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LEGISLATIVE ACTION

Senate

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House

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Floor: 1/WD/2R

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05/04/2017 10:24 AM

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Senator Steube moved the following:

Senate Amendment (with title amendment)

Between lines 142 and 143

insert:

Section 4. Subsection (6) of section 501.976, Florida Statutes, is amended to read:

501.976 Actionable, unfair, or deceptive acts or practices.—It is an unfair or deceptive act or practice, actionable under the Florida Deceptive and Unfair Trade Practices Act, for a dealer to:

(6) Sell a vehicle without fully and conspicuously



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12 disclosing in writing at or before the consummation of sale any
13 warranty or guarantee terms, obligations, or conditions that the
14 dealer or manufacturer has given to the buyer. If the warranty
15 obligations are to be shared by the dealer and the buyer, the
16 method of determining the percentage of repair costs to be
17 assumed by each party must be disclosed. If the dealer intends
18 to disclaim or limit any expressed or implied warranty, the
19 disclaimer must be in writing in a conspicuous manner and in lay
20 terms in accordance with chapter 672 and the Magnuson-Moss
21 Warranty-Federal Trade Commission Improvement Act. The
22 manufacturer or authorized service provider may not solely
23 condition the written or implied warranty of the vehicle on the
24 consumer only using a part or service provided or branded by the
25 manufacturer or its authorized service provider.

26
27 In any civil litigation resulting from a violation of this
28 section, when evaluating the reasonableness of an award of
29 attorney's fees to a private person, the trial court shall
30 consider the amount of actual damages in relation to the time
31 spent.

32
33 ===== T I T L E A M E N D M E N T =====

34 And the title is amended as follows:

35 Between lines 27 and 28
36 insert:

37 amending s. 501.976, F.S.; prohibiting a manufacturer
38 or authorized service provider from solely
39 conditioning a certain written or implied warranty of
40 a vehicle on the consumer only using a part or service



41 provided or branded by the manufacturer or its
42 authorized service provider;