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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
01/11/2016	.	
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The Committee on Commerce and Tourism (Richter) recommended the following:

**Senate Amendment (with title amendment)**

Delete lines 1719 - 1979

and insert:

Section 37. Subsections (1), (2), (5), (7), and (13) of section 713.585, Florida Statutes, are amended to read:

713.585 Enforcement of lien by sale of motor vehicle.—A person claiming a lien under s. 713.58 for performing labor or services on a motor vehicle may enforce such lien by sale of the vehicle in accordance with the following procedures:



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11 (1) The lienor must give notice, by certified mail, return  
12 receipt requested, within 7 ~~15~~ business days, excluding Saturday  
13 and Sunday, from the beginning date of the assessment of storage  
14 charges on said motor vehicle, to the registered owner of the  
15 vehicle, to the customer as indicated on the order for repair,  
16 and to all other persons claiming an interest in or lien  
17 thereon, as disclosed by the records of the Department of  
18 Highway Safety and Motor Vehicles or as disclosed by the records  
19 of any corresponding agency of any other state in which the  
20 vehicle is identified through a records check of the National  
21 Motor Vehicle Title Information System or an equivalent  
22 commercially available system as being the current state where  
23 the vehicle is titled. Such notice must contain:

24 (a) A description of the vehicle, including, at minimum,  
25 its ~~(year, make, vehicle identification number,)~~ and the  
26 vehicle's ~~its~~ location.

27 (b) The name and address of the owner of the vehicle, the  
28 customer as indicated on the order for repair, and any person  
29 claiming an interest in or lien thereon.

30 (c) The name, address, and telephone number of the lienor.

31 (d) Notice that the lienor claims a lien on the vehicle for  
32 labor and services performed and storage charges, if any, and  
33 the cash sum which, if paid to the lienor, would be sufficient  
34 to redeem the vehicle from the lien claimed by the lienor.

35 (e) Notice that the lien claimed by the lienor is subject  
36 to enforcement pursuant to this section and that the vehicle may  
37 be sold to satisfy the lien.

38 (f) If known, the date, time, and location of any proposed  
39 or scheduled sale of the vehicle. A ~~No~~ vehicle may not be sold



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40 earlier than 60 days after completion of the repair work.

41 (g) Notice that the owner of the vehicle or any person  
42 claiming an interest in or lien thereon has a right to a hearing  
43 at any time before ~~prior to~~ the scheduled date of sale by filing  
44 a demand for hearing with the clerk of the circuit court in the  
45 county in which the vehicle is held and mailing copies of the  
46 demand for hearing to all other owners and lienors as reflected  
47 on the notice.

48 (h) Notice that the owner of the vehicle has a right to  
49 recover possession of the vehicle without instituting judicial  
50 proceedings by posting bond in accordance with ~~the provisions of~~  
51 s. 559.917.

52 (i) Notice that any proceeds from the sale of the vehicle  
53 remaining after payment of the amount claimed to be due and  
54 owing to the lienor will be deposited with the clerk of the  
55 circuit court for disposition upon court order pursuant to  
56 subsection (8).

57 (j) Notice that a lienholder, if any, has the right, as  
58 specified in subsection (5), to demand a hearing or to post a  
59 bond.

60 (2) If attempts to locate the owner or lienholder are  
61 unsuccessful after a check of the records of the Department of  
62 Highway Safety and Motor Vehicles and any state disclosed by the  
63 check of the National Motor Vehicle Title Information System or  
64 an equivalent commercially available system, the lienor must  
65 notify the local law enforcement agency in writing by certified  
66 mail or acknowledged hand delivery that the lienor has been  
67 unable to locate the owner or lienholder, that a physical search  
68 of the vehicle has disclosed no ownership information, and that



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69 a good faith effort, including records checks of the Department  
70 of Highway Safety and Motor Vehicles database and the National  
71 Motor Vehicle Title Information System or an equivalent  
72 commercially available system, has been made. A description of  
73 the motor vehicle which includes the year, make, and  
74 identification number must be given on the notice. This  
75 notification must take place within 7 ~~15~~ business days,  
76 excluding Saturday and Sunday, from the beginning date of the  
77 assessment of storage charges on said motor vehicle. For  
78 purposes of this paragraph, the term "good faith effort" means  
79 that the following checks have been performed by the company to  
80 establish the prior state of registration and title:

81 (a) A check of the Department of Highway Safety and Motor  
82 Vehicles database for the owner and any lienholder;

83 (b) A check of the federally mandated electronic National  
84 Motor Vehicle Title Information System or an equivalent  
85 commercially available system to determine the state of  
86 registration when there is not a current title or registration  
87 record for the vehicle on file with the Department of Highway  
88 Safety and Motor Vehicles;

89 (c) A check of vehicle for any type of tag, tag record,  
90 temporary tag, or regular tag;

91 (d) A check of vehicle for inspection sticker or other  
92 stickers and decals that could indicate the state of possible  
93 registration; and

94 (e) A check of the interior of the vehicle for any papers  
95 that could be in the glove box, trunk, or other areas for the  
96 state of registration.

97 (5) At any time before ~~prior to~~ the proposed or scheduled



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98 date of sale of a vehicle, the owner of the vehicle, or any  
99 person claiming an interest in the vehicle or a lien thereon,  
100 may post a bond following the procedures outlined in s. 559.917  
101 or file a demand for hearing with the clerk of the circuit court  
102 in the county in which the vehicle is held to determine whether  
103 the vehicle has been wrongfully taken or withheld from her or  
104 him. Any person who files a demand for hearing shall mail copies  
105 of the demand to all other owners and lienors as reflected on  
106 the notice required in subsection (1).

107 (a) Upon the filing of a demand for hearing, a hearing  
108 shall be held before ~~prior to~~ the proposed or scheduled date of  
109 sale of the vehicle.

110 (b) Upon the posting of the bond and payment of the  
111 applicable fee set forth in s. 28.24, the clerk of the court  
112 shall issue a certificate notifying the lienor of the posting of  
113 the bond and directing the lienor to release the vehicle to the  
114 lienholder or the owner, based upon whomever posted the bond.

115 (c) If a lienholder obtains the vehicle and the owner of  
116 the vehicle is not in default under the installment sales  
117 contract or title loan at the time the lienholder has possession  
118 of the vehicle, the lienholder must return the vehicle to the  
119 owner within 5 days after the owner repays the lienholder for  
120 the amount of the bond, or makes arrangements to repay the  
121 lienholder for the bond under terms agreeable to the lienholder.  
122 A lienholder may retain possession of the vehicle if the owner  
123 is in default until such time as the default is cured and the  
124 amount of the bond is repaid by the owner, or an arrangement  
125 agreeable to the lienholder is made with the owner.

126 (7) At ~~a~~ the hearing on a complaint relating to the



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127 requirements of this section ~~on the complaint~~, the court shall  
128 ~~forthwith~~ issue an its order determining:

129 (a) Whether the vehicle is subject to a valid lien by the  
130 lienor and the amount thereof;

131 (b) The priority of the lien of the lienor as against any  
132 existing security interest in the vehicle;

133 (c) The distribution of any proceeds of the sale by the  
134 clerk of the circuit court;

135 (d) The awarding of damages, if any;

136 (e)-(d) The award of reasonable attorney attorney's fees and  
137 costs, at the court's discretion, to the prevailing party; and

138 (f)-(e) The reasonableness of storage charges.

139  
140 A final order, by the court, must also provide for immediate  
141 payment of any proceeds or awards, and the immediate release of  
142 the bond to the posting party, if applicable.

143 (13) A failure to make good faith efforts as defined in  
144 subsection (2) precludes the imposition of any storage charges  
145 against the vehicle. If a lienor fails to provide notice to any  
146 person claiming a lien on a vehicle under subsection (1) within  
147 7 ~~15~~ business days after the assessment of storage charges has  
148 begun, then the lienor is precluded from charging for more than  
149 7 ~~15~~ days of storage, but failure to provide timely notice does  
150 not affect charges made for repairs, adjustments, or  
151 modifications to the vehicle or the priority of liens on the  
152 vehicle.

153 Section 38. Subsections (2), (4), (5), and (10) of section  
154 790.06, Florida Statutes, are amended, and paragraph (f) is  
155 added to subsection (6) of that section, to read:



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156 790.06 License to carry concealed weapon or firearm.-

157 (2) The Department of Agriculture and Consumer Services  
158 shall issue a license if the applicant:

159 (a) Is a resident of the United States and a citizen of the  
160 United States or a permanent resident alien of the United  
161 States, as determined by the United States Bureau of Citizenship  
162 and Immigration Services, or is a consular security official of  
163 a foreign government that maintains diplomatic relations and  
164 treaties of commerce, friendship, and navigation with the United  
165 States and is certified as such by the foreign government and by  
166 the appropriate embassy in this country;

167 (b) Is 21 years of age or older;

168 (c) Does not suffer from a physical infirmity which  
169 prevents the safe handling of a weapon or firearm;

170 (d) Is not ineligible to possess a firearm pursuant to s.  
171 790.23 by virtue of having been convicted of a felony;

172 (e) Has not been committed for the abuse of a controlled  
173 substance or been found guilty of a crime under the provisions  
174 of chapter 893 or similar laws of any other state relating to  
175 controlled substances within a 3-year period immediately  
176 preceding the date on which the application is submitted;

177 (f) Does not chronically and habitually use alcoholic  
178 beverages or other substances to the extent that his or her  
179 normal faculties are impaired. It shall be presumed that an  
180 applicant chronically and habitually uses alcoholic beverages or  
181 other substances to the extent that his or her normal faculties  
182 are impaired if the applicant has been committed under chapter  
183 397 or under the provisions of former chapter 396 or has been  
184 convicted under s. 790.151 or has been deemed a habitual



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185 offender under s. 856.011(3), or has had two or more convictions  
186 under s. 316.193 or similar laws of any other state, within the  
187 3-year period immediately preceding the date on which the  
188 application is submitted;

189 (g) Desires a legal means to carry a concealed weapon or  
190 firearm for lawful self-defense;

191 (h) Demonstrates competence with a firearm by any one of  
192 the following:

193 1. Completion of any hunter education or hunter safety  
194 course approved by the Fish and Wildlife Conservation Commission  
195 or a similar agency of another state;

196 2. Completion of any National Rifle Association firearms  
197 safety or training course;

198 3. Completion of any firearms safety or training course or  
199 class available to the general public offered by a law  
200 enforcement agency, junior college, college, or private or  
201 public institution or organization or firearms training school,  
202 using ~~utilizing~~ instructors certified by the National Rifle  
203 Association, Criminal Justice Standards and Training Commission,  
204 or the Department of Agriculture and Consumer Services;

205 4. Completion of any law enforcement firearms safety or  
206 training course or class offered for security guards,  
207 investigators, special deputies, or any division or subdivision  
208 of a law enforcement agency or security enforcement;

209 5. Presents evidence of equivalent experience with a  
210 firearm through participation in organized shooting competition  
211 or military service;

212 6. Is licensed or has been licensed to carry a firearm in  
213 this state or a county or municipality of this state, unless





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214 such license has been revoked for cause; or

215 7. Completion of any firearms training or safety course or  
216 class conducted by a state-certified or National Rifle  
217 Association certified firearms instructor;

218

219 A photocopy of a certificate of completion of any of the courses  
220 or classes; ~~or~~ an affidavit from the instructor, school, club,  
221 organization, or group that conducted or taught such said course  
222 or class attesting to the completion of the course or class by  
223 the applicant; or a copy of any document that ~~which~~ shows  
224 completion of the course or class or evidences participation in  
225 firearms competition shall constitute evidence of qualification  
226 under this paragraph. ~~A; any~~ person who conducts a course  
227 pursuant to subparagraph 2., subparagraph 3., or subparagraph  
228 7., or who, as an instructor, attests to the completion of such  
229 courses, must maintain records certifying that he or she  
230 observed the student safely handle and discharge the firearm in  
231 his or her physical presence and that the discharge of the  
232 firearm included live fire using a firearm and ammunition as  
233 defined in s. 790.001;

234 (i) Has not been adjudicated an incapacitated person under  
235 s. 744.331, or similar laws of any other state, unless 5 years  
236 have elapsed since the applicant's restoration to capacity by  
237 court order;

238 (j) Has not been committed to a mental institution under  
239 chapter 394, or similar laws of any other state, unless the  
240 applicant produces a certificate from a licensed psychiatrist  
241 that he or she has not suffered from disability for at least 5  
242 years before ~~prior to~~ the date of submission of the application;



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243 (k) Has not had adjudication of guilt withheld or  
244 imposition of sentence suspended on any felony ~~or misdemeanor~~  
245 ~~crime of domestic violence~~ unless 3 years have elapsed since  
246 probation or any other conditions set by the court have been  
247 fulfilled, or expunction has occurred ~~the record has been sealed~~  
248 ~~or expunged;~~

249 (l) Has not had adjudication of guilt withheld or  
250 imposition of sentence suspended on any misdemeanor crime of  
251 domestic violence unless 3 years have elapsed since probation or  
252 any other conditions set by the court have been fulfilled, or  
253 the record has been sealed or expunged;

254 (m) ~~(l)~~ Has not been issued an injunction that is currently  
255 in force and effect and that restrains the applicant from  
256 committing acts of domestic violence or acts of repeat violence;  
257 and

258 (n) ~~(m)~~ Is not prohibited from purchasing or possessing a  
259 firearm by any other provision of Florida or federal law.

260 (4) The application shall be completed, under oath, on a  
261 form adopted ~~promulgated~~ by the Department of Agriculture and  
262 Consumer Services and shall include:

263 (a) The name, address, place of birth, ~~and~~ date of birth,  
264 and race, ~~and occupation~~ of the applicant;

265 (b) A statement that the applicant is in compliance with  
266 criteria contained within subsections (2) and (3);

267 (c) A statement that the applicant has been furnished a  
268 copy of this chapter and is knowledgeable of its provisions;

269 (d) A conspicuous warning that the application is executed  
270 under oath and that a false answer to any question, or the  
271 submission of any false document by the applicant, subjects the



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272 applicant to criminal prosecution under s. 837.06; ~~and~~  
273 (e) A statement that the applicant desires a concealed  
274 weapon or firearms license as a means of lawful self-defense;  
275 and-  
276 (f) Directions for an applicant who is a servicemember, as  
277 defined in s. 250.01, or a veteran, as defined in s. 1.01, to  
278 request expedited processing of his or her application.  
279 (5) The applicant shall submit to the Department of  
280 Agriculture and Consumer Services or an approved tax collector  
281 pursuant to s. 790.0625:  
282 (a) A completed application as described in subsection (4).  
283 (b) A nonrefundable license fee of up to \$60 ~~\$70~~ if he or  
284 she has not previously been issued a statewide license or of up  
285 to \$50 ~~\$60~~ for renewal of a statewide license. The cost of  
286 processing fingerprints as required in paragraph (c) shall be  
287 borne by the applicant. However, an individual holding an active  
288 certification from the Criminal Justice Standards and Training  
289 Commission as a law enforcement officer, correctional officer,  
290 or correctional probation officer as defined in s. 943.10(1),  
291 (2), (3), (6), (7), (8), or (9) is exempt from the licensing  
292 requirements of this section. If such individual wishes to  
293 receive a concealed weapon ~~weapons~~ or firearm ~~firearms~~ license,  
294 he or she is exempt from the background investigation and all  
295 background investigation fees, but must pay the current license  
296 fees regularly required to be paid by nonexempt applicants.  
297 Further, a law enforcement officer, a correctional officer, or a  
298 correctional probation officer as defined in s. 943.10(1), (2),  
299 or (3) is exempt from the required fees and background  
300 investigation for ~~a period of~~ 1 year after his or her



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301 retirement.

302 (c) A full set of fingerprints of the applicant  
303 administered by a law enforcement agency or the Division of  
304 Licensing of the Department of Agriculture and Consumer Services  
305 or an approved tax collector pursuant to s. 790.0625 together  
306 with any personal identifying information required by federal  
307 law to process fingerprints.

308 (d) A photocopy of a certificate, affidavit, or document as  
309 described in paragraph (2) (h).

310 (e) A full frontal view color photograph of the applicant  
311 taken within the preceding 30 days, in which the head, including  
312 hair, measures 7/8 of an inch wide and 1 1/8 inches high.

313 (f) For expedited processing of an application:

314 1. A servicemember shall submit a copy of the Common Access  
315 Card, United States Uniformed Services Identification Card, or  
316 current deployment orders.

317 2. A veteran shall submit a copy of the DD Form 214, issued  
318 by the United States Department of Defense, or another  
319 acceptable form of identification as specified by the Department  
320 of Veterans' Affairs.

321 (6)

322 (f) The Department of Agriculture and Consumer Services  
323 shall, upon receipt of a completed application and the  
324 identifying information required under paragraph (5) (f),  
325 expedite the processing of a servicemember's or a veteran's  
326 concealed weapon or firearm license application.

327 (10) A license issued under this section shall be suspended  
328 or revoked pursuant to chapter 120 if the licensee:

329 (a) Is found to be ineligible under the criteria set forth



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330 in subsection (2);

331 (b) Develops or sustains a physical infirmity which  
332 prevents the safe handling of a weapon or firearm;

333 (c) Is convicted of a felony which would make the licensee  
334 ineligible to possess a firearm pursuant to s. 790.23;

335 (d) Is found guilty of a crime under the provisions of  
336 chapter 893, or similar laws of any other state, relating to  
337 controlled substances;

338 (e) Is committed as a substance abuser under chapter 397,  
339 or is deemed a habitual offender under s. 856.011(3), or similar  
340 laws of any other state;

341 (f) Is convicted of a second violation of s. 316.193, or a  
342 similar law of another state, within 3 years after ~~of~~ a first  
343 ~~previous~~ conviction of such section, or similar law of another  
344 state, even though the first violation may have occurred before  
345 ~~prior to~~ the date on which the application was submitted;

346 (g) Is adjudicated an incapacitated person under s.  
347 744.331, or similar laws of any other state; or

348 (h) Is committed to a mental institution under chapter 394,  
349 or similar laws of any other state.

350  
351 Notwithstanding s. 120.60(5), notice by the Department of  
352 Agriculture and Consumer Services of the suspension or  
353 revocation of a concealed weapon or firearm license of this  
354 state or the suspension of the processing of an application for  
355 such license must be by personal delivery to the licensee or  
356 applicant or by mail in an envelope, first class, postage  
357 prepaid, addressed to the licensee or applicant at his or her  
358 last known mailing address provided to the department. Such



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359 mailing by the department constitutes notice, and any failure by  
360 the person to receive the mailed notice does not stay the  
361 effective date or term of the suspension or revocation. A  
362 request for a hearing must be filed with the department within  
363 21 days if notice was received by personal delivery, or within  
364 26 days after the date the department deposited the notice in  
365 the United States mail (21 days plus 5 days for mailing). Proof  
366 of the giving of notice shall be made by entry in the records of  
367 the department that such notice was given. The entry is  
368 admissible in the courts of this state and constitutes  
369 sufficient proof that notice was given.

370       Section 39. Effective upon this act becoming a law,  
371 paragraph (a) of subsection (11) of section 790.06, Florida  
372 Statutes, is amended to read:

373       790.06 License to carry concealed weapon or firearm.—

374       (11) (a) At least ~~No less than~~ 90 days before the expiration  
375 date of the license, the Department of Agriculture and Consumer  
376 Services shall mail to each licensee a written notice of the  
377 expiration and a renewal form prescribed by the Department of  
378 Agriculture and Consumer Services. The licensee must renew his  
379 or her license on or before the expiration date by filing with  
380 the Department of Agriculture and Consumer Services the renewal  
381 form containing an a-notarized ~~an a-notarized~~ affidavit submitted under oath  
382 and under penalty of perjury stating that the licensee remains  
383 qualified pursuant to the criteria specified in subsections (2)  
384 and (3), a color photograph as specified in paragraph (5) (e),  
385 and the required renewal fee. Out-of-state residents must also  
386 submit a complete set of fingerprints and fingerprint processing  
387 fee. The license shall be renewed upon receipt of the completed



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388 renewal form, color photograph, appropriate payment of fees,  
389 and, if applicable, fingerprints. Additionally, a licensee who  
390 fails to file a renewal application on or before its expiration  
391 date must renew his or her license by paying a late fee of \$15.  
392 A license may not be renewed 180 days or more after its  
393 expiration date, and such a license is deemed to be permanently  
394 expired. A person whose license has been permanently expired may  
395 reapply for licensure; however, an application for licensure and  
396 fees under subsection (5) must be submitted, and a background  
397 investigation shall be conducted pursuant to this section. A  
398 person who knowingly files false information under this  
399 subsection is subject to criminal prosecution under s. 837.06.

400 Section 40. Subsection (8) is added to section 790.0625,  
401 Florida Statutes, to read:

402 790.0625 Appointment of tax collectors to accept  
403 applications for a concealed weapon or firearm license; fees;  
404 penalties.—

405 (8) Upon receipt of a completed renewal application, a new  
406 color photograph, and appropriate payment of fees, a tax  
407 collector authorized to accept renewal applications for  
408 concealed weapon or firearm licenses under this section may,  
409 upon approval and confirmation of license issuance by the  
410 department, print and deliver a concealed weapon or firearm  
411 license to a licensee renewing his or her license at the tax  
412 collector's office.

413 Section 41. Subsections (1) through (4) of section 559.917,  
414 Florida Statutes, are amended to read:

415 559.917 Bond to release possessory lien claimed by motor  
416 vehicle repair shop.—



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417           (1) As used in this section, the term:  
418           (a) "Lienholder" means a person claiming an interest in or  
419 a lien on a vehicle pursuant to s. 713.585(5).  
420           (b) "Lienor" means a person claiming a lien for motor  
421 vehicle repair shop work under part II of chapter 713.  
422           (2) ~~(1)~~ (a) A lienholder or Any customer may obtain the  
423 release of a ~~her or his~~ motor vehicle for which the lienholder  
424 or customer has a lien or ownership rights, respectively, from  
425 any lien claimed under part II of chapter 713 by a motor vehicle  
426 repair shop for repair work performed under a written repair  
427 estimate by filing with the clerk of the court in the circuit in  
428 which the disputed transaction occurred a cash or surety bond,  
429 payable to the person claiming the lien and conditioned for the  
430 payment of any judgment which may be entered on the lien. The  
431 bond shall be in the amount stated on the invoice required by s.  
432 559.911, plus accrued storage charges, if any, less any amount  
433 paid to the motor vehicle repair shop as indicated on the  
434 invoice. The lienholder or customer shall not be required to  
435 institute judicial proceedings in order to post the bond in the  
436 registry of the court, nor shall the lienholder or customer be  
437 required to use a particular form for posting the bond, unless  
438 the clerk provides ~~shall provide~~ such form to the lienholder or  
439 customer for filing. Upon the posting of such bond, the clerk of  
440 the court shall automatically issue a certificate notifying the  
441 lienor of the posting of the bond and directing the lienor to  
442 release the lienholder's or customer's motor vehicle.  
443           (b) The lienor shall have 60 days to file suit to recover  
444 the bond. The prevailing party in that action may be entitled to  
445 damages plus court costs and reasonable attorney ~~attorney's~~





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446 fees. If the lienor fails to file suit within 60 days after the  
447 posting of such bond, the bond shall be discharged.

448 (3)~~(2)~~ The failure of a lienor to release or return to the  
449 lienholder or customer the motor vehicle upon which any lien is  
450 claimed, upon receiving a copy of a certificate giving notice of  
451 the posting of the bond and directing release of the motor  
452 vehicle, shall subject the lienor to judicial proceedings which  
453 may be brought by the lienholder or customer to compel  
454 compliance with the certificate. ~~If Whenever~~ a lienholder  
455 pursuant to s. 713.585 or customer brings an action to compel  
456 compliance with the certificate, the lienholder or customer need  
457 only establish that:

458 (a) Bond in the amount of the invoice, plus accrued storage  
459 charges, if any, less any amount paid to the motor vehicle  
460 repair shop as indicated on the invoice, was posted;

461 (b) A certificate was issued pursuant to this section;

462 (c) The motor vehicle repair shop, or any employee or agent  
463 thereof who is authorized to release the motor vehicle, received  
464 a copy of a certificate issued pursuant to this section; and

465 (d) The motor vehicle repair shop or employee authorized to  
466 release the motor vehicle failed to release the motor vehicle.

467  
468 The lienholder or customer, upon a judgment in her or his favor  
469 in an action brought under this subsection, may be entitled to  
470 damages plus court costs and reasonable attorney ~~attorney's~~ fees  
471 sustained by her or him by reason of such wrongful detention or  
472 retention. Upon a judgment in favor of the motor vehicle repair  
473 shop, the shop may be entitled to reasonable attorney ~~attorney's~~  
474 fees.



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475            (4)~~(3)~~ Any motor vehicle repair shop that ~~which~~, or any  
476 employee or agent thereof who is authorized to release the motor  
477 vehicle who, upon receiving a copy of a certificate giving  
478 notice of the posting of the bond in the required amount and  
479 directing release of the motor vehicle, fails to release or  
480 return the property to the lienholder or customer pursuant to  
481 this section commits ~~is guilty of~~ a misdemeanor of the second  
482 degree, punishable as provided in s. 775.082 or s. 775.083.

483            (5)~~(4)~~ Any lienholder or customer who stops payment on a  
484 credit card charge or a check drawn in favor of a motor vehicle  
485 repair shop on account of an invoice, or who fails to post a  
486 cash or surety bond pursuant to this section, shall be  
487 prohibited from any recourse under this section with respect to  
488 the motor vehicle repair shop.

489 ===== T I T L E   A M E N D M E N T =====  
490 And the title is amended as follows:

491            Delete lines 2 - 174

492 and insert:

493            An act relating to regulated service providers;  
494            amending s. 472.007, F.S.; revising the composition of  
495            the Board of Professional Surveyors and Mappers;  
496            amending s. 472.015, F.S.; requiring the Department of  
497            Agriculture and Consumer Services to waive the initial  
498            land surveying and mapping license fee for certain  
499            veterans, the spouses of such veterans, or certain  
500            business entities that have a majority ownership held  
501            by such veterans or spouses; amending s. 493.6105,  
502            F.S.; waiving the initial application fee for veterans  
503            for certain private investigative, private security,



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504 and repossession service licenses; revising certain  
505 fees for initial license applications; revising the  
506 submission requirements for a Class "K" license;  
507 amending s. 493.6106, F.S.; deleting a provision  
508 requiring that certain applicants submit additional  
509 documentation establishing state residency; amending  
510 s. 493.6107, F.S.; waiving the initial license fees  
511 for veterans for certain private investigative,  
512 private security, and repossession service licenses;  
513 amending s. 493.6108, F.S.; requiring the Department  
514 of Law Enforcement to retain fingerprints submitted  
515 for private investigative, private security, and  
516 repossession service licenses, to enter such  
517 fingerprints into the statewide automated biometric  
518 identification system and the Federal Bureau of  
519 Investigation's national retained print arrest  
520 notification program, and to report any arrest record  
521 information to the Department of Agriculture and  
522 Consumer Services; requiring the department to provide  
523 information about an arrest of a licensee for certain  
524 crime within the state to the agency that employs the  
525 licensee; amending s. 493.6113, F.S.; clarifying the  
526 renewal requirements for Class "K" licenses; requiring  
527 a person holding a private investigative, private  
528 security, or repossession service license issued  
529 before a certain date to submit, upon first renewal of  
530 the license, a full set of fingerprints and a  
531 fingerprint processing fee; amending ss. 493.6202,  
532 493.6302, and 493.6402, F.S.; waiving initial license



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533 fees for veterans for certain private investigative,  
534 private security, and repossession service licenses;  
535 amending s. 501.0125, F.S.; revising the definition of  
536 the term "health studio"; defining the term "personal  
537 trainer"; amending s. 501.015, F.S.; requiring the  
538 department to waive the initial health studio  
539 registration fee for certain veterans, the spouses of  
540 such veterans, or certain business entities that have  
541 a majority ownership held by such veterans or spouses;  
542 amending s. 501.605, F.S.; prohibiting the use of a  
543 mail drop as a street address for the principal  
544 location of a commercial telephone seller; requiring  
545 the department to waive the initial commercial  
546 telephone seller license fee for certain veterans, the  
547 spouses of such veterans, or certain business entities  
548 that have a majority ownership held by such veterans  
549 or spouses; amending s. 501.607, F.S.; requiring the  
550 department to waive the initial telephone salesperson  
551 license fees for certain veterans, the spouses of such  
552 veterans, or certain business entities that have a  
553 majority ownership held by such veterans or spouses;  
554 amending s. 507.03, F.S.; requiring the department to  
555 waive the initial registration fee for an intrastate  
556 mover for certain veterans, the spouses of such  
557 veterans, or certain business entities that have a  
558 majority ownership held by such veterans or spouses;  
559 amending s. 527.02, F.S.; requiring the department to  
560 waive the original liquefied petroleum gas license fee  
561 for certain veterans, the spouses of such veterans, or



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562 certain business entities that have a majority  
563 ownership held by such veterans or spouses; amending  
564 s. 527.021, F.S.; deleting a provision requiring a fee  
565 for registering transport vehicles; amending s.  
566 531.37, F.S.; revising the definition of the term  
567 "weights and measures"; amending s. 531.415, F.S.;  
568 revising the fees for actual metrology laboratory  
569 calibration and testing services; amending s. 531.60,  
570 F.S.; clarifying the applicability of permits for  
571 commercially operated or tested weights or measures  
572 instruments or devices; requiring a new permit  
573 application if a new owner acquires and moves an  
574 instrument or a device; requiring a business to notify  
575 the department of certain information under certain  
576 circumstances; deleting a provision authorizing the  
577 department to test weights and measures instruments or  
578 devices under certain circumstances; amending s.  
579 531.61, F.S.; clarifying provisions exempting certain  
580 instruments or devices from specified requirements;  
581 amending s. 531.62, F.S.; specifying that the  
582 commercial use permit fee is based upon the number and  
583 types of instruments or devices permitted; revising  
584 the expiration date of the commercial use permit;  
585 requiring annual and biennial commercial use permit  
586 renewals to meet the same requirements; amending s.  
587 531.63, F.S.; revising the commercial use permit fees  
588 and fee structures; amending s. 531.65, F.S.;  
589 clarifying that the department may use one or more of  
590 the prescribed penalties for the unauthorized use of a



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591 weights and measures instrument or device; amending s.  
592 539.001, F.S.; requiring the department to waive the  
593 initial pawnbroker license fee for certain veterans,  
594 the spouses of such veterans, or certain business  
595 entities that have a majority ownership held by such  
596 veterans or spouses; amending s. 559.904, F.S.;

597 requiring the department to waive the initial motor  
598 vehicle repair shop registration fee for certain  
599 veterans, the spouses of such veterans, or certain  
600 business entities that have a majority ownership held  
601 by such veterans or spouses; amending s. 559.927,  
602 F.S.; revising definitions; amending s. 559.928, F.S.;

603 revising the registration requirements for sellers of  
604 travel; requiring the department to waive the initial  
605 seller of travel registration fee for certain  
606 veterans, the spouses of such veterans, or certain  
607 business entities that have a majority ownership held  
608 by such veterans or spouses; requiring each  
609 advertisement, each certificate, or any other travel  
610 document to include a specified phrase; deleting a  
611 provision requiring an advertisement to include a  
612 specified phrase; revising the circumstances under  
613 which the department may deny or refuse to renew a  
614 registration; authorizing the department to revoke the  
615 registration of a seller of travel under certain  
616 circumstances; amending s. 559.929, F.S.; revising  
617 certain security requirements; amending s. 559.9295,  
618 F.S.; revising the requirements that certain sellers  
619 of travel submit and disclose to the department;



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620 deleting provisions relating to the duties of the  
621 department; amending s. 559.932, F.S.; requiring a  
622 specified typeface point size for certain disclosures;  
623 requiring the department to review copies of certain  
624 certificates and contracts for compliance with  
625 disclosure requirements; amending s. 559.933, F.S.;  
626 making technical changes; amending s. 559.9335, F.S.;  
627 revising violations relating to the sale of travel;  
628 amending s. 559.935, F.S.; deleting a provision  
629 requiring an affidavit of exemption to obtain a seller  
630 of travel affiliate exemption; adding embezzlement as  
631 a crime for which the department may revoke certain  
632 exemptions; amending s. 559.936, F.S.; conforming  
633 cross-references; amending s. 616.242, F.S.; exempting  
634 water-related amusement rides operated by lodging and  
635 food service establishments and membership  
636 campgrounds, amusement rides at private, membership-  
637 only facilities, and nonprofit permanent facilities  
638 from certain safety standards; authorizing owners or  
639 managers of amusement rides to use alternative forms  
640 to record ride inspections and employee training;  
641 amending s. 713.585, F.S.; revising certain notice  
642 requirements; authorizing the owner of a vehicle or a  
643 person claiming an interest in the vehicle or in a  
644 lien thereon to post a bond to recover possession of a  
645 vehicle held by a lienor; requiring the clerk of the  
646 court to issue a certificate notifying the lienor of  
647 the posting of bond; establishing procedures and  
648 requirements for a vehicle owner to reclaim such



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649 vehicles recovered by a lienholder; authorizing courts  
650 to award damages based on claims relating to the  
651 enforcement of certain lien and recovery rights;  
652 requiring courts to provide for the immediate payment  
653 of proceeds and awards and immediate release of bonds;  
654 amending s. 790.06, F.S.; revising the requirements  
655 for issuance of a concealed weapon or firearm license;  
656 requiring directions for expedited processing requests  
657 in the license application form; revising the initial  
658 and renewal fees for a concealed weapon or firearm  
659 license; providing a process for expediting  
660 applications for servicemembers and veterans;  
661 requiring that notice of the suspension or revocation  
662 of a concealed weapon or firearm license or the  
663 suspension of the processing of an application for  
664 such license be given by personal delivery or first-  
665 class mail; specifying deadlines for requests for a  
666 hearing for suspensions or revocations; specifying  
667 standards of proof for notice of suspensions or  
668 revocations; requiring concealed weapon or firearm  
669 license renewals to include an affidavit submitted  
670 under oath and under penalty of perjury, rather than a  
671 notarized affidavit; amending s. 790.0625, F.S.;  
672 authorizing certain tax collector offices, upon  
673 approval and confirmation of license issuance by the  
674 department, to print and deliver concealed weapon or  
675 firearm licenses; amending ss. 559.917, 559.9285, and  
676 559.937, F.S.; conforming terminology; providing  
677 effective dates.