

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WITHDRAWN _____ (Y/N)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: Judiciary Committee
2 Representative Metz offered the following:

3
4 **Amendment (with title amendment)**

5 Remove lines 68-72 and insert:

6 (d) A person acting in good faith on behalf of a business
7 entity for a legitimate business purpose. This paragraph does
8 not apply to a person engaged in private investigation, as
9 defined in s. 493.6101, on behalf of another person unless such
10 activities would otherwise be exempt under this subsection if
11 performed by the person engaging the private investigator.

12 (e) An owner or lessee of a motor vehicle that installs,
13 or directs the installation of, a tracking device or tracking
14 application on such vehicle during the period of ownership or
15 lease, provided that:

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16 1. The tracking device or tracking application is removed
17 before the vehicle's title is transferred or the vehicle's lease
18 expires;

19 2. The new owner of the vehicle, in the case of a sale, or
20 the lessor of the vehicle, in the case of an expired lease,
21 consents in writing to the nonremoval of the tracking device or
22 tracking application; or

23 3. The owner of the vehicle at the time of the
24 installation of the tracking device or tracking application was
25 the original manufacturer of the vehicle.

26 (5) A person who violates this section commits a
27 misdemeanor of the second degree, punishable as provided in s.
28 775.082 or s. 775.083.

29 Section 2. Paragraph (y) is added to subsection (1) of
30 section 493.6118, Florida Statutes, to read:

31 493.6118 Grounds for disciplinary action.—

32 (1) The following constitute grounds for which
33 disciplinary action specified in subsection (2) may be taken by
34 the department against any licensee, agency, or applicant
35 regulated by this chapter, or any unlicensed person engaged in
36 activities regulated under this chapter.

37 (y) Installation of a tracking device or tracking
38 application in violation of s. 934.425.

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

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/HB 197 (2015)

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42 | Between lines 8 and 9, insert:
43 | amending s. 493.6118, F.S.; providing that violations
44 | of the prohibition on installation of tracking devices
45 | and tracking applications by private investigative,
46 | private security, and repossession services are
47 | grounds for disciplinary action, to which penalties
48 | apply;