



780432

LEGISLATIVE ACTION

Senate	.	House
Comm: PEND	.	
03/23/2011	.	
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	.	

The Committee on Transportation (Storms) recommended the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause and insert:

Section 1. Paragraph (c) of subsection (4) and paragraph (c) of subsection (12) of section 713.78, Florida Statutes, are amended to read:

713.78 Liens for recovering, towing, or storing vehicles and vessels.—

(4)

(c) Notice by certified mail shall be sent within 7 business days after the date of storage of the vehicle or vessel



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13 to the registered owner, the insurance company insuring the
14 vehicle notwithstanding the provisions of s. 627.736, and all
15 persons of record claiming a lien against the vehicle or vessel.
16 It shall state the fact of possession of the vehicle or vessel,
17 that a lien as provided in subsection (2) is claimed, that
18 charges have accrued and the amount thereof, that the lien is
19 subject to enforcement pursuant to law, and that the owner or
20 lienholder, if any, has the right to a hearing as set forth in
21 subsection (5), and that any vehicle or vessel which remains
22 unclaimed, or for which the charges for recovery, towing, or
23 storage services remain unpaid, may be sold free of all prior
24 liens after 35 days if the vehicle or vessel is more than 3
25 years of age or after 50 days if the vehicle or vessel is 3
26 years of age or less. The envelope containing the notice must
27 prominently state the name, address, and telephone number of the
28 person claiming a lien and state "NOTICE OF TOWING LIEN" and, if
29 a vehicle, the vehicle identification number.

30 (12)

31 (c) Any person who uses a false or fictitious name, gives a
32 false or fictitious address, ~~or~~ makes any false statement, or
33 knowingly makes a material omission in any document application
34 or affidavit required by under the provisions of this section
35 commits is guilty of a felony of the third degree, punishable as
36 provided in s. 775.082, s. 775.083, or s. 775.084.

37 Section 2. This act shall take effect July 1, 2011.

38
39 ===== T I T L E A M E N D M E N T =====

40 And the title is amended as follows:

41 Delete everything before the enacting clause



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42 and insert:

43 A bill to be entitled
44 An act relating to liens for recovering, towing, or
45 storing vehicles or vessels; amending s. 713.78, F.S.;
46 requiring certain lien notices to contain specific
47 information on the envelope; providing penalties for a
48 material omission of required information on a
49 document; providing an effective date.