



493168

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
03/19/2014	.	
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	.	
	.	

The Committee on Banking and Insurance (Hays) recommended the following:

1 **Senate Substitute for Amendment (954976) (with title**
2 **amendment)**

3
4 Delete everything after the enacting clause
5 and insert:

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



493168

11 319.30 Definitions; dismantling, destruction, change of
12 identity of motor vehicle or mobile home; salvage.—

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

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

16 (3)

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



493168

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



493168

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

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

94
95 ===== T I T L E A M E N D M E N T =====

96 And the title is amended as follows:

97 Delete everything before the enacting clause



493168

98 and insert:

99 A bill to be entitled
100 An act relating to certificates of destruction;
101 amending s. 319.30, F.S.; defining a term; revising
102 requirements for the Department of Highway Safety and
103 Motor Vehicles to declare certain mobile homes and
104 motor vehicles unrebildable and to issue a
105 certificate of destruction; requiring the department
106 to issue certificates of destruction for motor
107 vehicles that are worth less than a specified amount
108 and are above a certain age under certain
109 circumstances; providing an effective date.