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LEGISLATIVE ACTION

Senate

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House

The Committee on Appropriations (Hays) recommended the following:

Senate Amendment (with title amendment)

Between lines 818 and 819

insert:

Section 13. Section 319.141, Florida Statutes, is amended to read:

319.141 Pilot rebuilt motor vehicle inspection program.—

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

(a) "Facility" means a rebuilt motor vehicle inspection facility authorized and operating under this section.



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11 (b) "Rebuilt inspection services" means an examination of a
12 rebuilt vehicle and a properly endorsed certificate of title,
13 salvage certificate of title, or manufacturer's statement of
14 origin and an application for a rebuilt certificate of title, a
15 rebuilder's affidavit, a photograph of the junk or salvage
16 vehicle taken before repairs began, receipts or invoices for all
17 major component parts, as defined in s. 319.30, and repairs
18 which were changed, and proof that notice of rebuilding of the
19 vehicle has been reported to the National Motor Vehicle Title
20 Information System.

21 (2) By July 1, 2015 ~~October 1, 2013~~, the department shall
22 oversee implement a pilot program in Miami-Dade County ~~and~~
23 ~~Hillsborough Counties~~ to evaluate alternatives for rebuilt
24 inspection services ~~to be~~ offered by existing ~~the~~ private sector
25 operators, including the continued use ~~feasibility~~ of using
26 private facilities, the cost impact to consumers, and the
27 potential savings to the department.

28 (3) The department shall establish a memorandum of
29 understanding that allows private parties participating in the
30 pilot program to conduct rebuilt motor vehicle inspections and
31 specifies requirements for oversight, bonding and insurance,
32 procedures, and forms and requires the electronic transmission
33 of documents.

34 (4) Before an applicant is approved, the department shall
35 ensure that the applicant meets basic criteria designed to
36 protect the public. At a minimum, the applicant shall meet all
37 of the following requirements:

38 (a) Have and maintain a surety bond or irrevocable letter
39 of credit in the amount of \$100,000 ~~\$50,000~~ executed by the



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40 applicant.

41 (b) Secure and maintain a facility at a permanent structure
42 at an address recognized by the United States Postal Service
43 where the only services provided on such property are rebuilt
44 inspection services. The operator of a facility shall annually
45 attest that he or she is not employed by or does not have an
46 ownership interest in or other financial arrangement with the
47 owner, operator, manager, or employee of a motor vehicle repair
48 shop as defined in s. 559.903, a motor vehicle dealer as defined
49 in s. 320.27(1)(c), a towing company, a vehicle storage company,
50 a vehicle auction, an insurance company, a salvage yard, a metal
51 retailer, or a metal rebuilder from which he or she receives
52 remuneration, directly or indirectly, for the referral of
53 customers for rebuilt inspection services.

54 (c) ~~(b)~~ Have and maintain garage liability and other
55 insurance required by the department.

56 (d) ~~(c)~~ Have completed criminal background checks of the
57 owners, partners, and corporate officers and the inspectors
58 employed by the facility.

59 (e) ~~(d)~~ Meet any additional criteria the department
60 determines necessary to conduct proper inspections.

61 (5) A participant in the program shall access vehicle and
62 title information and enter inspection results through an
63 electronic filing system authorized by the department and shall
64 maintain records of each rebuilt vehicle inspection processed at
65 such facility for at least 5 years.

66 (6) The department shall immediately terminate any operator
67 from the program who fails to meet the minimum eligibility
68 requirements specified in subsection (4). Prior to a change in



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69 ownership of the rebuilt inspection facility, the current
70 operator must give the department 45 days written notice of the
71 intended sale. The prospective owner must meet the eligibility
72 requirements of this section and execute a new memorandum of
73 understanding with the department prior to operating the
74 facility.

75 ~~(6) The department shall submit a report to the President~~
76 ~~of the Senate and the Speaker of the House of Representatives~~
77 ~~providing the results of the pilot program by February 1, 2015.~~

78 (7) This section is shall stand repealed on July 1, 2018
79 2015, unless saved from repeal through reenactment by the
80 Legislature.

81 Section 14. Subsection (1) and paragraph (a) of subsection
82 (2) of section 320.086, Florida Statutes, are amended to read:

83 320.086 Ancient or antique motor vehicles; horseless
84 carriage, antique, or historical license plates; former military
85 vehicles.—

86 (1) The owner of a motor vehicle for private use
87 manufactured in the model year 1945 or earlier, ~~equipped with an~~
88 ~~engine manufactured in 1945 or earlier or manufactured to the~~
89 ~~specifications of the original engine,~~ and operated on the
90 streets and highways of this state shall, upon application in
91 the manner and at the time prescribed by the department and upon
92 payment of the license tax for an ancient motor vehicle
93 prescribed by s. 320.08(1)(d), (2)(a), or (3)(e), be issued a
94 special license plate for such motor vehicle. The license plate
95 shall be permanent and valid for use without renewal so long as
96 the vehicle is in existence. In addition to the payment of all
97 other fees required by law, the applicant shall pay such fee for



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98 the issuance of the special license plate as may be prescribed
99 by the department commensurate with the cost of its manufacture.
100 The registration numbers and special license plates assigned to
101 such motor vehicles shall run in a separate numerical series,
102 commencing with "Horseless Carriage No. 1," and the plates shall
103 be of a distinguishing color.

104 (2) (a) The owner of a motor vehicle for private use
105 manufactured in the model year after 1945 and of the age of 30
106 years or more after the model year ~~date of manufacture, equipped~~
107 ~~with an engine of the age of 30 years or more after the date of~~
108 ~~manufacture~~, and operated on the streets and highways of this
109 state may, upon application in the manner and at the time
110 prescribed by the department and upon payment of the license tax
111 prescribed by s. 320.08(1)(d), (2)(a), or (3)(e), be issued a
112 special license plate for such motor vehicle. In addition to the
113 payment of all other fees required by law, the applicant shall
114 pay the fee for the issuance of the special license plate
115 prescribed by the department, commensurate with the cost of its
116 manufacture. The registration numbers and special license plates
117 assigned to such motor vehicles shall run in a separate
118 numerical series, commencing with "Antique No. 1," and the
119 plates shall be of a distinguishing color. The owner of the
120 motor vehicle may, upon application and payment of the license
121 tax prescribed by s. 320.08, be issued a regular Florida license
122 plate or specialty license plate in lieu of the special
123 "Antique" license plate.

124 Section 15. For the purpose of incorporating the amendment
125 made by this act to section 320.086, Florida Statutes, in a
126 reference thereto, paragraph (c) of subsection (3) of section



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127 319.23, Florida Statutes, is reenacted to read:

128 319.23 Application for, and issuance of, certificate of
129 title.—

130 (3) If a certificate of title has not previously been
131 issued for a motor vehicle or mobile home in this state, the
132 application, unless otherwise provided for in this chapter,
133 shall be accompanied by a proper bill of sale or sworn statement
134 of ownership, or a duly certified copy thereof, or by a
135 certificate of title, bill of sale, or other evidence of
136 ownership required by the law of the state or county from which
137 the motor vehicle or mobile home was brought into this state.

138 The application shall also be accompanied by:

139 (c) If the vehicle is an ancient or antique vehicle, as
140 defined in s. 320.086, the application shall be accompanied by a
141 certificate of title; a bill of sale and a registration; or a
142 bill of sale and an affidavit by the owner defending the title
143 from all claims. The bill of sale must contain a complete
144 vehicle description to include the vehicle identification or
145 engine number, year make, color, selling price, and signatures
146 of the seller and purchaser.

147
148 Verification of the vehicle identification number is not
149 required for any new motor vehicle; any mobile home; any trailer
150 or semitrailer with a net weight of less than 2,000 pounds; or
151 any travel trailer, camping trailer, truck camper, or fifth-
152 wheel recreation trailer.

153 Section 16. For the purpose of incorporating the amendment
154 made by this act to section 320.086, Florida Statutes, in a
155 reference thereto, paragraph (a) of subsection (2) and paragraph



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156 (e) of subsection (3) of section 320.08, Florida Statutes, are
157 reenacted to read:

158 320.08 License taxes.—Except as otherwise provided herein,
159 there are hereby levied and imposed annual license taxes for the
160 operation of motor vehicles, mopeds, motorized bicycles as
161 defined in s. 316.003(2), tri-vehicles as defined in s. 316.003,
162 and mobile homes, as defined in s. 320.01, which shall be paid
163 to and collected by the department or its agent upon the
164 registration or renewal of registration of the following:

165 (2) AUTOMOBILES OR TRI-VEHICLES FOR PRIVATE USE.—

166 (a) An ancient or antique automobile, as defined in s.
167 320.086, or a street rod, as defined in s. 320.0863: \$7.50 flat.

168 (3) TRUCKS.—

169 (e) An ancient or antique truck, as defined in s. 320.086:
170 \$7.50 flat.

171 Section 17. Subsection (2) of section 324.242, Florida
172 Statutes, is amended, present subsection (3) of that section is
173 redesignated as subsection (6), and new subsections (3), (4),
174 and (5) are added to that section, to read:

175 324.242 Personal injury protection and property damage
176 liability insurance policies; public records exemption.—

177 (2) Upon receipt of a ~~written~~ request and proof ~~a copy~~ of a
178 crash report as required under s. 316.065, s. 316.066, or s.
179 316.068, or a crash report created pursuant to the laws of
180 another state, the department shall release the policy number
181 for a policy covering a vehicle involved in a motor vehicle
182 accident to:

183 (a) Any person involved in such accident;

184 (b) The attorney of any person involved in such accident;



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185 or

186 (c) A representative of the insurer of any person involved
187 in such accident.

188 (3) The department shall provide personal injury protection
189 and property damage liability insurance policy numbers to
190 department-approved third parties that provide data collection
191 services to an insurer of any person involved in such accident.

192 (4) Before the department's release of a policy number in
193 accordance with subsection (2) or subsection (3), an insurer's
194 representative, a contracted third party, or an attorney for a
195 person involved in an accident must provide the department with
196 documentation confirming proof of representation.

197 (5) Information made confidential and exempt by this
198 section may be disclosed to another governmental entity without
199 a written request or copy of the crash report if disclosure is
200 necessary for the receiving governmental entity to perform its
201 duties and responsibilities. For purposes of this subsection,
202 the term "governmental entity" means any federal, state, county,
203 district, authority, or municipal officer, department, division,
204 board, bureau, or commission created or established by law.

205 (6)~~(3)~~ This exemption applies to personal identifying
206 information of an insured or former insured and insurance policy
207 numbers held by the department before, on, or after October 11,
208 2007.

209
210 ===== T I T L E A M E N D M E N T =====

211 And the title is amended as follows:

212 Delete line 61

213 and insert:



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214 location; amending s. 319.141, F.S.; defining the term
215 "rebuilt inspection services"; directing the
216 Department of Highway Safety and Motor Vehicles to
217 oversee a pilot program in Miami-Dade County to
218 evaluate alternatives for certain rebuilt inspection
219 services by a specified date; revising the minimum
220 criteria an applicant must meet before he or she is
221 approved; requiring that participants in the program
222 maintain records of each rebuilt vehicle inspection
223 processed at such facility for a specified period of
224 time; requiring the department to terminate any
225 operator from the program under certain circumstances;
226 requiring a current operator to give the department
227 written notice of an intended sale within a specified
228 period of time; requiring a prospective owner to meet
229 specified requirements and execute a certain
230 memorandum; deleting a provision requiring the
231 department to submit a certain report to the
232 Legislature; revising the date of repeal for this
233 section; amending s. 320.086, F.S.; requiring the
234 department to issue a special license plate to the
235 owner of a motor vehicle manufactured in the model
236 year 1945 or earlier for such motor vehicle, subject
237 to certain requirements; requiring the department to
238 issue a special license plate to the owner of a motor
239 vehicle manufactured in the model year after 1945 and
240 of the age of 30 years or more after the model year
241 for such motor vehicle, subject to certain
242 requirements; reenacting s. 319.23(3)(c), F.S.,



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243 relating to application for, and issuance of,
244 certificate of title, to incorporate the amendment
245 made to s. 320.086, F.S., in a reference thereto;
246 reenacting s. 320.08(2)(a) and (3)(e), F.S., relating
247 to license taxes, to incorporate the amendment made to
248 s. 320.086, F.S., in a reference thereto; amending s.
249 324.242, F.S.; requiring the department to release the
250 policy number of a policy covering a vehicle involved
251 in a motor vehicle accident to certain persons upon
252 receipt of a request and proof of a crash report
253 created pursuant to the laws of another state;
254 requiring the department to provide personal injury
255 protection and property damage liability insurance
256 policy numbers to department-approved third parties
257 that provide data collection services to certain
258 insurers; requiring an insurer's representative, a
259 contracted third party, or an attorney for a person
260 involved in an accident to provide the department with
261 documentation confirming proof of representation prior
262 to the release of certain policy numbers; authorizing
263 the department to disclose certain confidential and
264 exempt information to another governmental entity
265 under certain circumstances; defining the term
266 "governmental entity"; amending s. 333.01, F.S.;
267 defining and