

Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED _____ (Y/N)
 ADOPTED AS AMENDED _____ (Y/N)
 ADOPTED W/O OBJECTION _____ (Y/N)
 FAILED TO ADOPT _____ (Y/N)
 WITHDRAWN _____ (Y/N)
 OTHER _____

1 Committee/Subcommittee hearing bill: Transportation & Economic
 2 Development Appropriations Subcommittee
 3 Representative Ray offered the following:
 4

Amendment (with title amendment)

6 Remove everything after the enacting clause and insert:

7 Section 1. Present paragraphs (o) through (w) of
 8 subsection (1) of section 319.30, Florida Statutes, are
 9 redesignated as paragraphs (p) through (x), respectively, a new
 10 paragraph (o) is added to that subsection, and paragraph (b) of
 11 subsection (3) of that section is amended, to read:

12 319.30 Definitions; dismantling, destruction, change of
 13 identity of motor vehicle or mobile home; salvage.—

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

15 (o) "Late model vehicle" means a motor vehicle that has a
 16 manufacturer's model year of 7 years or newer.

17 (3)

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18 (b) The owner, including persons who are self-insured, of
19 a any motor vehicle or mobile home that ~~which~~ is considered to
20 be salvage shall, within 72 hours after the motor vehicle or
21 mobile home becomes salvage, forward the title to the motor
22 vehicle or mobile home to the department for processing.
23 However, an insurance company that ~~which~~ pays money as
24 compensation for the total loss of a motor vehicle or mobile
25 home shall obtain the certificate of title for the motor vehicle
26 or mobile home, make the required notification to the National
27 Motor Vehicle Title Information System, and, within 72 hours
28 after receiving such certificate of title, ~~shall~~ forward such
29 title to the department for processing. The owner or insurance
30 company, as applicable ~~the case may be~~, may not dispose of a
31 vehicle or mobile home that is a total loss before it obtains
32 ~~has obtained~~ a salvage certificate of title or certificate of
33 destruction from the department. When applying for a salvage
34 certificate of title or certificate of destruction, the owner or
35 insurance company must provide the department with an estimate
36 of the costs of repairing the physical and mechanical damage
37 suffered by the vehicle for which a salvage certificate of title
38 or certificate of destruction is sought. If the estimated costs
39 of repairing the physical and mechanical damage to the mobile
40 home ~~vehicle~~ are equal to 80 percent or more of the current
41 retail cost of the mobile home ~~vehicle~~, as established in any
42 official ~~used car or~~ used mobile home guide, the department
43 shall declare the mobile home ~~vehicle~~ unrebuildable and print a

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44 certificate of destruction, which authorizes the dismantling or
45 destruction of the ~~motor vehicle or~~ mobile home ~~described~~
46 ~~therein~~. For a late model vehicle with a current retail cost of
47 at least \$7,500 just prior to sustaining the damage that
48 resulted in the total loss, as established in any official used
49 car guide, if the owner or insurance company determines that the
50 estimated costs of repairing the physical and mechanical damage
51 to the vehicle are equal to 90 percent or more of the current
52 retail cost of the vehicle, as established in any official used
53 motor vehicle guide, the department shall declare the vehicle
54 unrebuildable and print a certificate of destruction, which
55 authorizes the dismantling or destruction of the motor vehicle.
56 However, if the damaged motor vehicle is equipped with custom-
57 lowered floors for wheelchair access or a wheelchair lift, the
58 insurance company may, upon determining that the vehicle is
59 repairable to a condition that is safe for operation on public
60 roads, submit the certificate of title to the department for
61 reissuance as a salvage rebuildable title and the addition of a
62 title brand of "insurance-declared total loss." The certificate
63 of destruction shall be reassignable a maximum of two times
64 before dismantling or destruction of the vehicle is ~~shall be~~
65 required, and shall accompany the motor vehicle or mobile home
66 for which it is issued, when such motor vehicle or mobile home
67 is sold for such purposes, in lieu of a certificate of title.7
68 ~~and, thereafter,~~ The department may not issue a ~~shall refuse~~
69 ~~issuance of any~~ certificate of title for that vehicle. ~~Nothing~~

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70 ~~in~~ This subsection is not ~~shall be~~ applicable if ~~when~~ a mobile
71 home vehicle is worth less than \$1,500 retail just prior to
72 sustaining the damage that resulted in the total loss in
73 undamaged condition in any official ~~used motor vehicle guide~~ or
74 used mobile home guide or when a stolen motor vehicle or mobile
75 home is recovered in substantially intact condition and is
76 readily resalable without extensive repairs to or replacement of
77 the frame or engine. If a motor vehicle has a current retail
78 cost of less than \$7,500 just prior to sustaining the damage
79 that resulted in the total loss, as established in any official
80 used motor vehicle guide, or if the vehicle is not a late model
81 vehicle, the owner or insurance company that pays money as
82 compensation for the total loss of the motor vehicle shall
83 obtain a certificate of destruction, if the motor vehicle is
84 damaged, wrecked, or burned to the extent that the only residual
85 value of the motor vehicle is as a source of parts or scrap
86 metal, or if the motor vehicle comes into this state under a
87 title or other ownership document that indicates that the motor
88 vehicle is not repairable, is junked, or is for parts or
89 dismantling only. ~~Any~~ person who knowingly violates this
90 paragraph or falsifies documentation ~~any document~~ to avoid the
91 requirements of this paragraph commits a misdemeanor of the
92 first degree, punishable as provided in s. 775.082 or s.
93 775.083.

94 Section 2. This act shall take effect July 1, 2014.

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T I T L E A M E N D M E N T

Remove everything before the enacting clause and insert:

A bill to be entitled

An act relating to certificates of destruction;
amending s. 319.30, F.S.; defining a term; revising
requirements for the Department of Highway Safety and
Motor Vehicles to declare certain mobile homes and
motor vehicles unrebuildable and to issue a
certificate of destruction; requiring the department
to issue certificates of destruction for motor
vehicles that are worth less than a specified amount
and are above a certain age under certain
circumstances; providing an effective date.