



954976

LEGISLATIVE ACTION

Senate

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House

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

**Senate Amendment (with title amendment)**

Delete everything after the enacting clause  
and insert:

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

319.30 Definitions; dismantling, destruction, change of



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11 identity of motor vehicle or mobile home; salvage.-

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

13 (o) "New model vehicle" means a motor vehicle that has a  
14 manufacturer's model year designation of the year in which the  
15 vehicle was wrecked or damaged or any of the immediately  
16 preceding 5 years.

17 (3)

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



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40 are equal to 80 percent or more of the current retail cost of  
41 the mobile home vehicle, as established in any official ~~used car~~  
42 ~~or~~ used mobile home guide, the department shall declare the  
43 mobile home vehicle unrebuildable and print a certificate of  
44 destruction, which authorizes the dismantling or destruction of  
45 the ~~motor vehicle or~~ mobile home ~~described therein~~. For a new  
46 model vehicle with a current retail cost of at least \$10,000  
47 just prior to sustaining the damage that resulted in the total  
48 loss, as established in any official used car guide, if the  
49 owner or insurance company determines that the estimated costs  
50 of repairing the physical and mechanical damage to the vehicle  
51 are equal to 100 percent or more of the current retail cost of  
52 the vehicle, as established in any official used motor vehicle  
53 guide, the department shall declare the vehicle unrebuildable  
54 and print a certificate of destruction, which authorizes the  
55 dismantling or destruction of the motor vehicle. However, if the  
56 damaged motor vehicle is equipped with custom-lowered floors for  
57 wheelchair access or a wheelchair lift, the insurance company  
58 may, upon determining that the vehicle is repairable to a  
59 condition that is safe for operation on public roads, submit the  
60 certificate of title to the department for reissuance as a  
61 salvage rebuildable title and the addition of a title brand of  
62 "insurance-declared total loss." The certificate of destruction  
63 shall be reassignable a maximum of two times before dismantling  
64 or destruction of the vehicle is ~~shall be~~ required, and shall  
65 accompany the motor vehicle or mobile home for which it is  
66 issued, when such motor vehicle or mobile home is sold for such  
67 purposes, in lieu of a certificate of title, ~~and, thereafter,~~  
68 The department may not issue a ~~shall refuse issuance of any~~



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69 certificate of title for that vehicle. ~~Nothing in This~~  
70 subsection is not shall be applicable if when a mobile home  
71 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 \$10,000 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 new 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.

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

97 And the title is amended as follows:



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98           Delete everything before the enacting clause  
99 and insert:

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