

By Senator Braynon

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1 A bill to be entitled
2 An act relating to salvage motor vehicle dealers;
3 amending s. 319.30, F.S.; requiring salvage motor
4 vehicle dealers to collect and retain certain
5 information relating to sales, purchasers, and sellers
6 of salvaged or wrecked motor vehicles; requiring the
7 Department of Highway Safety and Motor Vehicles to
8 contract with a certain entity within a specified
9 timeframe to develop a statewide database for the
10 submission of certain collected information; requiring
11 a salvage motor vehicle dealer to submit the collected
12 information to the entity selected by the department;
13 providing rulemaking authority to the department;
14 requiring the department to make certain information
15 available to a state or local law enforcement agency
16 upon request; requiring a salvage motor vehicle dealer
17 to comply with certain reporting requirements;
18 providing an effective date.

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20 Be It Enacted by the Legislature of the State of Florida:

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22 Section 1. Paragraph (b) of subsection (2) of section
23 319.30, Florida Statutes, is amended to read:

24 319.30 Definitions; dismantling, destruction, change of
25 identity of motor vehicle or mobile home; salvage.—

26 (2)

27 (b)1. When a motor vehicle, recreational vehicle, or mobile
28 home is sold, transported, delivered to, or received by a
29 salvage motor vehicle dealer, the purchaser shall make the

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30 required notification to the National Motor Vehicle Title
31 Information System and it shall be accompanied by:

32 a. A valid certificate of title issued in the name of the
33 seller or properly endorsed, as required in s. 319.22, over to
34 the seller;

35 b. A valid salvage certificate of title issued in the name
36 of the seller or properly endorsed, as required in s. 319.22,
37 over to the seller; or

38 c. A valid certificate of destruction issued in the name of
39 the seller or properly endorsed over to the seller.

40 2. Any person who knowingly violates this paragraph by
41 selling, transporting, delivering, purchasing, or receiving a
42 motor vehicle, recreational vehicle, or mobile home without
43 obtaining a properly endorsed certificate of title, salvage
44 certificate of title, or certificate of destruction from the
45 owner or does not make the required notification to the National
46 Motor Vehicle Title Information System commits a felony of the
47 third degree, punishable as provided in s. 775.082, s. 775.083,
48 or s. 775.084.

49 3. A salvage motor vehicle dealer shall do all of the
50 following:

51 a. Keep an electronic record of all sales of any salvaged
52 or wrecked motor vehicle, which must include the make, model,
53 and year of the vehicle, the vehicle identification number, and
54 the name and address of the purchaser and the seller of each
55 such vehicle.

56 b. Obtain from the purchaser of a salvaged or wrecked motor
57 vehicle in this state a copy of his or her driver license,
58 passport, or other government-issued identification card. The

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59 salvage motor vehicle dealer shall retain a copy of the
60 identification for a period of 2 years.

61 c. Obtain from the purchaser documented proof of any
62 required license or other authorization to do business pursuant
63 to this chapter; or, for any purchaser residing in a state,
64 jurisdiction, or country that does not issue a license to a
65 motor vehicle salvage dealer, a junkyard, a scrap metal
66 processing facility, a used motor vehicle dealer, a salvage
67 dismantler, or an automotive recycler, obtain from the purchaser
68 a declaration, signed under penalty of perjury, that the
69 purchaser is authorized to purchase salvage vehicles in the
70 purchaser's state, jurisdiction, or country. The declaration may
71 be submitted by the authorized purchaser in electronic or
72 written format. The salvage motor vehicle dealer shall retain a
73 copy of this documentation for a period of 2 years.

74 d. Obtain from the purchaser an electronic or written
75 declaration, signed under penalty of perjury, that the purchaser
76 is not making a purchase in excess of the applicable limit
77 identified in the purchaser's state, jurisdiction, or country.
78 The salvage motor vehicle dealer shall retain the declaration
79 for a period of 2 years.

80 4.a. Within 12 months after July 1, 2016, the department
81 shall contract with an entity approved by the National Motor
82 Vehicle Title Information System as a third-party data
83 consolidator to develop a statewide database system for the
84 submission of the information collected pursuant to subparagraph
85 3. The system shall be used to maintain an accurate record of
86 all sales conducted by a salvage motor vehicle dealer.

87 b. A salvage motor vehicle dealer shall submit the

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88 information collected pursuant to subparagraph 3. on a monthly
89 basis to the third-party data consolidator selected by the
90 department.

91 c. The department may adopt rules necessary to facilitate
92 the timely submission of the information required pursuant to
93 subparagraph 3.

94 d. The department shall make available the information
95 received by the third-party data consolidator under subparagraph
96 3. to a state or local law enforcement agency upon request.

97 e. A salvage motor vehicle dealer shall comply with the
98 reporting requirements of the National Motor Vehicle Title
99 Information System.

100 Section 2. This act shall take effect July 1, 2016.