

HB 7063

2014

1 A bill to be entitled

2 An act relating to certificates of destruction;  
3 amending s. 319.30, F.S.; revising the requirements  
4 for an owner or insurance company to obtain a  
5 certificate of destruction for certain motor vehicles  
6 or mobile homes; providing an effective date.

7  
8 Be It Enacted by the Legislature of the State of Florida:

9  
10 Section 1. Paragraph (b) of subsection (3) of section  
11 319.30, Florida Statutes, is amended to read:

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

14 (3)

15 (b) The owner, including persons who are self-insured, of  
16 a ~~any~~ motor vehicle or mobile home that ~~which~~ is considered to  
17 be salvage shall, within 72 hours after the motor vehicle or  
18 mobile home becomes salvage, forward the title to the motor  
19 vehicle or mobile home to the department for processing.  
20 However, an insurance company that ~~which~~ pays money as  
21 compensation for the total loss of a motor vehicle or mobile  
22 home shall obtain the certificate of title for the motor vehicle  
23 or mobile home, make the required notification to the National  
24 Motor Vehicle Title Information System, and, within 72 hours  
25 after receiving such certificate of title, ~~shall~~ forward such  
26 title to the department for processing. The owner or insurance

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27 | company, as applicable ~~the case may be~~, may not dispose of a  
28 | vehicle or mobile home that is a total loss before it obtains  
29 | ~~has obtained~~ a salvage certificate of title or certificate of  
30 | destruction from the department. When applying for a salvage  
31 | certificate of title or certificate of destruction, the owner or  
32 | insurance company must provide the department with an estimate  
33 | of the costs of repairing the physical and mechanical damage  
34 | suffered by the vehicle for which a salvage certificate of title  
35 | or certificate of destruction is sought. If a motor vehicle or  
36 | mobile home is damaged, wrecked, or burned to the extent that  
37 | the only residual value of the motor vehicle or mobile home is  
38 | as a source of parts or scrap metal, or if the motor vehicle or  
39 | mobile home comes into this state under a title or other  
40 | ownership document that indicates that the motor vehicle or  
41 | mobile home is not repairable, is junked, or is for parts or  
42 | dismantling only, the owner or insurance company that pays money  
43 | as compensation for total loss of a motor vehicle or mobile home  
44 | shall obtain ~~the estimated costs of repairing the physical and~~  
45 | ~~mechanical damage to the vehicle are equal to 80 percent or more~~  
46 | ~~of the current retail cost of the vehicle, as established in any~~  
47 | ~~official used car or used mobile home guide, the department~~  
48 | ~~shall declare the vehicle unbuildable and print~~ a certificate  
49 | of destruction, which authorizes the dismantling or destruction  
50 | of the motor vehicle or mobile home ~~described therein~~. However,  
51 | if the damaged motor vehicle is equipped with custom-lowered  
52 | floors for wheelchair access or a wheelchair lift, the insurance

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53 company may, upon determining that the vehicle is repairable to  
54 a condition that is safe for operation on public roads, submit  
55 the certificate of title to the department for reissuance as a  
56 salvage rebuildable title and the addition of a title brand of  
57 "insurance-declared total loss." The certificate of destruction  
58 shall be reassignable a maximum of two times before dismantling  
59 or destruction of the vehicle is ~~shall be~~ required, and shall  
60 accompany the motor vehicle or mobile home for which it is  
61 issued, when such motor vehicle or mobile home is sold for such  
62 purposes, in lieu of a certificate of title, ~~and, thereafter,~~  
63 The department may not issue a ~~shall refuse issuance of any~~  
64 certificate of title for that vehicle. ~~Nothing in~~ This  
65 subsection is not ~~shall be~~ applicable if ~~when~~ a vehicle is worth  
66 less than \$1,500 retail in undamaged condition in any official  
67 used motor vehicle guide or used mobile home guide or when a  
68 stolen motor vehicle or mobile home is recovered in  
69 substantially intact condition and is readily resalable without  
70 extensive repairs to or replacement of the frame or engine. A  
71 ~~Any~~ person who knowingly violates this paragraph or falsifies  
72 documentation ~~any document~~ to avoid the requirements of this  
73 paragraph commits a misdemeanor of the first degree, punishable  
74 as provided in s. 775.082 or s. 775.083.

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