

1 A bill to be entitled
 2 An act relating to motor vehicle registration
 3 applications; amending s. 320.02, F.S.; requiring the
 4 application for motor vehicle registration to include
 5 language indicating an applicant is hearing impaired;
 6 requiring such information to be included in certain
 7 databases; amending s. 320.27, F.S.; conforming a
 8 cross-reference; providing an effective date.

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

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 12 Section 1. Subsections (14) through (19) of section
 13 320.02, Florida Statutes, are renumbered as subsections (15)
 14 through (20), respectively, and a new subsection (14) is added
 15 to that section to read:

16 320.02 Registration required; application for
 17 registration; forms.—

18 (14) The application form for motor vehicle registration
 19 must include language allowing an applicant who is hearing
 20 impaired to voluntarily indicate that he or she is hearing
 21 impaired. If the applicant indicates on the application that he
 22 or she is hearing impaired, such information shall be included
 23 in the Florida Crime Information Center system and the Driver
 24 and Vehicle Information Database.

25 Section 2. Paragraph (b) of subsection (9) of section

26 | 320.27, Florida Statutes, is amended to read:

27 | 320.27 Motor vehicle dealers.—

28 | (9) DENIAL, SUSPENSION, OR REVOCATION.—

29 | (b) The department may deny, suspend, or revoke any
30 | license issued hereunder or under the provisions of s. 320.77 or
31 | s. 320.771 upon proof that a licensee has committed, with
32 | sufficient frequency so as to establish a pattern of wrongdoing
33 | on the part of a licensee, violations of one or more of the
34 | following activities:

35 | 1. Representation that a demonstrator is a new motor
36 | vehicle, or the attempt to sell or the sale of a demonstrator as
37 | a new motor vehicle without written notice to the purchaser that
38 | the vehicle is a demonstrator. For the purposes of this section,
39 | a "demonstrator," a "new motor vehicle," and a "used motor
40 | vehicle" shall be defined as under s. 320.60.

41 | 2. Unjustifiable refusal to comply with a licensee's
42 | responsibility under the terms of the new motor vehicle warranty
43 | issued by its respective manufacturer, distributor, or importer.
44 | However, if such refusal is at the direction of the
45 | manufacturer, distributor, or importer, such refusal shall not
46 | be a ground under this section.

47 | 3. Misrepresentation or false, deceptive, or misleading
48 | statements with regard to the sale or financing of motor
49 | vehicles which any motor vehicle dealer has, or causes to have,
50 | advertised, printed, displayed, published, distributed,

51 broadcast, televised, or made in any manner with regard to the
52 sale or financing of motor vehicles.

53 4. Failure by any motor vehicle dealer to provide a
54 customer or purchaser with an odometer disclosure statement and
55 a copy of any bona fide written, executed sales contract or
56 agreement of purchase connected with the purchase of the motor
57 vehicle purchased by the customer or purchaser.

58 5. Failure of any motor vehicle dealer to comply with the
59 terms of any bona fide written, executed agreement, pursuant to
60 the sale of a motor vehicle.

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

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

65 8. Failure to continually meet the requirements of the
66 licensure law.

67 9. Representation to a customer or any advertisement to
68 the public representing or suggesting that a motor vehicle is a
69 new motor vehicle if such vehicle lawfully cannot be titled in
70 the name of the customer or other member of the public by the
71 seller using a manufacturer's statement of origin as permitted
72 in s. 319.23(1).

73 10. Requirement by any motor vehicle dealer that a
74 customer or purchaser accept equipment on his or her motor
75 vehicle which was not ordered by the customer or purchaser.

76 11. Requirement by any motor vehicle dealer that any
77 customer or purchaser finance a motor vehicle with a specific
78 financial institution or company.

79 12. Requirement by any motor vehicle dealer that the
80 purchaser of a motor vehicle contract with the dealer for
81 physical damage insurance.

82 13. Perpetration of a fraud upon any person as a result of
83 dealing in motor vehicles, including, without limitation, the
84 misrepresentation to any person by the licensee of the
85 licensee's relationship to any manufacturer, importer, or
86 distributor.

87 14. Violation of any of the provisions of s. 319.35 by any
88 motor vehicle dealer.

89 15. Sale by a motor vehicle dealer of a vehicle offered in
90 trade by a customer prior to consummation of the sale, exchange,
91 or transfer of a newly acquired vehicle to the customer, unless
92 the customer provides written authorization for the sale of the
93 trade-in vehicle prior to delivery of the newly acquired
94 vehicle.

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

97 17. Violation of chapter 319, this chapter, or ss.
98 559.901-559.9221, which has to do with dealing in or repairing
99 motor vehicles or mobile homes. Additionally, in the case of
100 used motor vehicles, the willful violation of the federal law

101 and rule in 15 U.S.C. s. 2304, 16 C.F.R. part 455, pertaining to
102 the consumer sales window form.

103 18. Failure to maintain evidence of notification to the
104 owner or coowner of a vehicle regarding registration or titling
105 fees owed as required in s. 320.02(17) ~~320.02(16)~~.

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

108 Section 3. This act shall take effect July 1, 2018.