage certificate of title,  
440 certificate of destruction, or derelict motor vehicle  
441 certificate application; enters false or fictitious information  
442 on a derelict motor vehicle certificate application; does not  
443 complete the derelict motor vehicle certificate application as  
444 required; does not obtain a legible copy of the seller's or  
445 owner's valid driver's license or identification card when  
446 required; or does not make the required notification to the  
447 department; or destroys or dismantles a derelict motor vehicle  
448 without waiting the required time as set forth in subparagraph  
449 2. ~~3 full business days~~ commits a felony of the third degree,  
450 punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

451 (3)

452 (b) The owner, including persons who are self-insured, of  
453 any motor vehicle or mobile home which is considered to be  
454 salvage shall, within 72 hours after the motor vehicle or mobile  
455 home becomes salvage, forward the title to the motor vehicle or  
456 mobile home to the department for processing. However, an  
457 insurance company which pays money as compensation for total  
458 loss of a motor vehicle or mobile home shall obtain the  
459 certificate of title for the motor vehicle or mobile home and,  
460 within 72 hours after receiving such certificate of title, shall  
461 forward such title to the department for processing. The owner  
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462 or insurance company, as the case may be, may not dispose of a  
463 vehicle or mobile home that is a total loss before it has  
464 obtained a salvage certificate of title or certificate of  
465 destruction from the department. When applying for a salvage  
466 certificate of title or certificate of destruction, the owner or  
467 insurance company must provide the department with an estimate  
468 of the costs of repairing the physical and mechanical damage  
469 suffered by the vehicle for which a salvage certificate of title  
470 or certificate of destruction is sought. If the estimated costs  
471 of repairing the physical and mechanical damage to the vehicle  
472 are equal to 80 percent or more of the current retail cost of  
473 the vehicle, as established in any official used car or used  
474 mobile home guide, the department shall declare the vehicle  
475 unbuildable and print a certificate of destruction, which  
476 authorizes the dismantling or destruction of the motor vehicle  
477 or mobile home described therein. However, if the damaged motor  
478 vehicle is equipped with custom-lowered floors for wheelchair  
479 access or a wheelchair lift, the insurance company may, upon  
480 determining that the vehicle is repairable to a condition that  
481 is safe for operation on public roads, submit the certificate of  
482 title to the department for reissuance as a salvage buildable  
483 title and the addition of a title brand of "insurance-declared  
484 total loss." The certificate of destruction shall be  
485 reassignable a maximum of two times before dismantling or  
486 destruction of the vehicle shall be required, and shall  
487 accompany the motor vehicle or mobile home for which it is  
488 issued, when such motor vehicle or mobile home is sold for such  
489 purposes, in lieu of a certificate of title, and, thereafter,  
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490 the department shall refuse issuance of any certificate of title  
491 for that vehicle. Nothing in this subsection shall be applicable  
492 when a vehicle is worth less than \$1,500 retail in undamaged  
493 condition in any official used motor vehicle guide or used  
494 mobile home guide or when a stolen motor vehicle or mobile home  
495 is recovered in substantially intact condition and is readily  
496 resalable without extensive repairs to or replacement of the  
497 frame or engine. Any person who knowingly ~~willfully and~~  
498 ~~deliberately~~ violates this paragraph or falsifies any document  
499 to avoid the requirements of this paragraph commits a  
500 misdemeanor of the first degree, punishable as provided in s.  
501 775.082 or s. 775.083.

502 (7) (a) In the event of a purchase by a secondary metals  
503 recycler, that has been issued a certificate of registration  
504 number, of:

505 1. Materials, prepared materials, or parts from any seller  
506 for purposes other than the processing of such materials,  
507 prepared materials, or parts, the purchaser shall obtain such  
508 documentation as may be required by this section and shall  
509 record the seller's name and address, date of purchase, and the  
510 personal identification card number of the person delivering  
511 such items.

512 2. Parts or prepared materials from any seller for  
513 purposes of the processing of such parts or prepared materials,  
514 the purchaser shall record the seller's name and address and  
515 date of purchase and, in the event of a purchase transaction  
516 consisting primarily of parts or prepared materials, the

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517 personal identification card number of the person delivering  
518 such items.

519 3. Materials from another secondary metals recycler for  
520 purposes of the processing of such materials, the purchaser  
521 shall record the seller's name and address and date of purchase.

522 4.a. Motor vehicles, recreational vehicles, mobile homes,  
523 or derelict motor vehicles from other than a secondary metals  
524 recycler for purposes of the processing of such motor vehicles,  
525 recreational vehicles, mobile homes, or derelict motor vehicles,  
526 the purchaser shall record the date of purchase and the name,  
527 address, and personal identification card number of the person  
528 selling such items and shall obtain the following documentation  
529 from the seller with respect to each item purchased:

530 (I) A valid certificate of title issued in the name of the  
531 seller or properly endorsed, as required in s. 319.22, over to  
532 the seller;

533 (II) A valid salvage certificate of title issued in the  
534 name of the seller or properly endorsed, as required in s.  
535 319.22, over to the seller;

536 (III) ~~(II)~~ A valid certificate of destruction issued in the  
537 name of the seller or properly endorsed over to the seller; or

538 (IV) ~~(III)~~ A valid derelict motor vehicle certificate  
539 obtained from the department ~~completed~~ by a licensed salvage  
540 motor vehicle dealer and properly reassigned to the secondary  
541 metals recycler.

542 b. If a valid certificate of title, salvage certificate of  
543 title, certificate of destruction, or derelict motor vehicle  
544 certificate is not available and the motor vehicle or mobile  
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545 home is a derelict motor vehicle, a derelict motor vehicle  
546 certificate application shall be completed by the seller or  
547 owner of the motor vehicle or mobile home, the seller's or  
548 owner's authorized transporter, and the registered secondary  
549 metals recycler at the time of sale, transport, or delivery to  
550 the registered secondary metals recycler to obtain a derelict  
551 motor vehicle certificate from the department. The derelict  
552 motor vehicle certificate application must be accompanied by a  
553 legible copy of the seller's or owner's valid Florida driver's  
554 license or Florida identification card, or a valid driver's  
555 license or identification card from another state. If the seller  
556 is not the owner of record of the vehicle being sold, the  
557 recycler shall, at the time of sale, ensure that a smudge-free  
558 right thumbprint, or other digit if the seller has no right  
559 thumb, of the seller is imprinted upon the derelict motor  
560 vehicle certificate application and that the legible copy of the  
561 seller's driver's license or identification card is affixed to  
562 the application and transmitted to the department. The derelict  
563 motor vehicle certificate shall be used by the owner, the  
564 owner's authorized transporter, and the registered secondary  
565 metals recycler. The registered secondary metals recycler shall  
566 secure the derelict motor vehicle for 3 full business days,  
567 excluding weekends and holidays, if there is no active lien or a  
568 lien of 3 years or more on the department's records before  
569 destroying or dismantling the derelict motor vehicle and shall  
570 follow all reporting procedures established by the department,  
571 including electronic notification to the department or delivery  
572 of the original derelict motor vehicle certificate application

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573 to an agent of the department within 24 hours after receiving  
574 the derelict motor vehicle. If there is an active lien of less  
575 than 3 years on the derelict motor vehicle, the registered  
576 secondary metals recycler shall secure the derelict motor  
577 vehicle for 10 days. The department shall notify the lienholder  
578 of the application for a derelict motor vehicle certificate and  
579 shall notify the lienholder of its intention to remove the lien.  
580 Ten days after receipt of the motor vehicle derelict  
581 application, the department may remove the lien from its records  
582 if a written statement protesting removal of the lien is not  
583 received by the department from the lienholder within the 10-day  
584 period. However, if the lienholder files with the department and  
585 the registered secondary metals recycler within the 10-day  
586 period a written statement that the lien is still outstanding,  
587 the department shall not remove the lien and shall place an  
588 administrative hold on the record for 30 days to allow the  
589 lienholder to apply for title to the vehicle or a repossession  
590 certificate under s. 319.28. The registered secondary metals  
591 recycler must secure the derelict motor vehicle until the  
592 department's administrative stop is removed, the lienholder  
593 submits a lien satisfaction, or the lienholder takes possession  
594 of the vehicle.

595 c. Any person who knowingly ~~willfully and deliberately~~  
596 violates this subparagraph by selling, transporting, delivering,  
597 purchasing, or receiving a motor vehicle, recreational motor  
598 vehicle, mobile home, or derelict motor vehicle without  
599 obtaining a certificate of title, salvage certificate of title,  
600 certificate of destruction, or derelict motor vehicle

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601 certificate; enters false or fictitious information on a  
602 derelict motor vehicle certificate application; does not  
603 complete the derelict motor vehicle certificate application as  
604 required or does not make the required notification to the  
605 department; does not obtain a legible copy of the seller's or  
606 owner's driver's license or identification card when required;  
607 or destroys or dismantles a derelict motor vehicle without  
608 waiting the required time as set forth in sub-subparagraph b. 3  
609 ~~full business days~~ commits a felony of the third degree,  
610 punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

611 5. Major parts from other than a secondary metals recycler  
612 for purposes of the processing of such major parts, the  
613 purchaser shall record the seller's name, address, date of  
614 purchase, and the personal identification card number of the  
615 person delivering such items, as well as the vehicle  
616 identification number, if available, of each major part  
617 purchased.

618 (8) (a) Secondary metals recyclers and salvage motor  
619 vehicle dealers shall return to the department on a monthly  
620 basis all certificates of title and salvage certificates of  
621 title that are required by this section to be obtained.  
622 Secondary metals recyclers and salvage motor vehicle dealers may  
623 elect to notify the department electronically through procedures  
624 established by the department when they receive each motor  
625 vehicle or mobile home, salvage motor vehicle or mobile home, or  
626 derelict motor vehicle with a certificate of title or salvage  
627 certificate of title through procedures established by the  
628 department. The department may adopt rules and establish fees as  
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629 it deems necessary or proper for the administration of the  
630 electronic notification service.

631 (b) Secondary metals recyclers and salvage motor vehicle  
632 dealers shall keep originals, or a copy in the event the  
633 original was returned to the department, of all certificates of  
634 title, salvage certificates of title, certificates of  
635 destruction, derelict motor vehicle certificates, and all other  
636 information required by this section to be recorded or obtained,  
637 on file in the offices of such secondary metals recyclers or  
638 salvage motor vehicle dealers for a period of 3 years after the  
639 date of purchase of the items reflected in such certificates of  
640 title, salvage certificates of title, certificates of  
641 destruction, or derelict motor vehicle certificates. These  
642 records shall be maintained in chronological order.

643 (c) For the purpose of enforcement of this section, the  
644 department or its agents and employees have the same right of  
645 inspection as law enforcement officers as provided in s.  
646 812.055.

647 (d) Whenever the department, its agent or employee, or any  
648 law enforcement officer has reason to believe that a stolen or  
649 fraudulently titled motor vehicle, mobile home, recreational  
650 vehicle, salvage motor vehicle, or derelict motor vehicle is in  
651 the possession of a salvage motor vehicle dealer or secondary  
652 metals recycler, the department, its agent or employee, or the  
653 law enforcement officer may issue an extended a hold notice, not  
654 to exceed 5 additional business days, excluding weekends and  
655 holidays, to the salvage motor vehicle dealer or registered  
656 secondary metals recycler.

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657 (e) Whenever a salvage motor vehicle dealer or registered  
658 secondary metals recycler is notified by the department, its  
659 agent or employee, or any law enforcement officer to hold a  
660 motor vehicle, mobile home, recreational vehicle, salvage motor  
661 vehicle, or derelict motor vehicle that is believed to be stolen  
662 or fraudulently titled, the salvage motor vehicle dealer or  
663 registered secondary metals recycler shall hold the motor  
664 vehicle, mobile home, recreational vehicle, salvage motor  
665 vehicle, or derelict motor vehicle and may not dismantle or  
666 destroy the motor vehicle, mobile home, recreational vehicle,  
667 salvage motor vehicle, or derelict motor vehicle until it is  
668 recovered by a law enforcement officer, the hold is released by  
669 the department or the law enforcement officer placing the hold,  
670 or the 5 additional business ~~working~~ days have passed since  
671 being notified of the hold.

672 (f) This section does not authorize any person who is  
673 engaged in the business of recovering, towing, or storing  
674 vehicles pursuant to s. 713.78, and who is claiming a lien for  
675 performing labor or services on a motor vehicle or mobile home  
676 pursuant to s. 713.58, or is claiming that a motor vehicle or  
677 mobile home has remained on any premises after tenancy has  
678 terminated pursuant to s. 715.104, to use a derelict motor  
679 vehicle certificate application for the purpose of transporting,  
680 selling, disposing, or delivering a motor vehicle to a salvage  
681 motor vehicle dealer or secondary metals recycler without  
682 obtaining the title or certificate of destruction required under  
683 s. 713.58, s. 713.78, or s. 715.104.

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684       (g) The department shall accept all properly endorsed and  
685 completed derelict motor vehicle certificate applications and  
686 shall issue a derelict motor vehicle certificate having an  
687 effective date that authorizes when a derelict motor vehicle is  
688 eligible for dismantling or destruction. The electronic  
689 information obtained from the derelict motor vehicle certificate  
690 application shall be stored electronically and shall be made  
691 available to authorized persons after issuance of the derelict  
692 motor vehicle certificate in the Florida Real Time Vehicle  
693 Information System.

694       (h)~~(f)~~ The department is authorized to adopt rules  
695 pursuant to ss. 120.536(1) and 120.54 establishing policies and  
696 procedures to administer and enforce this section.

697       (i)~~(g)~~ The department shall charge a fee of \$3 for each  
698 derelict motor vehicle certificate delivered to the department  
699 or one of its agents for processing and shall mark the title  
700 record canceled. A service charge may be collected under s.  
701 320.04.

702       (j) The licensed salvage motor vehicle dealer or  
703 registered secondary metals recycler shall make all payments for  
704 the purchase of any derelict motor vehicle that is sold by a  
705 seller who is not the owner of record on file with the  
706 department by check or money order made payable to the seller  
707 and may not make payment to the authorized transporter. The  
708 licensed salvage motor vehicle dealer or registered secondary  
709 metals recycler may not cash the check that such dealer or  
710 recycler issued to the seller.

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711 Section 10. Subsection (16) of section 320.02, Florida  
712 Statutes, is amended to read:

713 320.02 Registration required; application for  
714 registration; forms.—

715 (16) The department is authorized to withhold registration  
716 or re-registration of a motor vehicle if the name of the owner  
717 or of a coowner appears on a list submitted to the department by  
718 a licensed motor vehicle dealer for a previous registration of  
719 that vehicle. The department shall place the name of the  
720 registered owner of that vehicle on the list of those persons  
721 who may not be issued a license plate, revalidation sticker, or  
722 replacement plate for the vehicle purchased from the licensed  
723 motor vehicle dealer. The motor vehicle dealer must maintain  
724 signed evidence that the owner or coowner acknowledged the  
725 dealer's authority to submit the list to the department if he or  
726 she failed to pay and must note the amount for which the owner  
727 or coowner would be responsible for the vehicle registration.  
728 The dealer must maintain the necessary documentation required in  
729 this subsection or face penalties as provided in s. 320.27. This  
730 subsection does not affect the issuance of a title to a motor  
731 vehicle.

732 (a) The motor vehicle owner or coowner may dispute the  
733 claim that money is owed to a dealer for registration fees by  
734 submitting a form to the department if the motor vehicle owner  
735 or coowner has documentary proof that the registration fees have  
736 been paid to the dealer for the disputed amount. Without clear  
737 evidence of the amounts owed for the vehicle registration and

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738 repayment, the department will assume initial payments are  
739 applied to government-assessed fees first.

740 (b) If the registered owner's dispute complies with  
741 paragraph (a), the department shall immediately remove the motor  
742 vehicle owner or coowner's name from the list, thereby allowing  
743 the issuance of a license plate or revalidation sticker.

744 Section 11. Subsections (4) and (6) and paragraph (a) of  
745 subsection (9) of section 320.27, Florida Statutes, are amended  
746 to read:

747 320.27 Motor vehicle dealers.—

748 (4) LICENSE CERTIFICATE.—

749 (a) A license certificate shall be issued by the  
750 department in accordance with such application when the  
751 application is regular in form and in compliance with the  
752 provisions of this section. The license certificate may be in  
753 the form of a document or a computerized card as determined by  
754 the department. The actual cost of each original, additional, or  
755 replacement computerized card shall be borne by the licensee and  
756 is in addition to the fee for licensure. Such license, when so  
757 issued, entitles the licensee to carry on and conduct the  
758 business of a motor vehicle dealer. Each license issued to a  
759 franchise motor vehicle dealer expires annually on December 31  
760 unless revoked or suspended prior to that date. Each license  
761 issued to an independent or wholesale dealer or auction expires  
762 annually on April 30 unless revoked or suspended prior to that  
763 date. Not less than 60 days prior to the license expiration  
764 date, the department shall deliver or mail to each licensee the  
765 necessary renewal forms. Each independent dealer shall certify  
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766 that the dealer (owner, partner, officer, or director of the  
767 licensee, or a full-time employee of the licensee that holds a  
768 responsible management-level position) has completed 8 hours of  
769 continuing education prior to filing the renewal forms with the  
770 department. Such certification shall be filed once every 2 years  
771 ~~commencing with the 2006 renewal period.~~ The continuing  
772 education shall include at least 2 hours of legal or legislative  
773 issues, 1 hour of department issues, and 5 hours of relevant  
774 motor vehicle industry topics. Continuing education shall be  
775 provided by dealer schools licensed under paragraph (b) either  
776 in a classroom setting or by correspondence. Such schools shall  
777 provide certificates of completion to the department and the  
778 customer which shall be filed with the license renewal form, and  
779 such schools may charge a fee for providing continuing  
780 education. Any licensee who does not file his or her application  
781 and fees and any other requisite documents, as required by law,  
782 with the department at least 30 days prior to the license  
783 expiration date shall cease to engage in business as a motor  
784 vehicle dealer on the license expiration date. A renewal filed  
785 with the department within 45 days after the expiration date  
786 shall be accompanied by a delinquent fee of \$100. Thereafter, a  
787 new application is required, accompanied by the initial license  
788 fee. A license certificate duly issued by the department may be  
789 modified by endorsement to show a change in the name of the  
790 licensee, provided, as shown by affidavit of the licensee, the  
791 majority ownership interest of the licensee has not changed or  
792 the name of the person appearing as franchisee on the sales and  
793 service agreement has not changed. Modification of a license

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794 certificate to show any name change as herein provided shall not  
795 require initial licensure or reissuance of dealer tags; however,  
796 any dealer obtaining a name change shall transact all business  
797 in and be properly identified by that name. All documents  
798 relative to licensure shall reflect the new name. In the case of  
799 a franchise dealer, the name change shall be approved by the  
800 manufacturer, distributor, or importer. A licensee applying for  
801 a name change endorsement shall pay a fee of \$25 which fee shall  
802 apply to the change in the name of a main location and all  
803 additional locations licensed under the provisions of subsection  
804 (5). Each initial license application received by the department  
805 shall be accompanied by verification that, within the preceding  
806 6 months, the applicant, or one or more of his or her designated  
807 employees, has attended a training and information seminar  
808 conducted by a licensed motor vehicle dealer training school.  
809 Any applicant for a new franchised motor vehicle dealer license  
810 who has held a valid franchised motor vehicle dealer license  
811 continuously for the past 2 years and who remains in good  
812 standing with the department is exempt from the prelicensing  
813 training requirement. Such seminar shall include, but is not  
814 limited to, statutory dealer requirements, which requirements  
815 include required bookkeeping and recordkeeping procedures,  
816 requirements for the collection of sales and use taxes, and such  
817 other information that in the opinion of the department will  
818 promote good business practices. No seminar may exceed 8 hours  
819 in length.

820 (b) Each initial license application received by the  
821 department for licensure under subparagraph (1)(c)2. shall ~~must~~  
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822 be accompanied by verification that, within the preceding 6  
823 months, the applicant (owner, partner, officer, or director of  
824 the applicant, or a full-time employee of the applicant that  
825 holds a responsible management-level position) has successfully  
826 completed training conducted by a licensed motor vehicle dealer  
827 training school. Such training must include training in titling  
828 and registration of motor vehicles, laws relating to unfair and  
829 deceptive trade practices, laws relating to financing with  
830 regard to buy-here, pay-here operations, and such other  
831 information that in the opinion of the department will promote  
832 good business practices. Successful completion of this training  
833 shall be determined by examination administered at the end of  
834 the course and attendance of no less than 90 percent of the  
835 total hours required by such school. Any applicant who had held  
836 a valid motor vehicle dealer's license continuously within the  
837 past 2 years and who remains in good standing with the  
838 department is exempt from the prelicensing requirements of this  
839 section ~~paragraph~~. The department shall have the authority to  
840 adopt any rule necessary for establishing the training  
841 curriculum; length of training, which shall not exceed 8 hours  
842 for required department topics and shall not exceed an  
843 additional 24 hours for topics related to other regulatory  
844 agencies' instructor qualifications; and any other requirements  
845 under this section. The curriculum for other subjects shall be  
846 approved by any and all other regulatory agencies having  
847 jurisdiction over specific subject matters; however, the overall  
848 administration of the licensing of these dealer schools and  
849 their instructors shall remain with the department. Such schools

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850 are authorized to charge a fee. ~~This privatized method for~~  
851 ~~training applicants for dealer licensing pursuant to~~  
852 ~~subparagraph (1)(c)2. is a pilot program that shall be evaluated~~  
853 ~~by the department after it has been in operation for a period of~~  
854 ~~2 years.~~

855 (6) RECORDS TO BE KEPT BY LICENSEE.—Every licensee shall  
856 keep a book or record in either paper or electronic ~~such~~ form as  
857 ~~shall be~~ prescribed or approved by the department for a period  
858 of 5 years, in which the licensee shall keep a record of the  
859 purchase, sale, or exchange, or receipt for the purpose of sale,  
860 of any motor vehicle, the date upon which any temporary tag was  
861 issued, the date of title transfer, and a description of such  
862 motor vehicle together with the name and address of the seller,  
863 the purchaser, and the alleged owner or other person from whom  
864 such motor vehicle was purchased or received or to whom it was  
865 sold or delivered, as the case may be. Such description shall  
866 include the identification or engine number, maker's number, if  
867 any, chassis number, if any, and such other numbers or  
868 identification marks as may be thereon and shall also include a  
869 statement that a number has been obliterated, defaced, or  
870 changed, if such is the fact. When a licensee chooses to  
871 maintain electronic records, the original paper documents may be  
872 destroyed after the licensee successfully transfers title and  
873 registration to the purchaser as required by chapter 319 for any  
874 purchaser who titles and registers the motor vehicle in this  
875 state. In the case of a sale to a purchaser who will title and  
876 register the motor vehicle in another state or country, the  
877 licensee may destroy the original paper documents after

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878 successfully delivering a lawfully reassigned title or  
879 manufacturer's certificate or statement of origin to the  
880 purchaser and after producing electronic images of all documents  
881 related to the sale.

882 (9) DENIAL, SUSPENSION, OR REVOCATION.—

883 (a) The department may deny, suspend, or revoke any  
884 license issued hereunder or under the provisions of s. 320.77 or  
885 s. 320.771~~7~~ upon proof that an applicant or a licensee has  
886 ~~committed any of the following activities:~~

887 1. Committed ~~Commission of~~ fraud or willful  
888 misrepresentation in application for or in obtaining a license.

889 2. Been convicted ~~Conviction~~ of a felony.

890 3. Failed ~~Failure~~ to honor a bank draft or check given to  
891 a motor vehicle dealer for the purchase of a motor vehicle by  
892 another motor vehicle dealer within 10 days after notification  
893 that the bank draft or check has been dishonored. If the  
894 transaction is disputed, the maker of the bank draft or check  
895 shall post a bond in accordance with the provisions of s.  
896 559.917, and no proceeding for revocation or suspension shall be  
897 commenced until the dispute is resolved.

898 4.a. Failed to provide payment within 10 business days to  
899 the department for a check payable to the department that was  
900 dishonored due to insufficient funds in the amount due plus any  
901 statutorily authorized fee for uttering a worthless check. The  
902 department shall notify an applicant or licensee when the  
903 applicant or licensee makes payment to the department by a check  
904 that is subsequently dishonored by the bank due to insufficient  
905 funds. The applicant or licensee shall, within 10 business days

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906 after receiving the notice, provide payment to the department in  
907 the form of cash in the amount due plus any statutorily  
908 authorized fee. If the applicant or licensee fails to make such  
909 payment within 10 business days, the department may deny,  
910 suspend, or revoke the applicant's or licensee's motor vehicle  
911 dealer license.

912 b. Stopped payment on a check payable to the department,  
913 issued a check payable to the department from an account that  
914 has been closed, or charged back a credit card transaction to  
915 the department. If an applicant or licensee commits any such  
916 act, the department may deny, suspend, or revoke the applicant's  
917 or licensee's motor vehicle dealer license.

918 5.a. Failed to provide payment in the amount of tuition  
919 due plus any statutorily authorized fee within 10 business days  
920 to a licensed motor vehicle dealer training school for a check  
921 payable to the school that was dishonored due to insufficient  
922 funds in the amount of tuition due plus any statutorily  
923 authorized fee for uttering a worthless check. A licensed motor  
924 vehicle dealer training school shall notify a student when the  
925 student makes payment to the school by a check that is  
926 subsequently dishonored by the bank due to insufficient funds.  
927 The student shall, within 10 business days after receiving the  
928 notice, provide payment to the school in a manner designated by  
929 the school in the amount of tuition due plus any statutorily  
930 authorized fee. If the student fails to make such payment within  
931 10 business days, the motor vehicle dealer training school may  
932 cancel the training certificate issued to the student and notify  
933 the department of the cancellation of the training certificate.

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962 Remove lines 37-55 and insert:  
963 319.241, F.S.; revising provisions relating to an  
964 application for the removal of a lien from the files of  
965 the department or from the certificate of title;  
966 authorizing the department to remove the lien from its  
967 files within a specified period after receiving an  
968 application for a derelict motor vehicle certificate and  
969 notification to the lienholder, unless a written  
970 statement protesting such removal is received; amending  
971 s. 319.30, F.S.; revising definitions; revising  
972 requirements for disposition of a motor vehicle,  
973 recreational vehicle, or mobile home that is sold,  
974 transported, or delivered to a salvage motor vehicle  
975 dealer or a secondary metals recycler; requiring  
976 certificates of title to conform to specified provisions;  
977 providing for the dealer or recycler to apply to the  
978 department for a derelict motor vehicle certificate if  
979 the certificate of title, salvage certificate of title,  
980 or certificate of destruction is not available; requiring  
981 the derelict motor vehicle certificate application to be  
982 completed by the seller or owner of the motor vehicle or  
983 mobile home, the seller's or owner's authorized  
984 transporter, or the dealer or recycler; requiring certain  
985 identification information be included with the  
986 application; revising the types of documentation that a  
987 secondary metals recycler must obtain; permitting  
988 recyclers to obtain salvage certificates of title from  
989 sellers or owners as a valid method of documentation;

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990 providing that a person engaged in the business of  
991 recovering, towing, or storing vehicles may not claim  
992 certain liens, claim that certain vehicles have remained  
993 on any premises after tenancy has terminated, or use the  
994 derelict motor vehicle certificate application to  
995 transport, sell, or dispose of a motor vehicle at a  
996 salvage motor vehicle dealer or secondary metals recycler  
997 without otherwise obtaining title to the vehicle or a  
998 certificate of destruction; requiring that the department  
999 accept all properly endorsed and completed derelict motor  
1000 vehicle certificate applications and issue such  
1001 certification having an effective date that authorizes  
1002 when the vehicle is eligible for dismantling or  
1003 destruction; requiring that such electronic information  
1004 be stored and made available to authorized persons;  
1005 requiring that all licensed salvage motor vehicle dealers  
1006 or registered secondary metals recyclers make all  
1007 payments for the purchase of any derelict motor vehicle  
1008 that is sold by a seller who is not the owner of record  
1009 by check or money order; amending s. 320.02, F.S.;  
1010 directing the department to place the name of the owner  
1011 of a motor vehicle on the list of persons who may not be  
1012 issued a license plate or revalidation sticker if that  
1013 person is on a list submitted to the department by a  
1014 licensed dealer; amending s. 320.27, F.S.; clarifying an  
1015 exemption from certain dealer prelicensing requirements;  
1016 removing a requirement for evaluation of privatized  
1017 applicant training methods; authorizing dealer records to

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1018 be kept in either paper or electronic form; providing  
1019 procedures for transfer of documents to electronic form;  
1020 authorizing the department to deny, suspend, or revoke a  
1021 dealer's license for certain actions relating to payments  
1022 made to the department; authorizing a dealer training  
1023 school to cancel the training certificate issued to a  
1024 student for certain actions relating to payments made to  
1025 the school; amending s. 322.0261, F.S.; revising  
1026 provisions requiring persons who were convicted of or who  
1027 pleaded nolo contendere to specified traffic infractions  
1028 to attend a driver improvement course; providing that the  
1029 department shall not require a person to attend a driver  
1030 improvement course for specified traffic violations when  
1031 adjudication has been withheld by the court; requiring  
1032 the department to send notice of a requirement to attend  
1033 a driver improvement course within a certain time period  
1034 after receiving a report of an adjudication; providing an