

1                   A bill to be entitled  
 2           An act relating to recreational vehicle dealers;  
 3           amending s. 320.771, F.S.; authorizing such dealers to  
 4           obtain certificates of title for recreational  
 5           vehicles; providing limitations and requirements;  
 6           providing an effective date.

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

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 10           Section 1. Paragraph (a) of subsection (1) of section  
 11   320.771, Florida Statutes, is amended to read:

12           320.771 License required of recreational vehicle dealers.—

13           (1) DEFINITIONS.—As used in this section:

14           (a) 1. "Dealer" means any person engaged in the business of  
 15   buying, selling, or dealing in recreational vehicles or offering  
 16   or displaying recreational vehicles for sale. The term "dealer"  
 17   includes a recreational vehicle broker. Any person who buys,  
 18   sells, deals in, or offers or displays for sale, or who acts as  
 19   the agent for the sale of, one or more recreational vehicles in  
 20   any 12-month period shall be prima facie presumed to be a  
 21   dealer. The terms "selling" and "sale" include lease-purchase  
 22   transactions. The term "dealer" does not include banks, credit  
 23   unions, and finance companies that acquire recreational vehicles  
 24   as an incident to their regular business and does not include  
 25   mobile home rental and leasing companies that sell recreational  
 26   vehicles to dealers licensed under this section.

27           2. A licensed dealer may transact business in recreational  
 28   vehicles with a motor vehicle auction as defined in s.

HB 393

2012

29 | 320.27(1)(c)4. Further, a licensed dealer may, at retail or  
30 | wholesale, sell a motor vehicle, as described in s.  
31 | 320.01(1)(a), acquired in exchange for the sale of a  
32 | recreational vehicle, if such acquisition is incidental to the  
33 | principal business of being a recreational vehicle dealer.  
34 | However, a recreational vehicle dealer may not buy a motor  
35 | vehicle for the purpose of resale unless licensed as a motor  
36 | vehicle dealer pursuant to s. 320.27. A dealer may apply for a  
37 | certificate of title to a recreational vehicle required to be  
38 | registered under s. 320.08(9), using a manufacturer's statement  
39 | of origin as permitted by s. 319.23(1), only if such dealer is  
40 | authorized by a manufacturer/dealer agreement, as defined in s.  
41 | 320.3202, on file with the department, to buy, sell, or deal in  
42 | that particular line-make of recreational vehicle, and the  
43 | dealer is authorized by such agreement to perform delivery and  
44 | preparation obligations and warranty defect adjustments on that  
45 | line-make.

46 | Section 2. This act shall take effect July 1, 2012.