



494184

576-01828A-18

Proposed Committee Substitute by the Committee on Appropriations
(Appropriations Subcommittee on Transportation, Tourism, and
Economic Development)

A bill to be entitled

An act relating to motor vehicle registration
applications; amending s. 320.02, F.S.; requiring the
application form for motor vehicle registration to
include language to indicate an applicant is deaf or
hard of hearing; requiring such information to be
included in certain databases; amending s. 320.27,
F.S.; conforming a cross-reference; providing an
effective date.

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

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

320.02 Registration required; application for registration;
forms.—

(14) The application form for motor vehicle registration
must include language allowing an applicant who is deaf or hard
of hearing to voluntarily indicate that he or she is deaf or
hard of hearing. If the applicant indicates on the application
form that he or she is deaf or hard of hearing, such information
must be included in the Florida Crime Information Center system
and the Driver and Vehicle Information Database.

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



494184

576-01828A-18

27 320.27, Florida Statutes, is amended to read:

28 320.27 Motor vehicle dealers.—

29 (9) DENIAL, SUSPENSION, OR REVOCATION.—

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

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

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

48 3. Misrepresentation or false, deceptive, or misleading
49 statements with regard to the sale or financing of motor
50 vehicles which any motor vehicle dealer has, or causes to have,
51 advertised, printed, displayed, published, distributed,
52 broadcast, televised, or made in any manner with regard to the
53 sale or financing of motor vehicles.

54 4. Failure by any motor vehicle dealer to provide a
55 customer or purchaser with an odometer disclosure statement and



494184

576-01828A-18

56 a copy of any bona fide written, executed sales contract or
57 agreement of purchase connected with the purchase of the motor
58 vehicle purchased by the customer or purchaser.

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

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

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

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

68 9. Representation to a customer or any advertisement to the
69 public representing or suggesting that a motor vehicle is a new
70 motor vehicle if such vehicle lawfully cannot be titled in the
71 name of the customer or other member of the public by the seller
72 using a manufacturer's statement of origin as permitted in s.
73 319.23(1).

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

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

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

83 13. Perpetration of a fraud upon any person as a result of
84 dealing in motor vehicles, including, without limitation, the



494184

576-01828A-18

85 misrepresentation to any person by the licensee of the
86 licensee's relationship to any manufacturer, importer, or
87 distributor.

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

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

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

98 17. Violation of chapter 319, this chapter, or ss. 559.901-
99 559.9221, which has to do with dealing in or repairing motor
100 vehicles or mobile homes. Additionally, in the case of used
101 motor vehicles, the willful violation of the federal law and
102 rule in 15 U.S.C. s. 2304, 16 C.F.R. part 455, pertaining to the
103 consumer sales window form.

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

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

109 Section 3. This act shall take effect October 1, 2018.