

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WITHDRAWN (Y/N)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: Business & Professions
2 Subcommittee
3 Representative Cortes, B. offered the following:
4

Amendment (with title amendment)

6 Remove everything after the enacting clause and insert:

7 Section 1. Subsections (1), (2), and (9) of section 320.27,
8 Florida Statutes, are amended, and a new subsection (8) is
9 created to read:

10 320.27 Motor vehicle dealers.—

11 (1) DEFINITIONS.—The following words, terms, and phrases
12 when used in this section have the meanings respectively
13 ascribed to them in this subsection, except where the context
14 clearly indicates a different meaning:

15 (a) "Department" means the Department of Highway Safety
16 and Motor Vehicles.

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17 (b) "Motor vehicle" means any motor vehicle of the type
18 and kind required to be registered and titled under chapter 319
19 and this chapter, except a recreational vehicle, moped,
20 motorcycle powered by a motor with a displacement of 50 cubic
21 centimeters or less, or mobile home.

22 (c) "Motor vehicle dealer" means any person engaged in the
23 business of buying, selling, or dealing in motor vehicles or
24 offering or displaying motor vehicles for sale at wholesale or
25 retail, or who may service and repair motor vehicles pursuant to
26 an agreement as defined in s. 320.60(1). Any person who buys,
27 sells, or deals in three or more motor vehicles in any 12-month
28 period or who offers or displays to buy or sell ~~for sale~~ three
29 or more motor vehicles in any 12-month period shall be prima
30 facie presumed to be engaged in such business. The terms
31 "selling" and "sale" include lease-purchase transactions. A
32 motor vehicle dealer may, at retail or wholesale, sell a
33 recreational vehicle as described in s. 320.01(1)(b)1.-6. and
34 8., acquired in exchange for the sale of a motor vehicle,
35 provided such acquisition is incidental to the principal
36 business of being a motor vehicle dealer. However, a motor
37 vehicle dealer may not buy a recreational vehicle for the
38 purpose of resale unless licensed as a recreational vehicle
39 dealer pursuant to s. 320.771. A motor vehicle dealer may apply
40 for a certificate of title to a motor vehicle required to be
41 registered under s. 320.08(2)(b), (c), and (d), using a
42 manufacturer's statement of origin as permitted by s. 319.23(1),

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43 only if such dealer is authorized by a franchised agreement as
44 defined in s. 320.60(1), to buy, sell, or deal in such vehicle
45 and is authorized by such agreement to perform delivery and
46 preparation obligations and warranty defect adjustments on the
47 motor vehicle; provided this limitation shall not apply to
48 recreational vehicles, van conversions, or any other motor
49 vehicle manufactured on a truck chassis. The transfer of a motor
50 vehicle by a dealer not meeting these qualifications shall be
51 titled as a used vehicle. The classifications of motor vehicle
52 dealers are defined as follows:

53 1. "Franchised motor vehicle dealer" means any person who
54 engages in the business of repairing, servicing, buying,
55 selling, or dealing in motor vehicles pursuant to an agreement
56 as defined in s. 320.60(1).

57 2. "Independent motor vehicle dealer" means any person
58 other than a franchised or wholesale motor vehicle dealer who
59 engages in the business of buying, selling, or dealing in motor
60 vehicles, and who may service and repair motor vehicles.

61 3. "Wholesale motor vehicle dealer" means any person who
62 engages exclusively in the business of buying, selling, or
63 dealing in motor vehicles at wholesale or with motor vehicle
64 auctions. Such person shall be licensed to do business in this
65 state, shall not sell or auction a vehicle to any person who is
66 not a licensed dealer, and shall not have the privilege of the
67 use of dealer license plates. Any person who buys, sells, or
68 deals in motor vehicles at wholesale or with motor vehicle

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69 auctions on behalf of a licensed motor vehicle dealer and as a
70 bona fide employee of such licensed motor vehicle dealer is not
71 required to be licensed as a wholesale motor vehicle dealer. In
72 such cases it shall be prima facie presumed that a bona fide
73 employer-employee relationship exists. A wholesale motor vehicle
74 dealer shall be exempt from the display provisions of this
75 section but shall maintain an office wherein records are kept in
76 order that those records may be inspected.

77 4. "Motor vehicle auction" means any person offering motor
78 vehicles or recreational vehicles for sale to the highest bidder
79 where buyers are licensed motor vehicle dealers. Such person
80 shall not sell a vehicle to anyone other than a licensed motor
81 vehicle dealer.

82 5. "Salvage motor vehicle dealer" means any person who
83 engages in the business of acquiring salvaged or wrecked motor
84 vehicles for the purpose of reselling them and their parts.

85
86 The term "motor vehicle dealer" does not include persons not
87 engaged in the purchase or sale of motor vehicles as a business
88 who are disposing of vehicles acquired for their own use or for
89 use in their business or acquired by foreclosure or by operation
90 of law, provided such vehicles are acquired and sold in good
91 faith and not for the purpose of avoiding the provisions of this
92 law; persons who buy or sell vehicles titled in their own names;
93 persons engaged in the business of manufacturing, selling, or
94 offering or displaying for sale at wholesale or retail no more

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95 than 25 trailers in a 12-month period; public officers while
96 performing their official duties; receivers; trustees,
97 administrators, executors, guardians, or other persons appointed
98 by, or acting under the judgment or order of, any court; banks,
99 finance companies, or other loan agencies that acquire motor
100 vehicles as an incident to their regular business; motor vehicle
101 brokers; ~~and~~ motor vehicle rental and leasing companies that
102 sell motor vehicles to motor vehicle dealers licensed under this
103 section, and nonprofit organizations recognized under s.
104 501(c)(3) of the Internal Revenue Code. Vehicles owned under
105 circumstances described in this paragraph may be disposed of at
106 retail, wholesale, or auction, unless otherwise restricted. A
107 manufacturer of fire trucks, ambulances, or school buses may
108 sell such vehicles directly to governmental agencies or to
109 persons who contract to perform or provide firefighting,
110 ambulance, or school transportation services exclusively to
111 governmental agencies without processing such sales through
112 dealers if such fire trucks, ambulances, school buses, or
113 similar vehicles are not presently available through motor
114 vehicle dealers licensed by the department.

115 (d) "Motor vehicle broker" means any person engaged in the
116 business of offering to procure or procuring motor vehicles for
117 the general public, or who holds himself or herself out through
118 solicitation, advertisement, or otherwise as one who offers to
119 procure or procures motor vehicles for the general public, and

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120 who does not store, display, or take ownership of any vehicles
121 for the purpose of selling such vehicles.

122 (e) "Person" means any natural person, firm, partnership,
123 association, or corporation.

124 (f) "Bona fide employee" means a person who is employed by
125 a licensed motor vehicle dealer and receives annually an
126 Internal Revenue Service Form W-2, or an independent contractor
127 who has a written contract with a licensed motor vehicle dealer
128 and receives annually an Internal Revenue Service Form 1099, for
129 the purpose of acting in the capacity of or conducting motor
130 vehicle sales transactions as a motor vehicle dealer.

131 (g) "Advertise" means the act of offering to buy, sell, or
132 deal in motor vehicles, or to offer or display motor vehicles
133 for sale at wholesale or retail, or to service and repair motor
134 vehicles pursuant to an agreement as defined in s. 320.60(1), by
135 use of a paid or unpaid announcement, in any form, to the
136 public, including print, televised, radio, or online
137 advertisements, or by using permanent or temporary signs.

138 (2) LICENSE REQUIRED.—No person shall engage in business
139 as, serve in the capacity of, advertise to provide services as,
140 or act as a motor vehicle dealer in this state without first
141 obtaining a license therefor in the appropriate classification
142 as provided in this section. With the exception of transactions
143 with motor vehicle auctions, no person other than a licensed
144 motor vehicle dealer may advertise for sale any motor vehicle
145 belonging to another party unless as a direct result of a bona

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146 fide legal proceeding, court order, settlement of an estate, or
147 by operation of law. However, owners of motor vehicles titled in
148 their names may advertise and offer vehicles for sale on their
149 own behalf and are exempt from the requirements of this section.

150 It shall be unlawful for a licensed motor vehicle dealer to
151 allow any person other than a bona fide employee to use the
152 motor vehicle dealer license for the purpose of acting in the
153 capacity of or conducting motor vehicle sales transactions as a
154 motor vehicle dealer. Any person selling or offering a motor
155 vehicle for sale in violation of the licensing requirements of
156 this subsection, or who misrepresents to any person its
157 relationship with any manufacturer, importer, or distributor, in
158 addition to the penalties provided herein, shall be deemed
159 guilty of an unfair and deceptive trade practice as defined in
160 part II of chapter 501 and shall be subject to the provisions of
161 subsections (8) and (9).

162 (8) ADVERTISING.- If a licensee chooses to advertise, the
163 licensee shall provide clear text including his or her company
164 name as filed with the Department of State pursuant to ch. 607,
165 F.S., physical address and phone number as provided to the
166 department, and motor vehicle dealer license number on the
167 advertisement. These requirements do not apply to signage
168 physically attached to the outside of a dealership or located on
169 dealership property or on an easement directly adjacent to
170 dealership property.

171 (9)-(8) PENALTY.-

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172 (a) Any person found guilty of violating any of the
173 provisions of this section is guilty of a misdemeanor of the
174 second degree, punishable as provided in s. 775.082 or s.
175 775.083.

176 (b)1. An individual shall not utilize a wrecker, tow truck,
177 trailer, dolly, or other vehicle to transport motor vehicles
178 purchased, sold, or dealt with in violation of this section, or
179 to offer or display motor vehicles for sale at wholesale or
180 retail, without being licensed as or employed by a licensed
181 motor vehicle dealer. A law enforcement officer from any local
182 governmental agency or state law enforcement agency may cause to
183 be immediately removed and impounded, at the owner's expense, a
184 wrecker, tow truck, trailer, dolly, or other vehicle utilized in
185 violation of this section. The impounded wrecker, tow truck,
186 trailer, dolly, or other vehicle must be stored at an authorized
187 law enforcement impound facility and may not be released from
188 such facility before a release form is completed by the
189 authority that ordered the removal and impoundment which
190 verifies that the cost recovery fine, as provided for in s.
191 323.002(3)(b), has been paid to the authority. Except as
192 provided in subparagraph 2., the vehicle must remain impounded
193 until the fine is paid or until the vehicle is sold at public
194 sale pursuant to s. 713.78(6).

195 2. The owner of a vehicle impounded under this section may
196 request a hearing with the local jurisdiction within 10 business
197 days after the impoundment. If, at the hearing, the owner shows

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198 that he or she had no knowledge that the vehicle was being used
199 in violation of this section, the vehicle shall be released to
200 the owner.

201 (9) DENIAL, SUSPENSION, OR REVOCATION.—

202 (a) The department may deny, suspend, or revoke any
203 license issued hereunder or under the provisions of s. 320.77 or
204 s. 320.771 upon proof that an applicant or a licensee has:

205 1. Committed fraud or willful misrepresentation in
206 application for or in obtaining a license.

207 2. Been convicted of a felony.

208 3. Failed to honor a bank draft or check given to a motor
209 vehicle dealer for the purchase of a motor vehicle by another
210 motor vehicle dealer within 10 days after notification that the
211 bank draft or check has been dishonored. If the transaction is
212 disputed, the maker of the bank draft or check shall post a bond
213 in accordance with the provisions of s. 559.917, and no
214 proceeding for revocation or suspension shall be commenced until
215 the dispute is resolved.

216 4.a. Failed to provide payment within 10 business days to
217 the department for a check payable to the department that was
218 dishonored due to insufficient funds in the amount due plus any
219 statutorily authorized fee for uttering a worthless check. The
220 department shall notify an applicant or licensee when the
221 applicant or licensee makes payment to the department by a check
222 that is subsequently dishonored by the bank due to insufficient
223 funds. The applicant or licensee shall, within 10 business days

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224 after receiving the notice, provide payment to the department in
225 the form of cash in the amount due plus any statutorily
226 authorized fee. If the applicant or licensee fails to make such
227 payment within 10 business days, the department may deny,
228 suspend, or revoke the applicant's or licensee's motor vehicle
229 dealer license.

230 b. Stopped payment on a check payable to the department,
231 issued a check payable to the department from an account that
232 has been closed, or charged back a credit card transaction to
233 the department. If an applicant or licensee commits any such
234 act, the department may deny, suspend, or revoke the applicant's
235 or licensee's motor vehicle dealer license.

236 (b) The department may deny, suspend, or revoke any
237 license issued hereunder or under the provisions of s. 320.77 or
238 s. 320.771 upon proof that a licensee has committed, with
239 sufficient frequency so as to establish a pattern of wrongdoing
240 on the part of a licensee, violations of one or more of the
241 following activities:

242 1. Representation that a demonstrator is a new motor
243 vehicle, or the attempt to sell or the sale of a demonstrator as
244 a new motor vehicle without written notice to the purchaser that
245 the vehicle is a demonstrator. For the purposes of this section,
246 a "demonstrator," a "new motor vehicle," and a "used motor
247 vehicle" shall be defined as under s. 320.60.

248 2. Unjustifiable refusal to comply with a licensee's
249 responsibility under the terms of the new motor vehicle warranty

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250 issued by its respective manufacturer, distributor, or importer.
251 However, if such refusal is at the direction of the
252 manufacturer, distributor, or importer, such refusal shall not
253 be a ground under this section.

254 3. Misrepresentation or false, deceptive, or misleading
255 statements with regard to the sale or financing of motor
256 vehicles which any motor vehicle dealer has, or causes to have,
257 advertised, printed, displayed, published, distributed,
258 broadcast, televised, or made in any manner with regard to the
259 sale or financing of motor vehicles.

260 4. Failure by any motor vehicle dealer to provide a
261 customer or purchaser with an odometer disclosure statement and
262 a copy of any bona fide written, executed sales contract or
263 agreement of purchase connected with the purchase of the motor
264 vehicle purchased by the customer or purchaser.

265 5. Failure of any motor vehicle dealer to comply with the
266 terms of any bona fide written, executed agreement, pursuant to
267 the sale of a motor vehicle.

268 6. Failure to apply for transfer of a title as prescribed
269 in s. 319.23(6).

270 7. Use of the dealer license identification number by any
271 person other than the licensed dealer or his or her designee.

272 8. Failure to continually meet the requirements of the
273 licensure law.

274 9. Representation to a customer or any advertisement to
275 the public representing or suggesting that a motor vehicle is a

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276 new motor vehicle if such vehicle lawfully cannot be titled in
277 the name of the customer or other member of the public by the
278 seller using a manufacturer's statement of origin as permitted
279 in s. 319.23(1).

280 10. Requirement by any motor vehicle dealer that a
281 customer or purchaser accept equipment on his or her motor
282 vehicle which was not ordered by the customer or purchaser.

283 11. Requirement by any motor vehicle dealer that any
284 customer or purchaser finance a motor vehicle with a specific
285 financial institution or company.

286 12. Requirement by any motor vehicle dealer that the
287 purchaser of a motor vehicle contract with the dealer for
288 physical damage insurance.

289 13. Perpetration of a fraud upon any person as a result of
290 dealing in motor vehicles, including, without limitation, the
291 misrepresentation to any person by the licensee of the
292 licensee's relationship to any manufacturer, importer, or
293 distributor.

294 14. Violation of any of the provisions of s. 319.35 by any
295 motor vehicle dealer.

296 15. Sale by a motor vehicle dealer of a vehicle offered in
297 trade by a customer prior to consummation of the sale, exchange,
298 or transfer of a newly acquired vehicle to the customer, unless
299 the customer provides written authorization for the sale of the
300 trade-in vehicle prior to delivery of the newly acquired
301 vehicle.

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302 16. Willful failure to comply with any administrative rule
303 adopted by the department or the provisions of s. 320.131(8).

304 17. Violation of chapter 319, this chapter, or ss.
305 559.901-559.9221, which has to do with dealing in or repairing
306 motor vehicles or mobile homes. Additionally, in the case of
307 used motor vehicles, the willful violation of the federal law
308 and rule in 15 U.S.C. s. 2304, 16 C.F.R. part 455, pertaining to
309 the consumer sales window form.

310 18. Failure to maintain evidence of notification to the
311 owner or coowner of a vehicle regarding registration or titling
312 fees owed as required in s. 320.02(16).

313 19. Failure to register a mobile home salesperson with the
314 department as required by this section.

315 20. Failure to comply with advertising requirements as set
316 forth in subsection (8).

317 (c) When a motor vehicle dealer is convicted of a crime
318 which results in his or her being prohibited from continuing in
319 that capacity, the dealer may not continue in any capacity
320 within the industry. The offender shall have no financial
321 interest, management, sales, or other role in the operation of a
322 dealership. Further, the offender may not derive income from the
323 dealership beyond reasonable compensation for the sale of his or
324 her ownership interest in the business.

325 Section 2. Subsection (1) of 538.18, Florida Statutes, is
326 amended to read:

327 538.18 Definitions.—As used in this part, the term:

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328 (1) "Advertise" means the act of offering to perform the
329 services as a secondary metals recycler by use of a paid or
330 unpaid announcement, in any form, to the public, including
331 print, televised, radio, or online advertisements, or by using
332 permanent or temporary signs.

333 Section 3. Section 538.25, Florida Statutes, is amended to
334 read:

335 538.25 Registration.—

336 (1) A person may not engage in business or advertise to
337 provide services as a secondary metals recycler at any location
338 without registering with the department. The department shall
339 accept applications only from a fixed business address. The
340 department may not accept an application that provides an
341 address of a hotel room or motel room, a vehicle, or a post
342 office box.

343 (a) A fee equal to the federal and state costs for
344 processing required fingerprints must be submitted to the
345 department with each application for registration. One
346 application is required for each secondary metals recycler. If a
347 secondary metals recycler is the owner of more than one
348 secondary metals recycling location, the application must list
349 each location, and the department shall issue a duplicate
350 registration for each location. For purposes of subsections (3),
351 (4), and (5), these duplicate registrations shall be deemed
352 individual registrations. A secondary metals recycler shall pay
353 a fee of \$6 per location at the time of registration and an

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354 annual renewal fee of \$6 per location on October 1 of each year.
355 All fees collected, less costs of administration, shall be
356 transferred into the Operating Trust Fund.

357 (b) The department shall forward the full set of
358 fingerprints to the Department of Law Enforcement for state and
359 federal processing, provided the federal service is available,
360 to be processed for any criminal justice information as defined
361 in s. 943.045. The cost of processing such fingerprints shall be
362 payable to the Department of Law Enforcement by the department.
363 The department may issue a temporary registration to each
364 location pending completion of the background check by state and
365 federal law enforcement agencies but shall revoke such temporary
366 registration if the completed background check reveals a
367 prohibited criminal background. The Department of Law
368 Enforcement shall report its findings to the Department of
369 Revenue within 30 days after the date the fingerprints are
370 submitted for criminal justice information.

371 (c) An applicant for a secondary metals recycler
372 registration must be a natural person who has reached the age of
373 18 years or a corporation organized or qualified to do business
374 in the state.

375 1. If the applicant is a natural person, the registration
376 must include a complete set of her or his fingerprints,
377 certified by an authorized law enforcement officer, and a recent
378 fullface photographic identification card of herself or himself.

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379 2. If the applicant is a partnership, all the partners
380 must make application for registration.

381 3. If the applicant is a corporation, the registration
382 must include the name and address of such corporation's
383 registered agent for service of process in the state and a
384 certified copy of statement from the Secretary of State that the
385 corporation is duly organized in the state or, if the
386 corporation is organized in a state other than Florida, a
387 certified copy of the statement that the corporation is duly
388 qualified to do business in this state.

389 (2) A secondary metals recycler's registration shall be
390 conspicuously displayed at the place of business set forth on
391 the registration. A secondary metals recycler shall not dispose
392 of property at any location until any holding period has
393 expired.

394 (3) If a registrant chooses to advertise, the registrant
395 shall provide clear text including his or her company name as
396 filed with the Department of State pursuant to ch. 607, F.S.,
397 physical address and phone number as provided to the department,
398 and secondary metal recycler registration number on the
399 advertisement. These requirements do not apply to signage
400 physically attached to the outside of a recycler's facilities or
401 located on the registrant's property or on an easement directly
402 adjacent to the registrant's property.

403 (4)~~(3)~~ The Department of Revenue may impose a civil fine
404 of up to \$10,000 for each knowing and intentional violation of

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405 | this section, which fine shall be transferred into the General
406 | Revenue Fund. If the fine is not paid within 60 days, the
407 | department may bring a civil action under s. 120.69 to recover
408 | the fine.

409 | (5)~~(4)~~ In addition to the fine provided in subsection
410 | (4)~~(3)~~, registration under this section may be denied or any
411 | registration granted may be revoked, restricted, or suspended by
412 | the department if, after October 2, 1989, and within a 24-month
413 | period immediately preceding such denial, revocation,
414 | restriction, or suspension:

415 | (a) The applicant or registrant has been convicted of
416 | knowingly and intentionally:

417 | 1. Violating s. 538.20 or s. 538.21;

418 | 2. Engaging in a pattern of failing to keep records as
419 | required by s. 538.19;

420 | 3. Making a material false statement in the application
421 | for registration; or

422 | 4. Engaging in a fraudulent act in connection with any
423 | purchase or sale of regulated metals property;

424 | (b) The applicant or registrant has been convicted of, or
425 | entered a plea of guilty or nolo contendere to, a felony
426 | committed by the secondary metals recycler against the laws of
427 | the state or of the United States involving theft, larceny,
428 | dealing in stolen property, receiving stolen property, burglary,
429 | embezzlement, obtaining property by false pretenses, possession
430 | of altered property, or any felony drug offense or of knowingly

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431 and intentionally violating the laws of the state relating to
432 registration as a secondary metals recycler; or

433 (c) The applicant has, after receipt of written notice
434 from the department of failure to pay sales tax, failed or
435 refused to pay, within 30 days after the secondary metals
436 recycler's receipt of such written notice, any sales tax owed to
437 the department.

438 The applicant has, with sufficient frequency so as to
439 establish a pattern of wrongdoing on the part of a registrant,
440 failed to comply with advertising requirements as set forth in
441 subsection (3).

442 (6)-(5) A denial of an application, or a revocation,
443 restriction, or suspension of a registration, by the department
444 shall be probationary for a period of 12 months in the event
445 that the secondary metals recycler subject to such action has
446 not had any other application for registration denied, or any
447 registration revoked, restricted, or suspended, by the
448 department within the previous 24-month period.

449 (a) If, during the 12-month probationary period, the
450 department does not again deny an application or revoke,
451 restrict, or suspend the registration of the secondary metals
452 recycler, the action of the department shall be dismissed and
453 the record of the secondary metals recycler cleared thereof.

454 (b) If, during the 12-month probationary period, the
455 department, for reasons other than those existing prior to the
456 original denial or revocation, restriction, or suspension, again

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457 denies an application or revokes, restricts, or suspends the
458 registration of the secondary metals recycler, the probationary
459 nature of such original action shall terminate and both the
460 original action of the department and the action of the
461 department causing the termination of the probationary nature
462 thereof shall immediately be reinstated against the secondary
463 metals recycler.

464 (7)~~(6)~~ Upon the request of a law enforcement official, the
465 Department of Revenue shall release to the official the name and
466 address of any secondary metals recycler registered to do
467 business within the official's jurisdiction.

468 (8) An individual shall not utilize a wrecker, tow truck,
469 trailer, dolly, or other vehicle to obtain or transport ferrous
470 or nonferrous metals purchased by the individual without being
471 registered as or employed by a registered secondary metal
472 recycler. A law enforcement officer from any local governmental
473 agency or state law enforcement agency may cause to be
474 immediately removed and impounded, at the owner's expense, a
475 wrecker, tow truck, trailer, dolly, or other vehicle utilized in
476 violation of this section.

477 (a) The impounded wrecker, tow truck, trailer, dolly, or
478 other vehicle must be stored at an authorized law enforcement
479 impound facility and may not be released from such facility
480 before a release form is completed by the authority that ordered
481 the removal and impoundment which verifies that the cost
482 recovery fine, as provided for in s. 323.002(3)(b), has been

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483 paid to the authority. Except as provided in subparagraph 2.,
484 the vehicle must remain impounded until the fine is paid or
485 until the vehicle is sold at public sale pursuant to s.
486 713.78(6).

487 (b) The owner of a vehicle impounded under this section may
488 request a hearing with the local jurisdiction within 10 business
489 days after the impoundment. If, at the hearing, the owner shows
490 that he or she had no knowledge that the vehicle was being used
491 in violation of this section, the vehicle shall be released to
492 the owner.

493 Section 4. This act shall take effect July 1, 2016.

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495

496

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

497

Remove everything before the enacting clause and insert:

498

An act relating to the advertisement of vehicle and vessel

499

purchasing; amending s. 320.27, F.S.; revising and providing

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definitions; providing an exemption for nonprofit organizations;

501

requiring an individual to be licensed as a motor vehicle dealer

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to advertise for the purchase or sale of motor vehicles;

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requires motor vehicle dealers who advertises the purchase of

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vehicles to display his or her motor vehicle dealer license

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number on the sign or advertisement; prohibiting an unlicensed

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motor vehicle dealer from utilizing a wrecker or tow truck to

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transport purchased vehicles; providing for the impoundment of a

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wrecker or tow truck utilized in violation of licensure

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 1091 (2016)

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509 requirements; providing penalties; amending 538.18, F.S.;

510 providing definitions; amending s. 538.25, F.S.; requires

511 secondary metal recyclers who advertises the purchase of

512 vehicles to display his or her secondary metal recyclers

513 registration number on the sign or advertisement; prohibiting an

514 unregistered secondary metal recyclers from utilizing a wrecker

515 or tow truck to transport purchased vehicles; providing for the

516 impoundment of a wrecker or tow truck utilized in violation of

517 registration requirements; providing penalties; providing an

518 effective date.