



136660

LEGISLATIVE ACTION

Senate

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House

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Floor: WD/2R

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05/05/2017 03:25 PM

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Senator Bracy moved the following:

1 **Senate Amendment to Amendment (183848) (with title**
2 **amendment)**

3
4 Between lines 2113 and 2114
5 insert:

6 Section 41. Subsection (6) of section 501.976, Florida
7 Statutes, is amended to read:

8 501.976 Actionable, unfair, or deceptive acts or
9 practices.—It is an unfair or deceptive act or practice,
10 actionable under the Florida Deceptive and Unfair Trade
11 Practices Act, for a dealer to:



12 (6) Sell a vehicle without fully and conspicuously
13 disclosing in writing at or before the consummation of sale any
14 warranty or guarantee terms, obligations, or conditions that the
15 dealer or manufacturer has given to the buyer. If the warranty
16 obligations are to be shared by the dealer and the buyer, the
17 method of determining the percentage of repair costs to be
18 assumed by each party must be disclosed. If the dealer intends
19 to disclaim or limit any expressed or implied warranty, the
20 disclaimer must be in writing in a conspicuous manner and in lay
21 terms in accordance with chapter 672 and the Magnuson-Moss
22 Warranty-Federal Trade Commission Improvement Act and the
23 disclaimer must be signed by the customer with the understanding
24 the customer knows his or her rights under the Magnuson-Moss
25 Warranty-Federal Trade Commission Improvement Act at or before
26 the consummation of sale.

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

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

35 And the title is amended as follows:
36 Delete line 2727
37 and insert:
38 passenger transportation vehicle; amending s. 501.976,
39 F.S.; requiring a disclaimer be signed by the customer
40 with the understanding the customer knows his or her



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41 rights under the Magnuson-Moss Warranty-Federal Trade
42 Commission Improvement Act at or before the
43 consummation of sale if the dealer intends to disclaim
44 or limit any expressed or implied warranty; amending
45 s. 715.07,