

By the Committees on Appropriations; and Transportation; and
Senators Hays, Abruzzo, Simpson, Evers, and Lee

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1 A bill to be entitled
2 An act relating to low-speed vehicles; amending s.
3 319.14, F.S.; authorizing the conversion of a vehicle
4 titled or branded and registered as a low-speed
5 vehicle to a golf cart; providing procedures;
6 requiring an affidavit; requiring the Department of
7 Highway Safety and Motor Vehicles to issue a decal;
8 providing specifications for the decal; providing for
9 a fee; providing an effective date.

10
11 Be It Enacted by the Legislature of the State of Florida:

12
13 Section 1. Section 319.14, Florida Statutes, is amended to
14 read:

15 319.14 Sale of motor vehicles registered or used as
16 taxicabs, police vehicles, lease vehicles, rebuilt vehicles,
17 nonconforming vehicles, custom vehicles, or street rod vehicles;
18 conversion of low-speed vehicles.-

19 (1) (a) A person may not knowingly offer for sale, sell, or
20 exchange any vehicle that has been licensed, registered, or used
21 as a taxicab, police vehicle, or short-term-lease vehicle, or a
22 vehicle that has been repurchased by a manufacturer pursuant to
23 a settlement, determination, or decision under chapter 681,
24 until the department has stamped in a conspicuous place on the
25 certificate of title of the vehicle, or its duplicate, words
26 stating the nature of the previous use of the vehicle or the
27 title has been stamped "Manufacturer's Buy Back" to reflect that
28 the vehicle is a nonconforming vehicle. If the certificate of
29 title or duplicate was not so stamped upon initial issuance

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30 thereof or if, subsequent to initial issuance of the title, the
31 use of the vehicle is changed to a use requiring the notation
32 provided for in this section, the owner or lienholder of the
33 vehicle shall surrender the certificate of title or duplicate to
34 the department prior to offering the vehicle for sale, and the
35 department shall stamp the certificate or duplicate as required
36 herein. When a vehicle has been repurchased by a manufacturer
37 pursuant to a settlement, determination, or decision under
38 chapter 681, the title shall be stamped "Manufacturer's Buy
39 Back" to reflect that the vehicle is a nonconforming vehicle.

40 (b) A person may not knowingly offer for sale, sell, or
41 exchange a rebuilt vehicle until the department has stamped in a
42 conspicuous place on the certificate of title for the vehicle
43 words stating that the vehicle has been rebuilt or assembled
44 from parts, or is a kit car, glider kit, replica, flood vehicle,
45 custom vehicle, or street rod vehicle unless proper application
46 for a certificate of title for a vehicle that is rebuilt or
47 assembled from parts, or is a kit car, glider kit, replica,
48 flood vehicle, custom vehicle, or street rod vehicle has been
49 made to the department in accordance with this chapter and the
50 department has conducted the physical examination of the vehicle
51 to assure the identity of the vehicle and all major component
52 parts, as defined in s. 319.30(1), which have been repaired or
53 replaced. Thereafter, the department shall affix a decal to the
54 vehicle, in the manner prescribed by the department, showing the
55 vehicle to be rebuilt.

56 (c) As used in this section, the term:

57 1. "Police vehicle" means a motor vehicle owned or leased
58 by the state or a county or municipality and used in law

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59 enforcement.

60 2.a. "Short-term-lease vehicle" means a motor vehicle
61 leased without a driver and under a written agreement to one or
62 more persons from time to time for a period of less than 12
63 months.

64 b. "Long-term-lease vehicle" means a motor vehicle leased
65 without a driver and under a written agreement to one person for
66 a period of 12 months or longer.

67 c. "Lease vehicle" includes both short-term-lease vehicles
68 and long-term-lease vehicles.

69 3. "Rebuilt vehicle" means a motor vehicle or mobile home
70 built from salvage or junk, as defined in s. 319.30(1).

71 4. "Assembled from parts" means a motor vehicle or mobile
72 home assembled from parts or combined from parts of motor
73 vehicles or mobile homes, new or used. "Assembled from parts"
74 does not mean a motor vehicle defined as a "rebuilt vehicle" in
75 subparagraph 3., which has been declared a total loss pursuant
76 to s. 319.30.

77 5. "Kit car" means a motor vehicle assembled with a kit
78 supplied by a manufacturer to rebuild a wrecked or outdated
79 motor vehicle with a new body kit.

80 6. "Glider kit" means a vehicle assembled with a kit
81 supplied by a manufacturer to rebuild a wrecked or outdated
82 truck or truck tractor.

83 7. "Replica" means a complete new motor vehicle
84 manufactured to look like an old vehicle.

85 8. "Flood vehicle" means a motor vehicle or mobile home
86 that has been declared to be a total loss pursuant to s.
87 319.30(3)(a) resulting from damage caused by water.

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88 9. "Nonconforming vehicle" means a motor vehicle which has
89 been purchased by a manufacturer pursuant to a settlement,
90 determination, or decision under chapter 681.

91 10. "Settlement" means an agreement entered into between a
92 manufacturer and a consumer that occurs after a dispute is
93 submitted to a program, or an informal dispute settlement
94 procedure established by a manufacturer or is approved for
95 arbitration before the New Motor Vehicle Arbitration Board as
96 defined in s. 681.102.

97 11. "Custom vehicle" means a motor vehicle that:

98 a. Is 25 years of age or older and of a model year after
99 1948 or was manufactured to resemble a vehicle that is 25 years
100 of age or older and of a model year after 1948; and

101 b. Has been altered from the manufacturer's original design
102 or has a body constructed from nonoriginal materials.

103

104 The model year and year of manufacture that the body of a custom
105 vehicle resembles is the model year and year of manufacture
106 listed on the certificate of title, regardless of when the
107 vehicle was actually manufactured.

108 12. "Street rod" means a motor vehicle that:

109 a. Is of a model year of 1948 or older or was manufactured
110 after 1948 to resemble a vehicle of a model year of 1948 or
111 older; and

112 b. Has been altered from the manufacturer's original design
113 or has a body constructed from nonoriginal materials.

114

115 The model year and year of manufacture that the body of a street
116 rod resembles is the model year and year of manufacture listed

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117 on the certificate of title, regardless of when the vehicle was
118 actually manufactured.

119 (2) A person may not knowingly sell, exchange, or transfer
120 a vehicle referred to in subsection (1) without, before
121 consummating the sale, exchange, or transfer, disclosing in
122 writing to the purchaser, customer, or transferee the fact that
123 the vehicle has previously been titled, registered, or used as a
124 taxicab, police vehicle, or short-term-lease vehicle, is a
125 vehicle that is rebuilt or assembled from parts, is a kit car,
126 glider kit, replica, or flood vehicle, or is a nonconforming
127 vehicle, custom vehicle, or street rod vehicle, as the case may
128 be.

129 (3) Any person who, with intent to offer for sale or
130 exchange any vehicle referred to in subsection (1), knowingly or
131 intentionally advertises, publishes, disseminates, circulates,
132 or places before the public in any communications medium,
133 whether directly or indirectly, any offer to sell or exchange
134 the vehicle shall clearly and precisely state in each such offer
135 that the vehicle has previously been titled, registered, or used
136 as a taxicab, police vehicle, or short-term-lease vehicle or
137 that the vehicle or mobile home is a vehicle that is rebuilt or
138 assembled from parts, is a kit car, glider kit, replica, or
139 flood vehicle, or is a nonconforming vehicle, custom vehicle, or
140 street rod vehicle, as the case may be. A person who violates
141 this subsection commits a misdemeanor of the second degree,
142 punishable as provided in s. 775.082 or s. 775.083.

143 (4) If a certificate of title, including a foreign
144 certificate, is branded to reflect a condition or prior use of
145 the titled vehicle, the brand must be noted on the registration

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146 certificate of the vehicle and such brand shall be carried
147 forward on all subsequent certificates of title and registration
148 certificates issued for the life of the vehicle.

149 (5) A person who knowingly sells, exchanges, or offers to
150 sell or exchange a motor vehicle or mobile home contrary to this
151 section or any officer, agent, or employee of a person who
152 knowingly authorizes, directs, aids in, or consents to the sale,
153 exchange, or offer to sell or exchange a motor vehicle or mobile
154 home contrary to this section commits a misdemeanor of the
155 second degree, punishable as provided in s. 775.082 or s.
156 775.083.

157 (6) A person who removes a rebuilt decal from a rebuilt
158 vehicle with the intent to conceal the rebuilt status of the
159 vehicle commits a felony of the third degree, punishable as
160 provided in s. 775.082, s. 775.083, or s. 775.084.

161 (7) This section applies to a mobile home, travel trailer,
162 camping trailer, truck camper, or fifth-wheel recreation trailer
163 only when the mobile home or vehicle is a rebuilt vehicle or is
164 assembled from parts.

165 (8) A person is not liable or accountable in any civil
166 action arising out of a violation of this section if the
167 designation of the previous use or condition of the motor
168 vehicle is not noted on the certificate of title and
169 registration certificate of the vehicle which was received by,
170 or delivered to, such person, unless the person has actively
171 concealed the prior use or condition of the vehicle from the
172 purchaser.

173 (9) Subsections (1), (2), and (3) do not apply to the
174 transfer of ownership of a motor vehicle after the motor vehicle

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175 has ceased to be used as a lease vehicle and the ownership has
176 been transferred to an owner for private use or to the transfer
177 of ownership of a nonconforming vehicle with 36,000 or more
178 miles on its odometer, or 34 months whichever is later and the
179 ownership has been transferred to an owner for private use. Such
180 owner, as shown on the title certificate, may request the
181 department to issue a corrected certificate of title that does
182 not contain the statement of the previous use of the vehicle as
183 a lease vehicle or condition as a nonconforming vehicle.

184 (10) (a) A vehicle titled or branded and registered as a
185 low-speed vehicle may be converted to a golf cart pursuant to
186 the following:

187 1. The owner of the converted vehicle must contact the
188 regional office of the department to verify the conversion,
189 surrender the registration license plate and the current
190 certificate of title, and pay the appropriate fee established
191 under paragraph (b).

192 2. The owner of the converted vehicle must provide an
193 affidavit to the department attesting that the vehicle has been
194 modified to comply with the speed restrictions provided in s.
195 320.01(22) and acknowledging that the vehicle must be operated
196 in accordance with s. 316.212, s. 316.2125, s. 316.2126, or s.
197 316.21265.

198 3. Upon verification of the conversion, the department
199 shall note in the vehicle record that the low-speed vehicle has
200 been converted to a golf cart and shall cancel the certificate
201 of title and registration of the vehicle.

202 (b) The department shall establish a fee of \$40 to cover
203 the cost of verification and associated administrative costs for

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204 carrying out its responsibilities under this subsection.

205 (c) The department shall issue a decal reflecting the
206 conversion of the vehicle to a golf cart, upon which is clearly
207 legible the following text: "CONVERTED VEHICLE. Max speed 20
208 mph." The decal must be displayed on the rear of the vehicle, so
209 that the decal is plainly visible.

210 Section 2. This act shall take effect July 1, 2013.