

1 A bill to be entitled
2 An act relating to motor vehicle dealers; amending s.
3 320.27, F.S.; revising the definitions of the terms
4 "motor vehicle dealer," "franchised motor vehicle
5 dealer," "independent motor vehicle dealer," and
6 "wholesale motor vehicle dealer"; authorizing certain
7 motor vehicle dealers with revoked licenses to
8 continue to advertise and demonstrate certain motor
9 vehicles under certain circumstances; deleting the
10 definition of the term "motor vehicle broker"; adding
11 an exception to the prohibition on persons other than
12 a licensed motor vehicle dealer from advertising for
13 sale or lease any motor vehicle belonging to another
14 party; authorizing owners of motor vehicles titled in
15 their names to advertise and offer motor vehicles for
16 sale on their own behalf provided such vehicles are
17 acquired and sold in good faith and not for the
18 purpose of avoiding specified requirements;
19 prohibiting a licensed motor vehicle dealer from
20 allowing any person other than its bona fide employee
21 to use its motor vehicle dealer license for the
22 purpose of acting in the capacity of or conducting
23 motor vehicle lease transactions as a motor vehicle
24 dealer; providing that any person acting in violation
25 of specified licensing requirements or misrepresenting

26 | to any person his or her relationship with any motor
27 | vehicle dealer is deemed to have committed an unfair
28 | and deceptive trade practice in violation of specified
29 | provisions; requiring, within a specified timeframe,
30 | the Department of Highway Safety and Motor Vehicles to
31 | deliver or mail to each licensee the necessary renewal
32 | forms along with a statement that the licensee is
33 | required to complete any applicable continuing
34 | education or industry certification requirements;
35 | deleting certain continuing education and
36 | certification requirements; requiring applications
37 | received by the department for renewal of independent
38 | motor vehicle dealer licenses to certify that the
39 | dealer has completed continuing education before
40 | filing the renewal forms with the department, subject
41 | to certain requirements; providing requirements for
42 | continuing education and dealer schools; authorizing
43 | such schools to charge a fee for providing continuing
44 | education; requiring applications received by the
45 | department for renewal of franchised motor vehicle
46 | dealer licenses to certify that the dealer has
47 | completed certain industry certification before filing
48 | the renewal forms with the department, subject to
49 | certain requirements; providing requirements for
50 | industry certification and certain statewide industry

51 associations of franchised motor vehicle dealers;
 52 authorizing an association to charge a fee for
 53 providing the industry certification; authorizing
 54 industry certification for licensees belonging to a
 55 certain dealership group to be accomplished by a
 56 certain designated person; requiring a licensee who
 57 seeks to satisfy the certification through a
 58 dealership group to provide the department with
 59 certain evidence at the time of filing the certificate
 60 of completion; providing an effective date.

61

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

63

64 Section 1. Paragraphs (c) and (d) of subsection (1) and
 65 subsections (2), (3), and (4) of section 320.27, Florida
 66 Statutes, are amended to read:

67 320.27 Motor vehicle dealers.—

68 (1) DEFINITIONS.—The following words, terms, and phrases
 69 when used in this section have the meanings respectively
 70 ascribed to them in this subsection, except where the context
 71 clearly indicates a different meaning:

72 (c) "Motor vehicle dealer" means any person engaged in the
 73 business of buying, selling, or leasing ~~dealing in~~ motor
 74 vehicles or offering or displaying motor vehicles for sale or
 75 lease at wholesale, excluding sales from a manufacturer, factory

76 | branch, distributor, or importer licensed pursuant to s. 320.61
77 | to a franchised motor vehicle dealer licensed pursuant to this
78 | section, or at retail, or who may service and repair motor
79 | vehicles pursuant to an agreement as defined in s. 320.60(1).
80 | Any person who buys, sells, or leases ~~deals in~~ three or more
81 | motor vehicles in any 12-month period or who offers or displays
82 | for sale or lease three or more motor vehicles in any 12-month
83 | period ~~is shall be~~ prima facie presumed to be a motor vehicle
84 | dealer. Any person who engages in any of the following
85 | activities is deemed to be a motor vehicle dealer: possessing,
86 | storing, advertising, or displaying motor vehicles that such
87 | person offers for retail sale or lease; compensating customers
88 | for vehicles at wholesale or retail, also known as trade-ins;
89 | negotiating with customers regarding the terms of sale or lease
90 | for a motor vehicle offered for retail sale or lease by such
91 | person; providing test drives of motor vehicles that such person
92 | offers for retail sale or lease; or delivering or arranging for
93 | the delivery of a motor vehicle in conjunction with the retail
94 | sale or lease of the motor vehicle by such person engaged in
95 | such business. The terms "selling" and "sale" include lease-
96 | purchase transactions. A motor vehicle dealer may, at retail or
97 | wholesale, sell a recreational vehicle as described in s.
98 | 320.01(1)(b)1.-6. and 8., acquired in exchange for the sale or
99 | lease of a motor vehicle, provided such acquisition is
100 | incidental to the principal business of being a motor vehicle

101 dealer. However, a motor vehicle dealer may not buy a
102 recreational vehicle for the purpose of resale unless licensed
103 as a recreational vehicle dealer pursuant to s. 320.771. ~~A motor~~
104 ~~vehicle dealer may apply for a certificate of title to a motor~~
105 ~~vehicle required to be registered under s. 320.08(2)(b), (c),~~
106 ~~and (d), using a manufacturer's statement of origin as permitted~~
107 ~~by s. 319.23(1), only if such dealer is authorized by a~~
108 ~~franchised agreement as defined in s. 320.60(1), to buy, sell,~~
109 ~~or deal in such vehicle and is authorized by such agreement to~~
110 ~~perform delivery and preparation obligations and warranty defect~~
111 ~~adjustments on the motor vehicle; provided this limitation shall~~
112 ~~not apply to recreational vehicles, van conversions, or any~~
113 ~~other motor vehicle manufactured on a truck chassis. The~~
114 ~~transfer of a motor vehicle by a dealer not meeting these~~
115 ~~qualifications shall be titled as a used vehicle. The~~
116 classifications of motor vehicle dealers are defined as follows:
117 1. "Franchised motor vehicle dealer" means any person who
118 engages in the business of repairing, servicing, buying,
119 selling, or leasing ~~dealing in~~ motor vehicles pursuant to an
120 agreement as defined in s. 320.60(1). A motor vehicle dealer may
121 apply for a certificate of title to a motor vehicle required to
122 be registered under s. 320.08(2)(b), (c), and (d) or s.
123 320.08(3)(a), (b), or (c), using a manufacturer's statement of
124 origin as permitted by s. 319.23(1), only if such dealer is
125 authorized by a franchise agreement as defined in s. 320.60(1)

126 | to buy, sell, or lease such vehicles and to perform delivery and
127 | preparation obligations and warranty defect adjustments on the
128 | motor vehicle. This limitation does not apply to recreational
129 | vehicles, van conversions, or any other motor vehicle
130 | manufactured on a truck chassis. A motor vehicle dealer may not
131 | transfer a manufacturer's statement of origin for a motor
132 | vehicle to any person who intends to sell such motor vehicle in
133 | this state unless such person is a licensed motor vehicle dealer
134 | authorized by a franchise agreement to buy, sell, or lease such
135 | vehicles.

136 | 2. "Independent motor vehicle dealer" means any person
137 | other than a franchised or wholesale motor vehicle dealer who
138 | engages in the business of buying, selling, or leasing ~~dealing~~
139 | ~~in~~ motor vehicles, and who may service and repair motor
140 | vehicles.

141 | 3. "Wholesale motor vehicle dealer" means any person who
142 | engages exclusively in the business of buying or ~~selling, or~~
143 | ~~dealing in~~ motor vehicles at wholesale or with motor vehicle
144 | auctions. Such person shall be licensed to do business in this
145 | state, shall not sell or auction a vehicle to any person who is
146 | not a licensed dealer, and shall not have the privilege of the
147 | use of dealer license plates. Any person who buys, sells, or
148 | deals in motor vehicles at wholesale or with motor vehicle
149 | auctions on behalf of a licensed motor vehicle dealer and as a
150 | bona fide employee of such licensed motor vehicle dealer is not

151 required to be licensed as a wholesale motor vehicle dealer. In
152 such cases it shall be prima facie presumed that a bona fide
153 employer-employee relationship exists. A wholesale motor vehicle
154 dealer shall be exempt from the display provisions of this
155 section but shall maintain an office wherein records are kept in
156 order that those records may be inspected.

157 4. "Motor vehicle auction" means any person offering motor
158 vehicles or recreational vehicles for sale to the highest bidder
159 where buyers are licensed motor vehicle dealers. Such person
160 shall not sell a vehicle to anyone other than a licensed motor
161 vehicle dealer.

162 5. "Salvage motor vehicle dealer" means any person who
163 engages in the business of acquiring salvaged or wrecked motor
164 vehicles for the purpose of reselling them and their parts.

165
166 Notwithstanding anything in this subsection to the contrary, the
167 term "motor vehicle dealer" does not include persons not engaged
168 in the purchase, ~~or~~ sale, or lease of motor vehicles as a
169 business who are disposing of vehicles acquired for their own
170 use or for use in their business or acquired by foreclosure or
171 by operation of law, provided such vehicles are acquired and
172 sold in good faith and not for the purpose of avoiding the
173 provisions of this law; persons engaged in the business of
174 manufacturing, selling, or offering or displaying for sale or
175 lease at wholesale or retail no more than 25 trailers in a 12-

176 month period; public officers while performing their official
177 duties; receivers; trustees, administrators, executors,
178 guardians, or other persons appointed by, or acting under the
179 judgment or order of, any court; banks, finance companies, or
180 other loan agencies that acquire motor vehicles as an incident
181 to their regular business; persons whose sole dealing in motor
182 vehicles is owning a publication in which, or hosting a website
183 on which, licensed motor vehicle dealers display vehicles for
184 sale or lease; persons primarily engaged in the business of the
185 short-term rental of motor vehicles, which rental term may not
186 exceed 12 months, who are not involved in the retail sale or
187 lease of motor vehicles ~~motor vehicle brokers~~; and motor vehicle
188 rental and leasing companies that sell motor vehicles only to
189 motor vehicle dealers licensed under this section. Vehicles
190 owned under circumstances described in this paragraph may be
191 disposed of at retail, wholesale, or auction, unless otherwise
192 restricted. A manufacturer of fire trucks, ambulances, or school
193 buses may sell such vehicles directly to governmental agencies
194 or to persons who contract to perform or provide firefighting,
195 ambulance, or school transportation services exclusively to
196 governmental agencies without processing such sales through
197 dealers if such fire trucks, ambulances, school buses, or
198 similar vehicles are not presently available through motor
199 vehicle dealers licensed by the department. A motor vehicle
200 dealer licensed pursuant to subparagraph 1. who, as of July 1,

201 2018, is wholly owned by a manufacturer licensed pursuant to s.
202 320.61 and whose dealer license is revoked by a court or
203 administrative order for reasons other than voluntary
204 termination, failure to renew, or disciplinary action may
205 continue to advertise motor vehicles of the line-make for which
206 the dealer was previously licensed, including demonstrating
207 those vehicles to consumers, provided that the sale or lease of
208 such vehicles may only occur through a licensed motor vehicle
209 dealer.

210 ~~(d) "Motor vehicle broker" means any person engaged in the~~
211 ~~business of offering to procure or procuring motor vehicles for~~
212 ~~the general public, or who holds himself or herself out through~~
213 ~~solicitation, advertisement, or otherwise as one who offers to~~
214 ~~procure or procures motor vehicles for the general public, and~~
215 ~~who does not store, display, or take ownership of any vehicles~~
216 ~~for the purpose of selling such vehicles.~~

217 (2) LICENSE REQUIRED.—No person shall engage in business
218 as, serve in the capacity of, or act as a motor vehicle dealer
219 in this state without first obtaining a license therefor in the
220 appropriate classification as provided in this section. With the
221 exception of transactions with motor vehicle auctions, no person
222 other than a licensed motor vehicle dealer may advertise for
223 sale or lease any motor vehicle belonging to another party
224 unless as a direct result of a bona fide legal proceeding, court
225 order, or settlement of an estate; by persons whose sole dealing

226 in motor vehicles is owning a publication in which, or hosting a
227 website on which, licensed motor vehicle dealers display
228 vehicles for sale or lease;~~7~~ or by operation of law. However,
229 owners of motor vehicles titled in their names may advertise and
230 offer motor vehicles for sale on their own behalf, provided such
231 vehicles are acquired and sold in good faith and not for the
232 purpose of avoiding the requirements of this section. It shall
233 be unlawful for a licensed motor vehicle dealer to allow any
234 person other than its a bona fide employee to use the motor
235 vehicle dealer license for the purpose of acting in the capacity
236 of or conducting motor vehicle sales or lease transactions as a
237 motor vehicle dealer. Any person acting ~~selling or offering a~~
238 ~~motor vehicle for sale~~ in violation of the licensing
239 requirements of this subsection, or who misrepresents to any
240 person his or her ~~its~~ relationship with any manufacturer,
241 importer, ~~or~~ distributor, or motor vehicle dealer, in addition
242 to the penalties provided herein, shall be deemed to have
243 committed ~~guilty of~~ an unfair and deceptive trade practice ~~as~~
244 ~~defined~~ in violation of part II of chapter 501 and shall be
245 subject to the provisions of subsections (8) and (9).

246 (3) APPLICATION AND FEE.—The application for the license
247 shall be in such form as may be prescribed by the department and
248 shall be subject to such rules with respect thereto as may be so
249 prescribed by it. Such application shall be verified by oath or
250 affirmation and shall contain a full statement of the name and

251 birth date of the person or persons applying therefor; the name
252 of the firm or copartnership, with the names and places of
253 residence of all members thereof, if such applicant is a firm or
254 copartnership; the names and places of residence of the
255 principal officers, if the applicant is a body corporate or
256 other artificial body; the name of the state under whose laws
257 the corporation is organized; the present and former place or
258 places of residence of the applicant; and prior business in
259 which the applicant has been engaged and the location thereof.
260 Such application shall describe the exact location of the place
261 of business and shall state whether the place of business is
262 owned by the applicant and when acquired, or, if leased, a true
263 copy of the lease shall be attached to the application. The
264 applicant shall certify that the location provides an adequately
265 equipped office and is not a residence; that the location
266 affords sufficient unoccupied space upon and within which
267 adequately to store all motor vehicles offered and displayed for
268 sale; and that the location is a suitable place where the
269 applicant can in good faith carry on such business and keep and
270 maintain books, records, and files necessary to conduct such
271 business, which shall be available at all reasonable hours to
272 inspection by the department or any of its inspectors or other
273 employees. The applicant shall certify that the business of a
274 motor vehicle dealer is the principal business which shall be
275 conducted at that location. The application shall contain a

276 statement that the applicant is ~~either~~ franchised by a
277 manufacturer of motor vehicles, in which case the name of each
278 motor vehicle that the applicant is franchised to sell shall be
279 included, or an independent (nonfranchised) motor vehicle
280 dealer. The application shall contain other relevant information
281 as may be required by the department, including evidence that
282 the applicant is insured under a garage liability insurance
283 policy or a general liability insurance policy coupled with a
284 business automobile policy, which shall include, at a minimum,
285 \$25,000 combined single-limit liability coverage including
286 bodily injury and property damage protection and \$10,000
287 personal injury protection. However, a salvage motor vehicle
288 dealer as defined in subparagraph (1)(c)5. is exempt from the
289 requirements for garage liability insurance and personal injury
290 protection insurance on those vehicles that cannot be legally
291 operated on roads, highways, or streets in this state. Franchise
292 dealers must submit a garage liability insurance policy, and all
293 other dealers must submit a garage liability insurance policy or
294 a general liability insurance policy coupled with a business
295 automobile policy. Such policy shall be for the license period,
296 and evidence of a new or continued policy shall be delivered to
297 the department at the beginning of each license period. Upon
298 making initial application, the applicant shall pay to the
299 department a fee of \$300 in addition to any other fees required
300 by law. Applicants may choose to extend the licensure period for

301 1 additional year for a total of 2 years. An initial applicant
302 shall pay to the department a fee of \$300 for the first year and
303 \$75 for the second year, in addition to any other fees required
304 by law. An applicant for renewal shall pay to the department \$75
305 for a 1-year renewal or \$150 for a 2-year renewal, in addition
306 to any other fees required by law. Upon making an application
307 for a change of location, the person shall pay a fee of \$50 in
308 addition to any other fees now required by law. The department
309 shall, in the case of every application for initial licensure,
310 verify whether certain facts set forth in the application are
311 true. Each applicant, general partner in the case of a
312 partnership, or corporate officer and director in the case of a
313 corporate applicant, must file a set of fingerprints with the
314 department for the purpose of determining any prior criminal
315 record or any outstanding warrants. The department shall submit
316 the fingerprints to the Department of Law Enforcement for state
317 processing and forwarding to the Federal Bureau of Investigation
318 for federal processing. The actual cost of state and federal
319 processing shall be borne by the applicant and is in addition to
320 the fee for licensure. The department may issue a license to an
321 applicant pending the results of the fingerprint investigation,
322 which license is fully revocable if the department subsequently
323 determines that any facts set forth in the application are not
324 true or correctly represented.

325 (4) LICENSE CERTIFICATE.—

326 (a) A license certificate shall be issued by the
327 department in accordance with such application when the
328 application is regular in form and in compliance with the
329 provisions of this section. The license certificate may be in
330 the form of a document or a computerized card as determined by
331 the department. The actual cost of each original, additional, or
332 replacement computerized card shall be borne by the licensee and
333 is in addition to the fee for licensure. Such license, when so
334 issued, entitles the licensee to carry on and conduct the
335 business of a motor vehicle dealer. Each license issued to a
336 franchise motor vehicle dealer expires on December 31 of the
337 year of its expiration unless revoked or suspended before ~~prior~~
338 ~~to~~ that date. Each license issued to an independent or wholesale
339 dealer or auction expires on April 30 of the year of its
340 expiration unless revoked or suspended before ~~prior to~~ that
341 date. At least 60 days before the license expiration date, the
342 department shall deliver or mail to each licensee the necessary
343 renewal forms along with a statement that the licensee is
344 required to complete any applicable continuing education or
345 industry certification requirements. ~~Each independent dealer~~
346 ~~shall certify that the dealer (owner, partner, officer, or~~
347 ~~director of the licensee, or a full-time employee of the~~
348 ~~licensee that holds a responsible management level position) has~~
349 ~~completed 8 hours of continuing education prior to filing the~~
350 ~~renewal forms with the department. Such certification shall be~~

351 ~~filed once every 2 years. The continuing education shall include~~
352 ~~at least 2 hours of legal or legislative issues, 1 hour of~~
353 ~~department issues, and 5 hours of relevant motor vehicle~~
354 ~~industry topics. Continuing education shall be provided by~~
355 ~~dealer schools licensed under paragraph (b) either in a~~
356 ~~classroom setting or by correspondence. Such schools shall~~
357 ~~provide certificates of completion to the department and the~~
358 ~~customer which shall be filed with the license renewal form, and~~
359 ~~such schools may charge a fee for providing continuing~~
360 ~~education.~~ Any licensee who does not file his or her application
361 and fees and any other requisite documents, as required by law,
362 before ~~with the department at least 30 days prior to~~ the license
363 expiration date shall cease to engage in business as a motor
364 vehicle dealer on the license expiration date. A renewal filed
365 with the department within 45 days after the expiration date
366 shall be accompanied by a delinquent fee of \$100. Thereafter, a
367 new application is required, accompanied by the initial license
368 fee. A license certificate duly issued by the department may be
369 modified by endorsement to show a change in the name of the
370 licensee, provided, as shown by affidavit of the licensee, the
371 majority ownership interest of the licensee has not changed or
372 the name of the person appearing as franchisee on the sales and
373 service agreement has not changed. Modification of a license
374 certificate to show any name change as herein provided shall not
375 require initial licensure or reissuance of dealer tags; however,

376 any dealer obtaining a name change shall transact all business
377 in and be properly identified by that name. All documents
378 relative to licensure shall reflect the new name. In the case of
379 a franchise dealer, the name change shall be approved by the
380 manufacturer, distributor, or importer. A licensee applying for
381 a name change endorsement shall pay a fee of \$25 which fee shall
382 apply to the change in the name of a main location and all
383 additional locations licensed under the provisions of subsection
384 (5). Each initial license application received by the department
385 shall be accompanied by verification that, within the preceding
386 6 months, the applicant, or one or more of his or her designated
387 employees, has attended a training and information seminar
388 conducted by a licensed motor vehicle dealer training school.
389 Any applicant for a new franchised motor vehicle dealer license
390 who has held a valid franchised motor vehicle dealer license
391 continuously for the past 2 years and who remains in good
392 standing with the department is exempt from the prelicensing
393 training requirement. Such seminar shall include, but is not
394 limited to, statutory dealer requirements, which requirements
395 include required bookkeeping and recordkeeping procedures,
396 requirements for the collection of sales and use taxes, and such
397 other information that in the opinion of the department will
398 promote good business practices. No seminar may exceed 8 hours
399 in length.

400 (b) Each initial license application received by the

401 department for licensure under subparagraph (1)(c)2. shall be
402 accompanied by verification that, within the preceding 6 months,
403 the applicant (owner, partner, officer, or director of the
404 applicant, or a full-time employee of the applicant that holds a
405 responsible management-level position) has successfully
406 completed training conducted by a licensed motor vehicle dealer
407 training school. Such training must include training in titling
408 and registration of motor vehicles, laws relating to unfair and
409 deceptive trade practices, laws relating to financing with
410 regard to buy-here, pay-here operations, and such other
411 information that in the opinion of the department will promote
412 good business practices. Successful completion of this training
413 shall be determined by examination administered at the end of
414 the course and attendance of no less than 90 percent of the
415 total hours required by such school. Any applicant who had held
416 a valid motor vehicle dealer's license continuously within the
417 past 2 years and who remains in good standing with the
418 department is exempt from the prelicensing requirements of this
419 section. The department shall have the authority to adopt any
420 rule necessary for establishing the training curriculum; length
421 of training, which shall not exceed 8 hours for required
422 department topics and shall not exceed an additional 24 hours
423 for topics related to other regulatory agencies' instructor
424 qualifications; and any other requirements under this section.
425 The curriculum for other subjects shall be approved by any and

426 all other regulatory agencies having jurisdiction over specific
427 subject matters; however, the overall administration of the
428 licensing of these dealer schools and their instructors shall
429 remain with the department. Such schools are authorized to
430 charge a fee.

431 (c) Each application received by the department for
432 renewal of a license defined under subparagraph (1)(c)2. must
433 certify that the dealer (owner, partner, officer, or director of
434 the licensee, or a full-time employee of the licensee that holds
435 a responsible management-level position) has completed 8 hours
436 of continuing education before filing the renewal forms with the
437 department. Such certification must be filed once every 2 years.
438 The continuing education must include at least 2 hours of legal
439 or legislative issues, 1 hour of department issues, and 5 hours
440 of relevant motor vehicle industry topics. Continuing education
441 shall be provided by dealer schools licensed under paragraph (b)
442 either in a classroom setting or by correspondence. Such schools
443 shall provide certificates of completion to the department and
444 the customer which shall be filed with the license renewal form,
445 and such schools may charge a fee for providing continuing
446 education.

447 (d) Each application received by the department for
448 renewal of a license defined under subparagraph (1)(c)1. must
449 certify that the dealer (dealer operator, owner, partner,
450 officer, director, or general manager of the licensee) has

451 completed 4 hours of industry certification on legal and
452 legislative issues each year before filing the renewal forms
453 with the department. Industry certification shall be provided by
454 a Florida-based, nonprofit, dealer-owned, statewide industry
455 association of franchised motor vehicle dealers with state and
456 federal compliance credentials approved by the department, and
457 shall be in a classroom setting in convenient locations within
458 the state. Such association shall provide certificates of
459 completion to the department and the customer which shall be
460 filed with the license renewal form. An application for renewal
461 of a license previously issued for 1 year must be accompanied by
462 a certificate establishing completion of 4 hours of industry
463 certification during the prior year. An application for renewal
464 of a license previously issued for 2 years must be accompanied
465 by certificates establishing completion of 8 hours of industry
466 certification, except that renewal of a 2-year license that
467 expires on December 31, 2019, must be accompanied by a
468 certificate establishing completion of 4 hours of industry
469 certification. An association may charge a fee of no more than
470 \$500 per 4 hours for providing the industry certification. In
471 2020, and for each subsequent year, the maximum fee of \$500 per
472 4 hours shall be increased by a percentage equal to the annual
473 Consumer Price Index for All Urban Consumers calculated for the
474 previous year by the United States Bureau of Labor Statistics.
475 In the case of licensees belonging to a dealership group, the

476 required industry certification may be satisfied for all
477 licensees in the dealership group through completion of the
478 industry certification by a single designated owner, officer,
479 director, or manager of the dealership group. For purposes of
480 this section, a dealership group is two or more licensed
481 franchised motor vehicle dealers with at least one common
482 officer or with common owners having legal or equitable title of
483 at least 50 percent of each dealer in the group. A licensee who
484 seeks to satisfy the required industry certification through a
485 dealership group must provide the department with evidence of
486 the required common ownership at the time of filing the
487 certificate of completion.

488 Section 2. This act shall take effect January 1, 2019.