

By Senator Trumbull

2-01158-23

20231404__

1 A bill to be entitled
2 An act relating to movable tiny homes; amending s.
3 320.01, F.S.; revising and providing definitions;
4 creating s. 320.018, F.S.; providing for taxation of a
5 movable tiny home according to its classification;
6 providing classification requirements; providing
7 applicability; amending ss. 320.02, 320.03, 320.031,
8 and 320.04, F.S.; including movable tiny homes in
9 provisions relating to mobile home registration;
10 amending s. 320.05, F.S.; including movable tiny homes
11 in provisions relating to inspection of records of the
12 Department of Highway Safety and Motor Vehicles;
13 amending s. 320.055, F.S.; conforming cross-
14 references; amending s. 320.0607, F.S.; providing for
15 replacement of a movable tiny home sticker; amending
16 s. 320.0609, F.S.; providing for exchange of such
17 sticker upon transfer of a movable tiny home; amending
18 s. 320.061, F.S.; prohibiting alteration of a movable
19 tiny home sticker; amending s. 320.07, F.S.; including
20 movable tiny homes in provisions relating to
21 expiration and renewal of registration; providing
22 penalties; amending s. 320.071, F.S.; providing for
23 advance registration renewal for movable tiny homes;
24 providing penalties; amending s. 320.08, F.S.;
25 including movable tiny home dealers and manufacturers
26 in provisions relating to license taxes for dealer and
27 manufacturer license plates; amending ss. 320.0802,
28 320.0804, and 320.08046, F.S.; conforming cross-
29 references; amending s. 320.081, F.S.; requiring

2-01158-23

20231404__

30 issuance of a sticker indicating payment of the annual
31 license tax; amending s. 320.0815, F.S.; requiring
32 issuance of movable tiny home stickers to certain
33 movable tiny homes; providing an exception; amending
34 s. 320.10, F.S.; exempting certain movable tiny homes
35 from such license tax; amending s. 320.13, F.S.;

36 authorizing a licensed movable tiny home dealer to
37 secure dealer license plates; amending s. 320.131,
38 F.S.; authorizing use of temporary tags to transport
39 movable tiny homes; amending s. 320.15, F.S.;

40 authorizing a registration credit or refund of license
41 taxes for movable tiny homes under certain
42 circumstances; amending s. 320.17, F.S.; authorizing
43 the department to classify and assess license taxes
44 for movable tiny homes; amending s. 320.18, F.S.;

45 authorizing withholding of registration of a movable
46 tiny home under certain circumstances; amending s.
47 320.19, F.S.; providing for a tax lien upon a movable
48 tiny home; amending s. 320.203, F.S.; conforming
49 cross-references; amending s. 320.26, F.S.;

50 prohibiting counterfeiting of movable tiny home
51 stickers; providing penalties; amending s. 320.261,
52 F.S.; providing penalties for attaching to a movable
53 tiny home a license plate or validation sticker not
54 issued to the movable tiny home; amending s. 320.27,
55 F.S.; revising the definition of the term "motor
56 vehicle"; authorizing denial, suspension, or
57 revocation of a license for a violation of certain
58 provisions relating to dealing in or repairing movable

2-01158-23

20231404__

59 tiny homes; amending s. 320.28, F.S.; requiring a
60 nonresident dealer in secondhand movable tiny homes to
61 apply for a certificate of title for a movable tiny
62 home before selling, offering for sale, or advertising
63 the sale of such movable tiny home; amending s.
64 320.37, F.S.; excluding certain movable tiny homes
65 owned by nonresidents from the exemption from
66 registration requirements; amending s. 320.71, F.S.;
67 requiring a nonresident movable tiny home dealer to
68 register with the Department of Revenue for a sales
69 tax dealer registration number; amending s. 320.771,
70 F.S.; authorizing licensed recreational vehicle
71 dealers to sell movable tiny homes; creating s.
72 320.772, F.S.; defining the terms "dealer" and
73 "movable tiny home broker"; providing conditions under
74 which a licensed dealer may transact business in
75 movable tiny homes; requiring certain licensure;
76 providing license application requirements;
77 authorizing the Department of Highway Safety and Motor
78 Vehicles to investigate facts set forth in an
79 application; providing for denial of license and
80 notification thereof; authorizing a public hearing;
81 providing for issuance of a license certificate under
82 certain circumstances; authorizing supplemental
83 licenses under certain circumstances; authorizing a
84 mobile home dealer to apply for a license endorsement
85 to sell movable tiny homes; requiring recordkeeping;
86 requiring a licensee to possess evidence of title;
87 providing requirements for setup operations; providing

2-01158-23

20231404__

88 a penalty; authorizing the department to apply for an
89 injunction under certain circumstances; requiring
90 suspension or revocation of a license upon certain
91 findings; authorizing administrative fines; requiring
92 an applicant to deliver a surety bond in a certain
93 amount to the department before issuance or renewal of
94 a license; prohibiting sharing in the commission on
95 the sale of insurance coverage under certain
96 circumstances; amending s. 320.781, F.S.; renaming the
97 Mobile Home and Recreational Vehicle Protection Trust
98 Fund as the "Mobile Home, Movable Tiny Home, and
99 Recreational Vehicle Protection Trust Fund"; including
100 movable tiny homes in applicable provisions relating
101 to the trust fund; providing penalties; amending s.
102 320.822, F.S.; revising and providing definitions;
103 amending s. 320.8225, F.S.; requiring annual licensure
104 for each factory location within and outside this
105 state which manufactures movable tiny homes; requiring
106 submission of a surety bond to the department;
107 providing the period of licensure; authorizing denial,
108 and requiring revocation or suspension, of a license
109 under certain circumstances; creating s. 320.82315,
110 F.S.; establishing uniform standards for
111 manufacturing, inspection, and certification of
112 movable tiny homes; amending s. 320.8245, F.S.;
113 limiting alterations or modifications to movable tiny
114 homes; providing for effect of alteration or
115 modification on a movable tiny home warranty;
116 providing requirements for designation as a person

2-01158-23

20231404__

117 qualified to alter or modify a movable tiny home;
118 amending s. 320.8285, F.S.; subjecting movable tiny
119 homes to onsite inspection; amending s. 320.8325,
120 F.S.; requiring the department to adopt rules setting
121 forth uniform standards for the installation of
122 movable tiny homes; amending s. 320.835, F.S.;
123 requiring manufacturer, dealer, installer, and
124 supplier warranties for new movable tiny homes;
125 amending ss. 205.193, 212.0601, 320.06, 320.133,
126 320.77, and 320.8249, F.S.; conforming cross-
127 references; providing contingent effective dates.
128

129 Be It Enacted by the Legislature of the State of Florida:
130

131 Section 1. Subsections (3), (19), and (21) of section
132 320.01, Florida Statutes, are amended, and subsection (46) is
133 added to that section, to read:

134 320.01 Definitions, general.—As used in the Florida
135 Statutes, except as otherwise provided, the term:

136 (3) "Owner" means any person, firm, corporation, or
137 association controlling any motor vehicle, movable tiny home, or
138 mobile home by right of purchase, gift, lease, or otherwise.

139 (19) (a) "Registration period" means a period of 12 months
140 or 24 months during which a motor vehicle, movable tiny home, or
141 mobile home registration is valid.

142 (b) "Extended registration period" means a period of 24
143 months during which a motor vehicle, movable tiny home, or
144 mobile home registration is valid.

145 (21) "Renewal period" means the period during which renewal

2-01158-23

20231404__

146 of a motor vehicle registration, movable tiny home registration,
147 or mobile home registration is required, as provided in s.
148 320.055.

149 (46) (a) "Movable tiny home" means a transportable unit that
150 has a body width of not more than 14 feet, that is built on a
151 single chassis, and that is designed to provide separate,
152 independent living quarters of one household for year-round
153 residence with permanent provisions for living, sleeping,
154 eating, cooking, and sanitation when connected to utilities
155 necessary for operation of installed fixtures and appliances. A
156 movable tiny home is a single unit and is not built in sections
157 to be assembled on a site. In addition, a movable tiny home is
158 designed and built so that the exterior has the appearance of a
159 conventional single-family dwelling unit, using conventional
160 building materials, and is thus architecturally distinct from
161 traditional mobile homes and recreational vehicles.

162 (b) The total area of a movable tiny home in setup mode,
163 when measured from the exterior surface of the exterior stud
164 walls at the level of maximum dimensions, not including any bay
165 window, does not exceed 400 square feet when constructed in
166 accordance with standards provided in s. 320.82315. A movable
167 tiny home must be built according to such standards and
168 inspected and certified by a professional engineer licensed in
169 this state or by a qualified third party who inspects for
170 compliance with the American National Standards Institute and
171 who is accredited pursuant to American Society for Testing and
172 Materials Appendix E699 or ISO/IEC 17020.

173 (c)1. A movable tiny home's wheels and leveling support
174 jacks must be situated on a surface sufficient to support the

2-01158-23

20231404__

175 weight of the home. The governing body of the county or
176 municipality in which the movable tiny home is sited is
177 responsible for permits and inspections regarding the pad or
178 foundation on which the movable tiny home is situated.

179 2. If the movable tiny home's wheels are removed so that
180 the home may be situated on a foundation, the governing body of
181 the county or municipality in which the home is sited is
182 responsible for permits and inspections for such foundation in
183 accordance with s. 320.8325(1).

184 (d) "Length of a movable tiny home" means the distance from
185 the exterior of the front of the body, nearest to the drawbar
186 and coupling mechanism, to the exterior of the rear of the body,
187 at the opposite end of the body, including any protrusions.

188 Section 2. Section 320.018, Florida Statutes, is created to
189 read:

190 320.018 Taxation of movable tiny homes.—

191 (1) A movable tiny home as defined in s. 320.01(46),
192 regardless of its actual use, is subject only to a license tax
193 unless classified and taxed as real property. A movable tiny
194 home is considered real property only when the owner of the
195 movable tiny home is also the owner of the land on which the
196 movable tiny home is situated and such movable tiny home is
197 permanently affixed thereto. A prefabricated or modular housing
198 unit or portion thereof not manufactured upon an integral
199 chassis or undercarriage for travel over highways shall be taxed
200 as real property once it is permanently affixed to real
201 property. This subsection does not apply to a display home or
202 other inventory being held for sale by a manufacturer or dealer
203 of modular housing units.

2-01158-23

20231404__

204 (2) Notwithstanding subsection (1), a movable tiny home
205 classified by a seller or a lender as personal property at the
206 time a security interest was granted therein to secure an
207 obligation shall continue to be so classified for all purposes
208 relating to the loan and security interest, at least as long as
209 any part of such obligation, or any extension or renewal
210 thereof, remains outstanding. Classification of a movable tiny
211 home as personal property by a seller or a lender does not
212 prohibit the owner from having the movable tiny home classified
213 and taxed as real property under subsection (1).

214 Section 3. Subsection (3) of section 320.02, Florida
215 Statutes, is amended to read:

216 320.02 Registration required; application for registration;
217 forms.—

218 (3) Before ~~Prior to~~ the registration in this state of a any
219 vehicle registered outside the state, the application must be
220 accompanied by either a sworn affidavit from the seller and
221 purchaser verifying that the vehicle identification number shown
222 on the affidavit is identical to the vehicle identification
223 number shown on the motor vehicle or a copy of the appropriate
224 departmental form evidencing that a physical examination has
225 been made of the motor vehicle by the owner and by a duly
226 constituted police officer of any state, a licensed motor
227 vehicle dealer, a license inspector as provided by s. 320.58, or
228 a notary public commissioned by any state and that the vehicle
229 identification number shown on the applicable form and the
230 application is identical to the vehicle identification number
231 shown on the motor vehicle. Vehicle identification number
232 verification is not required for a any new vehicle sold in this

2-01158-23

20231404__

233 state by a licensed motor vehicle dealer, a ~~any~~ mobile home, a
234 movable tiny home, ~~a any~~ trailer or semitrailer with a net
235 weight of less than 2,000 pounds, or a ~~any~~ travel trailer or
236 camping trailer.

237 Section 4. Subsections (1) and (3) and paragraph (a) of
238 subsection (10) of section 320.03, Florida Statutes, are amended
239 to read:

240 320.03 Registration; duties of tax collectors;
241 International Registration Plan.—

242 (1) The tax collectors in the several counties of the
243 state, as authorized agents of the department, shall issue
244 registration certificates, registration license plates,
245 validation stickers, movable tiny home stickers, and mobile home
246 stickers to applicants, ~~and~~ and shall provide to applicants for each
247 the option to register emergency contact information and the
248 option to be contacted with information about state and federal
249 benefits available as a result of military service, subject to
250 the requirements of law, in accordance with rules of the
251 department. A ~~Any~~ person, firm, or corporation representing
252 itself, through advertising or naming of the business, to be an
253 authorized agent of the department commits ~~shall be deemed~~
254 ~~guilty of~~ an unfair and deceptive trade practice as defined in
255 part II of chapter 501. ~~No~~ Such person, firm, or corporation may
256 not shall use ~~either~~ the state or county name as a part of its
257 ~~their~~ business name when such use can reasonably be interpreted
258 as an official state or county office.

259 (3) Each tax collector shall keep a full and complete
260 record and account of all validation stickers, movable tiny home
261 stickers, mobile home stickers, or other properties received by

2-01158-23

20231404__

262 him or her from the department~~7~~ or from any other source.
263 Notwithstanding chapter 116, every county officer within this
264 state authorized to collect funds provided for in this chapter
265 shall pay all sums officially received by the officer into the
266 State Treasury no later than 5 working days after the close of
267 the business day in which the officer received the funds.
268 Payment by county officers to the state shall be made by means
269 of electronic funds transfer.

270 (10) (a) Jurisdiction over the electronic filing system for
271 use by authorized electronic filing system agents to:

272 1. Electronically title or register motor vehicles,
273 vessels, mobile homes, movable tiny homes, or off-highway
274 vehicles;

275 2. For derelict or salvage motor vehicles, process title
276 transactions, derelict motor vehicle certificates, or
277 certificates of destruction, pursuant to s. 319.30(2), (3), (7),
278 or (8);

279 3. Issue or transfer registration license plates or decals;

280 4. Electronically transfer fees due for the title and
281 registration process; and

282 5. Perform inquiries for title, registration, and
283 lienholder verification and certification of service providers~~7~~

284
285 is expressly preempted to the state, and the department shall
286 have regulatory authority over the system. The electronic filing
287 system shall be available for use statewide and applied
288 uniformly throughout the state.

289 Section 5. Section 320.031, Florida Statutes, is amended to
290 read:

2-01158-23

20231404__

291 320.031 Mailing of registration certificates, license
292 plates, and validation stickers.—

293 (1) The department and the tax collectors of the several
294 counties of the state may at the request of the applicant use
295 United States mail service to deliver registration certificates
296 and renewals thereof, license plates, mobile home stickers,
297 movable tiny home stickers, and validation stickers to
298 applicants.

299 (2) A mail service charge may be collected for each
300 registration certificate, license plate, mobile home sticker,
301 movable tiny home sticker, and validation sticker mailed by the
302 department or any tax collector. Each registration certificate,
303 license plate, mobile home sticker, movable tiny home sticker,
304 and validation sticker shall be mailed by first-class mail
305 unless otherwise requested by the applicant. The amount of the
306 mail service charge shall be the actual postage required,
307 rounded to the nearest 5 cents, plus a 25-cent handling charge.
308 The mail service charge is in addition to the service charge
309 provided by s. 320.04. All charges collected by the department
310 under this section shall be deposited into the Highway Safety
311 Operating Trust Fund.

312 Section 6. Paragraphs (a) and (b) of subsection (1) of
313 section 320.04, Florida Statutes, are amended to read:

314 320.04 Registration service charge.—

315 (1) (a) A service charge of \$2.50 shall be imposed on each
316 application that is handled in connection with original
317 issuance, duplicate issuance, or transfer of a license plate,
318 mobile home sticker, movable tiny home sticker, or validation
319 sticker or with transfer or duplicate issuance of a registration

2-01158-23

20231404__

320 certificate. This service charge shall be retained by the
321 department or by the tax collector, as the case may be, as other
322 fees accruing to those offices.

323 (b) A service charge of \$1 shall also be imposed for the
324 issuance of each license plate validation sticker, vessel decal,
325 ~~and mobile home sticker,~~ and movable tiny home sticker issued
326 from an automated vending facility or printer dispenser machine.
327 This service charge is payable to the department and shall be
328 used to provide for automated vending facilities or printer
329 dispenser machines that are used to dispense such stickers and
330 decals by each tax collector's or license tag agent's employee.

331 Section 7. Subsection (2) and paragraphs (b) and (e) of
332 subsection (3) of section 320.05, Florida Statutes, are amended
333 to read:

334 320.05 Records of the department; inspection procedure;
335 lists and searches; fees.—

336 (2) Upon receipt of an application for the registration of
337 a motor vehicle, vessel, movable tiny home, or mobile home, as
338 herein provided for, the department shall register the motor
339 vehicle, vessel, movable tiny home, or mobile home under the
340 distinctive number assigned to such motor vehicle, vessel,
341 movable tiny home, or mobile home by the department. Electronic
342 registration records shall be open to the inspection of the
343 public during business hours. Information on a motor vehicle or
344 vessel registration may not be made available to a person unless
345 the person requesting the information furnishes positive proof
346 of identification. The agency that furnishes a motor vehicle or
347 vessel registration record shall record the name and address of
348 any person other than a representative of a law enforcement

2-01158-23

20231404__

349 agency who requests and receives information from a motor
350 vehicle or vessel registration record and shall also record the
351 name and address of the person who is the subject of the inquiry
352 or other information identifying the entity about which
353 information is requested. A record of each such inquiry must be
354 maintained for a period of 6 months from the date upon which the
355 information was released to the inquirer. ~~Nothing in This~~
356 section does not shall prohibit a any financial institution,
357 insurance company, motor vehicle dealer, licensee under chapter
358 493, attorney, or other agency which the department determines
359 has the right to know from obtaining, for professional or
360 business use only, information in such records from the
361 department through any means of telecommunication pursuant to a
362 code developed by the department providing all fees specified in
363 subsection (3) have been paid. The department shall disclose
364 records or information to the child support enforcement agency
365 to assist in the location of individuals who owe or potentially
366 owe support, as defined in s. 409.2554, or to whom such an
367 obligation is owed pursuant to Title IV-D of the Social Security
368 Act.

369 (3)

370 (b) Fees therefor shall be charged and collected as
371 follows:

372 1. For providing lists of motor vehicle or vessel records
373 for the entire state, or any part or parts thereof, divided
374 according to counties, a sum computed at a rate of not less than
375 1 cent nor more than 5 cents per item.

376 2. For providing noncertified photographic copies of motor
377 vehicle or vessel documents, \$1 per page.

2-01158-23

20231404__

- 378 3. For providing noncertified photographic copies of
379 micrographic records, \$1 per page.
- 380 4. For providing certified copies of motor vehicle or
381 vessel records, \$3 per record.
- 382 5. For providing noncertified computer-generated printouts
383 of motor vehicle or vessel records, 50 cents per record.
- 384 6. For providing certified computer-generated printouts of
385 motor vehicle or vessel records, \$3 per record.
- 386 7. For providing electronic access to motor vehicle,
387 vessel, movable tiny home, and mobile home registration data
388 requested by tag, vehicle identification number, title number,
389 or decal number, 50 cents per item.
- 390 8. For providing electronic access to driver license status
391 report by name, sex, and date of birth or by driver license
392 number, 50 cents per item.
- 393 9. For providing lists of licensed mobile home dealers and
394 manufacturers, movable tiny home dealers and manufacturers, and
395 recreational vehicle dealers and manufacturers, \$15 per list.
- 396 10. For providing lists of licensed motor vehicle dealers,
397 \$25 per list.
- 398 11. For each copy of a videotape record, \$15 per tape.
- 399 12. For each copy of the Division of Motorist Services
400 Procedures Manual, \$25.
- 401 (e) When motor vehicle, vessel, movable tiny home, or
402 mobile home registration data is provided by electronic access
403 through a tax collector's office, the applicable fee as provided
404 in paragraph (b) must be collected and deposited pursuant to
405 paragraph (c). However, when such registration data is obtained
406 through an electronic system described in s. 320.03(10), s.

2-01158-23

20231404__

407 320.0609, or s. 320.131 and results in the issuance of a title
408 certificate or the registration credential, such fee does ~~shall~~
409 not apply.

410 Section 8. Paragraph (b) of subsection (1) and subsections
411 (2) through (5) of section 320.055, Florida Statutes, are
412 amended to read:

413 320.055 Registration periods; renewal periods.—The
414 following registration periods and renewal periods are
415 established:

416 (1)

417 (b) A motor vehicle, ~~or mobile home,~~ or movable tiny home
418 that is subject to registration under s. 320.08(1), (2), (3),
419 (4)(a) or (b), (6), (7), (8), (9), (10), ~~or (11),~~ or (12) is
420 eligible for an extended registration period as defined in s.
421 320.01(19)(b).

422 (2) For a vehicle subject to registration under s.
423 320.08(11) or (12), the registration period begins January 1 and
424 ends December 31. For a vehicle subject to this registration
425 period, the renewal period is the 31-day period before ~~prior to~~
426 expiration.

427 (3) For a vehicle subject to registration under s. 320.08
428 (13) ~~s. 320.08(12)~~, the registration period runs concurrently
429 with the licensing period. For a vehicle subject to this
430 registration period, the renewal period is the first month of
431 the licensing period.

432 (4) For a vehicle subject to registration under s.
433 320.08(14) ~~s. 320.08(13)~~, for vehicles subject to registration
434 under s. 320.08(6)(a) that are short-term rental vehicles, and
435 for any vehicle for which a registration period is not otherwise

2-01158-23

20231404__

436 specified, the registration period begins June 1 and ends May
437 31. For a vehicle subject to this registration period, the
438 renewal period is the 30-day period beginning June 1.

439 (5) For a vehicle subject to apportioned registration under
440 s. 320.08(4)(c)-(n), (5)(a)1. or (e), (6)(b), or (15) ~~(14)~~, the
441 registration period shall be a period of 12 months beginning in
442 a month designated by the department and ending on the last day
443 of the 12th month. For a vehicle subject to this registration
444 period, the renewal period is the last month of the registration
445 period. The registration period may be shortened or extended at
446 the discretion of the department, on receipt of the appropriate
447 prorated fees, in order to evenly distribute such registrations
448 on a monthly basis. For a vehicle subject to nonapportioned
449 registration under s. 320.08(4)(c)-(n), (5)(a)1., (6)(b), or
450 (15) ~~(14)~~, the registration period begins December 1 and ends
451 November 30. The renewal period is the 31-day period beginning
452 December 1.

453 Section 9. Effective September 1, 2023, subsection (2) of
454 section 320.055, Florida Statutes, as amended by chapter 2022-
455 123, Laws of Florida, is amended to read:

456 320.055 Registration periods; renewal periods.—The
457 following registration periods and renewal periods are
458 established:

459 (2) For a vehicle subject to registration under s.
460 320.08(11) or (12) and not owned by a natural person, the
461 registration period begins January 1 and ends December 31. For a
462 vehicle subject to this registration period, the renewal period
463 is the 31-day period before expiration.

464 Section 10. Subsection (2) of section 320.0607, Florida

2-01158-23

20231404__

465 Statutes, is amended to read:

466 320.0607 Replacement license plates, validation decal,
467 movable tiny home sticker, or mobile home sticker.—

468 (2) When a license plate, mobile home sticker, movable tiny
469 home sticker, or validation decal has been lost, stolen, or
470 destroyed, the owner of the motor vehicle, ~~or~~ mobile home, or
471 movable tiny home for which the plate, sticker, or decal was
472 issued shall make application to the department for a
473 replacement. The application shall contain the plate, sticker,
474 or decal number being replaced and a statement that the item was
475 lost, stolen, or destroyed. If the application includes a copy
476 of the police report prepared in response to a report of a
477 stolen plate, sticker, or decal, such plate, sticker, or decal
478 must be replaced at no charge.

479 Section 11. Subsection (6) of section 320.0609, Florida
480 Statutes, is amended to read:

481 320.0609 Transfer and exchange of registration license
482 plates; transfer fee.—

483 (6) Upon a sale, trade, transfer, or other disposition of a
484 mobile home or movable tiny home, the owner shall remove the
485 sticker therefrom and may exchange it for another sticker to be
486 applied to a replacement mobile home or replacement movable tiny
487 home. Such exchange shall be without cost to the owner. A ~~No~~
488 credit will not be given toward the purchase of a license plate
489 for any other type of vehicle. The department shall ensure that
490 there is adequate internal control of mobile home or movable
491 tiny home stickers that have been removed for exchange or
492 refund.

493 Section 12. Section 320.061, Florida Statutes, is amended

2-01158-23

20231404__

494 to read:

495 320.061 Unlawful to alter motor vehicle registration
496 certificates, license plates, temporary license plates, mobile
497 home stickers, movable tiny home stickers, or validation
498 stickers or to obscure license plates; penalty.—A person may not
499 alter the original appearance of a vehicle registration
500 certificate, license plate, temporary license plate, mobile home
501 sticker, movable tiny home sticker, or validation sticker issued
502 for and assigned to a motor vehicle, ~~or~~ mobile home, or movable
503 tiny home, whether by mutilation, alteration, defacement, or
504 change of color or in any other manner. A person may not apply
505 or attach a substance, reflective matter, illuminated device,
506 spray, coating, covering, or other material onto or around any
507 license plate which interferes with the legibility, angular
508 visibility, or detectability of any feature or detail on the
509 license plate or interferes with the ability to record any
510 feature or detail on the license plate. A person who violates
511 this section commits a noncriminal traffic infraction,
512 punishable as a moving violation as provided in chapter 318.

513 Section 13. Subsections (1), (2), (3), and (5) of section
514 320.07, Florida Statutes, are amended to read:

515 320.07 Expiration of registration; renewal required;
516 penalties.—

517 (1) The registration of a motor vehicle, ~~or~~ mobile home, or
518 movable tiny home expires at midnight on the last day of the
519 registration or extended registration period, ~~or~~ for a motor
520 vehicle owner, ~~or~~ mobile home owner, or movable tiny home owner
521 who is a natural person, at midnight on the owner's birthday. A
522 vehicle may not be operated on the roads of this state after

2-01158-23

20231404__

523 expiration of the renewal period, or, for a natural person, at
 524 midnight on the owner's birthday, unless the registration has
 525 been renewed according to law.

526 (2) Registration shall be renewed semiannually, annually,
 527 or biennially, as provided in this subsection, during the
 528 applicable renewal period, upon payment of the applicable
 529 license tax amounts required by s. 320.08, service charges
 530 required by s. 320.04, and any additional fees required by law.

531 (a) A ~~Any~~ person who owns a motor vehicle registered under
 532 s. 320.08(4)(c)-(n), (6)(b), or (14) ~~(13)~~ may register
 533 semiannually as provided in s. 320.0705.

534 (b) A ~~Any~~ person who owns a motor vehicle, ~~or~~ mobile home,
 535 or movable tiny home registered under s. 320.08(1), (2), (3),
 536 (4)(a) or (b), (6), (7), (8), (9), (10), ~~or~~ (11), or (12) may
 537 renew the vehicle registration biennially during the applicable
 538 renewal period upon payment of the 2-year cumulative total of
 539 all applicable license tax amounts required by s. 320.08 and
 540 service charges or surcharges required by ss. 320.03, 320.04,
 541 320.0801, 320.08015, 320.0802, 320.0804, 320.0805, 320.08046,
 542 and 320.08056 and payment of the 2-year cumulative total of any
 543 additional fees required by law for an annual registration.

544 (3) The operation of a ~~any~~ motor vehicle without having
 545 attached thereto a registration license plate and validation
 546 stickers, or the use of a ~~any~~ mobile home or movable tiny home
 547 without having attached thereto a mobile home sticker or movable
 548 tiny home sticker, for the current registration period subjects
 549 ~~shall subject~~ the owner thereof, if he or she is present, or, if
 550 the owner is not present, the operator thereof to the following
 551 penalties ~~penalty provisions~~:

2-01158-23

20231404__

552 (a) A ~~Any~~ person whose motor vehicle, ~~or~~ mobile home, or
553 movable tiny home registration has been expired for ~~a period of~~
554 6 months or less commits a noncriminal traffic infraction,
555 punishable as a nonmoving violation as provided in chapter 318.
556 However, a law enforcement officer may not issue a citation for
557 a violation under this paragraph until midnight on the last day
558 of the owner's birth month of the year the registration expires.

559 (b) A ~~Any~~ person whose motor vehicle, ~~or~~ mobile home, or
560 movable tiny home registration has been expired for more than 6
561 months, upon a first offense, is subject to the penalty provided
562 in s. 318.14.

563 (c) A ~~Any~~ person whose motor vehicle, ~~or~~ mobile home, or
564 movable tiny home registration has been expired for more than 6
565 months, upon a second or subsequent offense, commits a
566 misdemeanor of the second degree, punishable as provided in s.
567 775.082 or s. 775.083.

568 (d) However, an operator shall not be charged with a
569 violation of this subsection if the operator can show, pursuant
570 to a valid lease agreement, that the vehicle had been leased for
571 a period of 30 days or less at the time of the offense.

572 (e) A ~~Any~~ servicemember~~7~~, as defined in s. 250.01~~7~~, whose
573 mobile home or movable tiny home registration expired while he
574 or she was serving on active duty or state active duty shall not
575 be charged with a violation of this subsection if, at the time
576 of the offense, the servicemember was serving on active duty or
577 state active duty 35 miles or more from the mobile home or
578 movable tiny home. The servicemember must present to the
579 department either a copy of the official military orders or a
580 written verification signed by the servicemember's commanding

2-01158-23

20231404__

581 officer to receive a waiver of charges.

582 (f) The owner of a leased motor vehicle is not responsible
583 for any penalty specified in this subsection if the motor
584 vehicle is registered in the name of the lessee of the motor
585 vehicle.

586 (5) A ~~Any~~ servicemember~~7~~ as defined in s. 250.01~~7~~ whose
587 motor vehicle, ~~or~~ mobile home, or movable tiny home registration
588 has expired while he or she was serving on active duty or state
589 active duty may renew his or her registration upon return from
590 active duty or state active duty without penalty~~7~~ if the
591 servicemember served on active duty or state active duty 35
592 miles or more from the servicemember's home of record before
593 ~~prior to~~ entering active duty or state active duty. The
594 servicemember must provide to the department either a copy of
595 the official military orders or a written verification signed by
596 the servicemember's commanding officer to receive a waiver of
597 delinquent fees.

598 Section 14. Section 320.071, Florida Statutes, is amended
599 to read:

600 320.071 Advance registration renewal; procedures.—

601 (1) (a) The owner of a any motor vehicle, ~~or~~ mobile home, or
602 movable tiny home currently registered in this state may file an
603 application for renewal of registration with the department, or
604 its authorized agent in the county wherein the owner resides,
605 any time during the 3 months preceding the date of expiration of
606 the registration period. The registration period may not exceed
607 27 months.

608 (b) The owner of any apportionable vehicle currently
609 registered in this state under the International Registration

2-01158-23

20231404__

610 Plan may file an application for renewal of registration with
611 the department any time during the 3 months preceding the date
612 of expiration of the registration period.

613 (2) Upon the filing of the application and payment of the
614 appropriate license tax under s. 320.08, service charges
615 required by s. 320.04, and any additional fees required by law,
616 the department or its agent shall issue to the owner of the
617 motor vehicle, ~~or mobile home,~~ or movable tiny home a validation
618 sticker, ~~or mobile home sticker,~~ or movable tiny home sticker,
619 as appropriate, which, when affixed to the license plate, ~~or~~
620 mobile home, or movable tiny home, shall renew the registration
621 for the appropriate registration period.

622 (3) A ~~Any~~ person who uses a mobile home sticker, movable
623 tiny home sticker, or validation sticker without lawful
624 authority or who willfully violates a ~~any~~ rule of the department
625 relating to this section commits ~~is guilty of~~ a misdemeanor of
626 the second degree, punishable as provided in s. 775.082 or s.
627 775.083.

628 Section 15. Subsection (12) of section 320.08, Florida
629 Statutes, is amended to read:

630 320.08 License taxes.—Except as otherwise provided herein,
631 there are hereby levied and imposed annual license taxes for the
632 operation of motor vehicles, mopeds, tri-vehicles as defined in
633 s. 316.003, and mobile homes as defined in s. 320.01, which
634 shall be paid to and collected by the department or its agent
635 upon the registration or renewal of registration of the
636 following:

637 (12) DEALER AND MANUFACTURER LICENSE PLATES.—A franchised
638 motor vehicle dealer, independent motor vehicle dealer, marine

2-01158-23

20231404__

639 boat trailer dealer, ~~or~~ mobile home dealer and manufacturer, or
640 movable tiny home dealer and manufacturer license plate: \$17
641 flat. For additional fees as set forth in s. 320.08056, dealers
642 may purchase specialty license plates in lieu of the standard
643 dealer license plates. Dealers shall be responsible for all
644 costs associated with the specialty license plate, including all
645 annual use fees, processing fees, fees associated with switching
646 license plate types, and any other applicable fees.

647 Section 16. Section 320.0802, Florida Statutes, is amended
648 to read:

649 320.0802 Surcharge on license tax.—There is hereby levied
650 and imposed on each license tax imposed under s. 320.08, except
651 those set forth in s. 320.08(11) and (12), a surcharge in the
652 amount of \$1, which shall be collected in the same manner as the
653 license tax and deposited into the State Agency Law Enforcement
654 Radio System Trust Fund of the Department of Management
655 Services.

656 Section 17. Section 320.0804, Florida Statutes, is amended
657 to read:

658 320.0804 Surcharge on license tax.—A surcharge of \$2 shall
659 be imposed on each license tax imposed under s. 320.08, except
660 those set forth in s. 320.08(11) and (12), which shall be
661 collected in the same manner as the license tax. This surcharge
662 shall be further reduced to \$1.20 on September 1, 2014, in order
663 to negate the license plate increase of 80 cents imposed by
664 chapter 2009-71, Laws of Florida. Of this amount, \$1 shall be
665 deposited into the State Transportation Trust Fund, and 20 cents
666 shall be deposited into the Highway Safety Operating Trust Fund.

667 Section 18. Section 320.08046, Florida Statutes, is amended

2-01158-23

20231404__

668 to read:

669 320.08046 Juvenile programs surcharge on license tax.—A
670 surcharge of \$1 shall be imposed on each license tax imposed
671 under s. 320.08, except those set forth in s. 320.08(11) and
672 (12), which shall be collected in the same manner as the license
673 tax and deposited into the Grants and Donations Trust Fund in
674 the Department of Juvenile Justice to fund the juvenile crime
675 prevention programs and the community juvenile justice
676 partnership grants program.

677 Section 19. Subsections (1), (2), and (3) of section
678 320.081, Florida Statutes, are amended to read:

679 320.081 Collection and distribution of annual license tax
680 imposed on the following type units.—

681 (1) ~~The provisions of This section applies shall apply~~ to
682 all mobile homes, movable tiny homes, and park trailers, and to
683 all travel trailers and fifth-wheel trailers exceeding 35 feet
684 in body length.

685 (2) The annual license tax prescribed in s. 320.08(10), and
686 (11), and (12) is in lieu of ad valorem taxes, and a sticker, as
687 appropriate, shall be issued to evidence payment thereof. It is
688 permissible in this state to transport units governed by this
689 section, registered hereunder, without a corresponding state
690 license plate on the towing vehicle.

691 (3) The owner shall make application for such sticker in
692 the manner provided in s. 320.02, and the tax collectors in the
693 several counties of the state shall collect the license taxes
694 imposed by s. 320.08(10), and (11), and (12) and the license tax
695 surcharge imposed by s. 320.08015 in the same manner and under
696 the same conditions and requirements as provided in s. 320.03.

2-01158-23

20231404__

697 Section 20. Subsection (2) of section 320.0815, Florida
698 Statutes, is amended to read:

699 320.0815 Mobile homes, movable tiny homes, and recreational
700 vehicle-type units required to have appropriate license plates
701 or stickers.—

702 (2) A mobile home or recreational vehicle-type unit that
703 ~~which~~ is permanently affixed to ~~the~~ land shall be issued a
704 mobile home sticker at the fee prescribed in s. 320.08(11), and
705 a movable tiny home that is permanently affixed to land shall be
706 issued a movable tiny home sticker at the fee prescribed in s.
707 320.08(12), unless the mobile home, movable tiny home, or
708 recreational vehicle-type unit is qualified and taxed as real
709 property, in which case the mobile home, movable tiny home, or
710 recreational vehicle-type unit shall be issued an "RP" series
711 sticker. Series "RP" stickers shall be provided by the
712 department to the tax collectors, and such a sticker will be
713 issued by the tax collector to the registered owner of such a
714 mobile home, movable tiny home, or recreational vehicle-type
715 unit upon the production of a certificate of the respective
716 property appraiser that such mobile home, movable tiny home, or
717 recreational vehicle-type unit is included in an assessment of
718 the property of such registered owner for ad valorem taxation.
719 An "RP" series sticker shall be issued by the tax collector for
720 an aggregate fee of \$3 each, to be distributed as follows: \$2.50
721 shall be retained by the tax collector as a service charge; 25
722 cents shall be remitted to the property appraiser; and 25 cents
723 shall be remitted to the department to defray the cost of
724 manufacture and handling. Mobile home stickers, movable tiny
725 home stickers, and "RP" series stickers shall be of a size to be

2-01158-23

20231404__

726 determined by the department. A mobile home sticker, movable
727 tiny home sticker, or "RP" series sticker shall be affixed to
728 the lower left corner of the window closest to the street or
729 road providing access to such residence.

730 Section 21. Paragraph (a) of subsection (1) and subsection
731 (2) of section 320.10, Florida Statutes, are amended to read:

732 320.10 Exemptions.—

733 (1) The provisions of s. 320.08 do not apply to:

734 (a) Any motor vehicle, ~~or~~ mobile home, or movable tiny home
735 owned by, and operated exclusively for the personal use of, any
736 member of the United States Armed Forces who is not a resident
737 of this state and who is stationed in the state while in
738 compliance with military or naval orders;

739 (2) Any such vehicle, ~~or~~ mobile home, or movable tiny home,
740 except one owned or operated exclusively by the Federal
741 Government, shall be furnished a license plate, validation
742 sticker, ~~or~~ mobile home sticker, or movable tiny home sticker
743 upon the proper application to the department and upon the
744 payment of \$3 ~~to cover the cost of same~~. For any motor vehicle,
745 ~~or~~ mobile home, or movable tiny home that ~~which~~ is exempt under
746 paragraph (1)(a), there shall be issued a license plate,
747 validation sticker, ~~or~~ mobile home sticker, or movable tiny home
748 sticker prescribed by s. 320.06; and for any vehicle that ~~which~~
749 is exempt under paragraphs (1)(c)-(h), there shall be issued a
750 license plate under series "X." Vehicles exempt under this
751 provision must be equipped with proper license plates showing
752 such exempt status.

753 Section 22. Subsections (1) and (2) of section 320.13,
754 Florida Statutes, are amended to read:

2-01158-23

20231404__

755 320.13 Dealer and manufacturer license plates and
756 alternative method of registration.—

757 (1) (a) A Any licensed motor vehicle dealer, a and any
758 licensed mobile home dealer, and a licensed movable tiny home
759 dealer may, upon payment of the license tax imposed by s.
760 320.08(13) ~~s. 320.08(12)~~, secure one or more dealer license
761 plates, which are valid for use on motor vehicles, ~~or~~ mobile
762 homes, or movable tiny homes owned by the dealer to whom such
763 plates are issued while the motor vehicles are in inventory and
764 for sale, or while being operated in connection with such
765 dealer's business, but are not valid for use for hire. Dealer
766 license plates may not be used on a any tow truck or wrecker
767 unless the tow truck or wrecker is being demonstrated for sale,
768 and the dealer license plates may not be used on a vehicle used
769 to transport another motor vehicle for the motor vehicle dealer.

770 (b)1. Marine boat trailer dealers and manufacturers may,
771 upon payment of the license taxes imposed by s. 320.08(13) ~~s.~~
772 ~~320.08(12)~~, secure one or more dealer plates, which are valid
773 for use on boat trailers owned by the dealer to whom such plates
774 are issued while being used in connection with such dealer's
775 business, but are not valid for use for hire.

776 2. It is the intent of the Legislature that the method
777 currently used to license marine boat trailer dealers to do
778 business in the state, that is, by an occupational license
779 issued by the city or county, not be changed. The department
780 shall not interpret this act to mean that it is empowered to
781 license such dealers to do business. An occupational license tax
782 certificate shall be sufficient proof upon which the department
783 may issue dealer license plates.

2-01158-23

20231404__

784 (c) A dealer of heavy trucks as defined in s. 320.01(10),
785 upon payment of the license tax imposed by s. 320.08(13) ~~s.~~
786 ~~320.08(12)~~, may secure one or more dealer license plates that
787 are valid for use on vehicles owned by the dealer to whom such
788 plates are issued while the heavy trucks are in inventory and
789 for sale and are being used only in the state for demonstration
790 purposes. The license plates may be used for demonstration
791 purposes for a period not to exceed 24 hours. The license plates
792 must be validated on a form prescribed by the department and
793 must be retained in the vehicle being operated.

794 (2) A licensed manufacturer, importer, or distributor of
795 motor vehicles may, upon payment of the license tax imposed by
796 s. 320.08(13) ~~s. 320.08(12)~~, secure one or more manufacturer
797 license plates, which are valid for use on motor vehicles owned
798 by the manufacturer, importer, or distributor to whom such
799 plates are issued while the motor vehicles are in inventory and
800 for sale, being operated for demonstration purposes, or in
801 connection with the manufacturer's business, but are not valid
802 for use for hire.

803 Section 23. Paragraphs (c) and (1) of subsection (1) of
804 section 320.131, Florida Statutes, are amended to read:

805 320.131 Temporary tags.—

806 (1) The department is authorized and empowered to design,
807 issue, and regulate the use of temporary tags to be designated
808 "temporary tags" for use in the following cases:

809 (c) For certified common carriers or driveaway companies
810 who transport motor vehicles, mobile homes, movable tiny homes,
811 or recreational vehicles from one place to another for persons
812 other than themselves.

2-01158-23

20231404__

813 (1) For use by licensed dealers to transport motor
814 vehicles, ~~and~~ recreational vehicles, and movable tiny homes from
815 the dealer's licensed location to an off-premise sales location
816 and return. Temporary tags used for such purposes shall be
817 issued to the licensed dealer who owns the vehicles.

818
819 Further, the department is authorized to disallow the purchase
820 of temporary tags by licensed dealers, common carriers, or
821 financial institutions in those cases where abuse has occurred.

822 Section 24. Section 320.15, Florida Statutes, is amended to
823 read:

824 320.15 Refund of license tax.—

825 (1) A ~~Any~~ resident owner of a motor vehicle, ~~or~~ mobile
826 home, or movable tiny home that has been destroyed or
827 permanently removed from the state shall, upon application to
828 the department and surrender of the license plate, ~~or~~ mobile
829 home sticker, or movable tiny home sticker issued for such
830 vehicle, be entitled to a credit to apply to registration of any
831 other vehicle in the name of the owner, if the amount is \$3 or
832 more, for the unexpired period of the license. However, if the
833 license plate surrendered is a "for-hire" license plate, the
834 amount of credit may not be more than one-half of the annual
835 license tax amount. A credit is not valid after the expiration
836 date of the license plate which is current on the date of the
837 credit, as provided in s. 320.07.

838 (2) A motor vehicle registrant, ~~or~~ mobile home owner, or
839 movable tiny home owner who has renewed a motor vehicle
840 registration during the advance renewal period pursuant to s.
841 320.071 and who surrenders the license plate for the vehicle

2-01158-23

20231404__

842 before the end of the renewal period may apply for a refund of
843 the license taxes assessed in s. 320.08.

844 Section 25. Section 320.17, Florida Statutes, is amended to
845 read:

846 320.17 Classification of vehicles, and mobile homes, and
847 movable tiny homes; assessment of license tax by department.—The
848 department may, in accordance with ~~the provisions of this~~
849 chapter, determine the classification of, and the amount of
850 license tax due on, a any motor vehicle, or mobile home, or
851 movable tiny home required to be registered under the laws of
852 this state and may, in accordance with ~~the provisions of this~~
853 chapter, fix, determine, and assess the amount of license tax
854 and fees to be paid for registration or renewal of registration.
855 A determination of the department, when certified in writing, is
856 prima facie evidence of the validity, regularity, and propriety
857 thereof and of the liability of the vehicle involved therein to
858 the classification and tax so determined, fixed, and assessed.
859 ~~No~~ Such a determination ~~when~~ made by the department may not be
860 disregarded or set aside in any court, except when clearly shown
861 to be unwarranted in law or in fact.

862 Section 26. Subsections (1) and (3) of section 320.18,
863 Florida Statutes, are amended to read:

864 320.18 Withholding registration.—

865 (1) The department may withhold the registration of any
866 motor vehicle, ~~or mobile home, or movable tiny home~~ the owner or
867 co-owner of which has failed to register it under the provisions
868 of law for any previous period or periods for which it appears
869 registration should have been made in this state until the tax
870 for such period or periods is paid. The department may cancel

2-01158-23

20231404__

871 any vehicle or vessel registration, driver license,
872 identification card, or fuel-use tax decal if the owner or co-
873 owner pays for any vehicle or vessel registration, driver
874 license, identification card, or fuel-use tax decal; pays any
875 administrative, delinquency, or reinstatement fee; or pays any
876 tax liability, penalty, or interest specified in chapter 207 by
877 a dishonored check, or if the vehicle owner or motor carrier has
878 failed to pay a penalty for a weight or safety violation issued
879 by the Department of Transportation or the Department of Highway
880 Safety and Motor Vehicles. The Department of Transportation and
881 the Department of Highway Safety and Motor Vehicles may impound
882 any commercial motor vehicle that has a canceled license plate
883 or fuel-use tax decal until the tax liability, penalty, and
884 interest specified in chapter 207, the license tax, or the fuel-
885 use decal fee, and applicable administrative fees have been paid
886 for by certified funds.

887 (3) In the case of repossession, a mobile home or movable
888 tiny home is exempt from registration when the dwelling is not
889 transferred or titled for occupancy.

890 Section 27. Section 320.19, Florida Statutes, is amended to
891 read:

892 320.19 Tax lien; enforcement.—The license tax required
893 under this chapter, when not paid, constitutes a first lien upon
894 the motor vehicle, ~~or~~ mobile home, or movable tiny home on which
895 the tax is due. Such lien is superior to all other liens upon
896 such motor vehicle, mobile home, or movable tiny home. If the
897 amount of the license tax due remains unpaid for more than 30
898 days, the department may, in addition to any other remedy
899 provided by law, enforce the lien by issuance of a tax warrant.

2-01158-23

20231404__

900 The sheriff or other person to whom such warrant is directed
 901 shall proceed upon the warrant in the manner and with like
 902 effect as is prescribed by law for executions issued against
 903 property upon judgments of record.

904 Section 28. Subsection (1) of section 320.203, Florida
 905 Statutes, is amended to read:

906 320.203 Disposition of biennial license tax moneys.—

907 (1) Notwithstanding ss. 320.08(1), (2), (3), (4) (a) or (b),
 908 (6), (7), (8), (9), (10), ~~or~~ (11), or (12), 320.08058, and
 909 328.76 and pursuant to s. 216.351, after the provisions of s.
 910 320.20(1), (2), (3), (4), and (5) are fulfilled, an amount equal
 911 to 50 percent of revenues collected from the biennial
 912 registrations created in s. 320.07 shall be retained in the
 913 Motor Vehicle License Clearing Trust Fund, authorized in s.
 914 215.32(2)(b)2.f., until July 1. After July 1 of the subsequent
 915 fiscal year, an amount equal to 50 percent of revenues collected
 916 from the biennial registrations created in s. 320.07 shall be
 917 distributed according to ss. 320.08(1), (2), (3), (4) (a) or (b),
 918 (6), (7), (8), (9), (10), ~~or~~ (11), or (12), 320.08058, 328.76,
 919 and 320.20(1), (2), (3), (4), and (5).

920 Section 29. Section 320.26, Florida Statutes, is amended to
 921 read:

922 320.26 Counterfeiting license plates, validation stickers,
 923 mobile home stickers, movable tiny home stickers, cab cards,
 924 trip permits, or special temporary operational permits
 925 prohibited; penalty.—

926 (1) (a) A ~~Ne~~ person may not shall counterfeit registration
 927 license plates, validation stickers, ~~or~~ mobile home stickers, or
 928 movable tiny home stickers, or have in his or her possession any

2-01158-23

20231404__

929 such plates or stickers; nor shall a ~~any~~ person manufacture,
 930 sell, or dispose of registration license plates, validation
 931 stickers, ~~or~~ mobile home stickers, or movable tiny home stickers
 932 in the state without first having obtained the permission and
 933 authority of the department in writing.

934 (b) A ~~No~~ person may not ~~shall~~ counterfeit, alter, or
 935 manufacture International Registration Plan cab cards, trip
 936 permits, special temporary permits, or temporary operational
 937 permits; nor shall a ~~any~~ person sell or dispose of International
 938 Registration Plan cab cards, trip permits, special temporary
 939 permits, or temporary operational permits without first having
 940 obtained the permission and authority of the department in
 941 writing.

942 (2) A ~~Any~~ person who violates this section commits ~~is~~
 943 ~~guilty of~~ a felony of the third degree.

944 (a) If the violator is a natural person, he or she is
 945 punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

946 (b) If the violator is an association or corporation, it is
 947 punishable as provided in s. 775.083, and the official of the
 948 association or corporation under whose direction or with whose
 949 knowledge, consent, or acquiescence such violation occurred may
 950 be punished as provided in s. 775.082, in addition to the fine
 951 that ~~which~~ may be imposed upon such association or corporation.

952 Section 30. Section 320.261, Florida Statutes, is amended
 953 to read:

954 320.261 Attaching registration license plate not assigned
 955 unlawful; penalty.—A ~~Any~~ person who knowingly attaches to a ~~any~~
 956 motor vehicle, ~~or~~ mobile home, or movable tiny home ~~a~~ ~~any~~
 957 registration license plate, or who knowingly attaches a ~~any~~

2-01158-23

20231404__

958 validation sticker, ~~or~~ mobile home sticker, or movable tiny home
959 sticker to a registration license plate, which plate or sticker
960 was not issued and assigned or lawfully transferred to such
961 motor vehicle, mobile home, or movable tiny home commits ~~is~~
962 ~~guilty~~ of a misdemeanor of the second degree, punishable as
963 provided in s. 775.082 or s. 775.083.

964 Section 31. Paragraph (b) of subsection (1) and paragraph
965 (b) of subsection (9) of section 320.27, Florida Statutes, are
966 amended to read:

967 320.27 Motor vehicle dealers.—

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

972 (b) "Motor vehicle" means any motor vehicle of the type and
973 kind required to be registered and titled under chapter 319 and
974 this chapter, except a recreational vehicle, moped, motorcycle
975 powered by a motor with a displacement of 50 cubic centimeters
976 or less, ~~or~~ mobile home, or movable tiny home.

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

978 (b) The department may deny, suspend, or revoke any license
979 issued hereunder or under the provisions of s. 320.77 or s.
980 320.771 upon proof that a licensee has committed, with
981 sufficient frequency so as to establish a pattern of wrongdoing
982 on the part of a licensee, violations of one or more of the
983 following activities:

984 1. Representation that a demonstrator is a new motor
985 vehicle, or the attempt to sell or the sale of a demonstrator as
986 a new motor vehicle without written notice to the purchaser that

2-01158-23

20231404__

987 the vehicle is a demonstrator. For the purposes of this section,
988 a "demonstrator," a "new motor vehicle," and a "used motor
989 vehicle" shall be defined as under s. 320.60.

990 2. Unjustifiable refusal to comply with a licensee's
991 responsibility under the terms of the new motor vehicle warranty
992 issued by its respective manufacturer, distributor, or importer.
993 However, if such refusal is at the direction of the
994 manufacturer, distributor, or importer, such refusal shall not
995 be a ground under this section.

996 3. Misrepresentation or false, deceptive, or misleading
997 statements with regard to the sale or financing of motor
998 vehicles which any motor vehicle dealer has, or causes to have,
999 advertised, printed, displayed, published, distributed,
1000 broadcast, televised, or made in any manner with regard to the
1001 sale or financing of motor vehicles.

1002 4. Failure by any motor vehicle dealer to provide a
1003 customer or purchaser with an odometer disclosure statement and
1004 a copy of any bona fide written, executed sales contract or
1005 agreement of purchase connected with the purchase of the motor
1006 vehicle purchased by the customer or purchaser.

1007 5. Failure of any motor vehicle dealer to comply with the
1008 terms of any bona fide written, executed agreement, pursuant to
1009 the sale of a motor vehicle.

1010 6. Failure to apply for transfer of a title as prescribed
1011 in s. 319.23(6).

1012 7. Use of the dealer license identification number by any
1013 person other than the licensed dealer or his or her designee.

1014 8. Failure to continually meet the requirements of the
1015 licensure law.

2-01158-23

20231404__

1016 9. Representation to a customer or any advertisement to the
1017 public representing or suggesting that a motor vehicle is a new
1018 motor vehicle if such vehicle lawfully cannot be titled in the
1019 name of the customer or other member of the public by the seller
1020 using a manufacturer's statement of origin as permitted in s.
1021 319.23(1).

1022 10. Requirement by any motor vehicle dealer that a customer
1023 or purchaser accept equipment on his or her motor vehicle which
1024 was not ordered by the customer or purchaser.

1025 11. Requirement by any motor vehicle dealer that any
1026 customer or purchaser finance a motor vehicle with a specific
1027 financial institution or company.

1028 12. Requirement by any motor vehicle dealer that the
1029 purchaser of a motor vehicle contract with the dealer for
1030 physical damage insurance.

1031 13. Perpetration of a fraud upon any person as a result of
1032 dealing in motor vehicles, including, without limitation, the
1033 misrepresentation to any person by the licensee of the
1034 licensee's relationship to any manufacturer, importer, or
1035 distributor.

1036 14. Violation of any of the provisions of s. 319.35 by any
1037 motor vehicle dealer.

1038 15. Sale by a motor vehicle dealer of a vehicle offered in
1039 trade by a customer prior to consummation of the sale, exchange,
1040 or transfer of a newly acquired vehicle to the customer, unless
1041 the customer provides written authorization for the sale of the
1042 trade-in vehicle prior to delivery of the newly acquired
1043 vehicle.

1044 16. Willful failure to comply with any administrative rule

2-01158-23

20231404__

1045 adopted by the department or the provisions of s. 320.131(8).

1046 17. Violation of chapter 319, this chapter, or ss. 559.901-
1047 559.9221, which has to do with dealing in or repairing motor
1048 vehicles, ~~or~~ mobile homes, or movable tiny homes. Additionally,
1049 in the case of used motor vehicles, the willful violation of the
1050 federal law and rule in 15 U.S.C. s. 2304, 16 C.F.R. part 455,
1051 pertaining to the consumer sales window form.

1052 18. Failure to maintain evidence of notification to the
1053 owner or co-owner of a vehicle regarding registration or titling
1054 fees owed as required in s. 320.02(17).

1055 19. Failure to register a mobile home salesperson or
1056 movable tiny home salesperson with the department as required by
1057 this section.

1058 Section 32. Section 320.28, Florida Statutes, is amended to
1059 read:

1060 320.28 Nonresident dealers in secondhand motor vehicles,
1061 recreational vehicles, movable tiny homes, or mobile homes.—
1062 Every dealer in used or secondhand motor vehicles, recreational
1063 vehicles, movable tiny homes, or mobile homes who is a
1064 nonresident of the state, does not have a permanent place of
1065 business in this state, and has not qualified as a dealer under
1066 ~~the provisions of~~ ss. 320.27, 320.77, ~~and~~ 320.771, and 320.772,
1067 and any person other than a dealer qualified under ~~the~~
1068 ~~provisions of said~~ ss. 320.27, 320.77, ~~and~~ 320.771, and 320.772,
1069 who brings any used or secondhand motor vehicle, recreational
1070 vehicle, movable tiny home, or mobile home into the state for
1071 the purpose of sale, except to a dealer licensed under ~~the~~
1072 ~~provisions of~~ ss. 320.27, 320.77, ~~and~~ 320.771, and 320.772,
1073 shall, at least 10 days before ~~prior to~~ the sale ~~of said~~

2-01158-23

20231404__

1074 ~~vehicle~~, the offering ~~of said vehicle~~ for sale, or the
 1075 advertising ~~of said vehicle~~ for sale of such vehicle, make and
 1076 file with the department the official application for a
 1077 certificate of title for such ~~said~~ vehicle as provided by law.
 1078 Any person who has had one or more transactions involving the
 1079 sale of three or more used or secondhand motor vehicles,
 1080 recreational vehicles, movable tiny homes, or mobile homes in
 1081 Florida during any 12-month period shall be deemed to be a
 1082 secondhand dealer in motor vehicles, recreational vehicles,
 1083 movable tiny homes, or mobile homes.

1084 Section 33. Paragraph (c) of subsection (2) of section
 1085 320.37, Florida Statutes, is amended to read:

1086 320.37 Registration not to apply to nonresidents.—

1087 (2) The exemption granted by this section does not apply
 1088 to:

1089 (c) Recreational vehicles, movable tiny homes, or mobile
 1090 homes located in this state for at least 6 consecutive months;
 1091 or

1092 Section 34. Subsection (1) of section 320.71, Florida
 1093 Statutes, is amended to read:

1094 320.71 Nonresident motor vehicle, mobile home, movable tiny
 1095 home, or recreational vehicle dealer's license.—

1096 (1) A ~~Any~~ person who is a nonresident of the state, who
 1097 does not have a dealer's contract from the manufacturer or
 1098 manufacturer's distributor of motor vehicles, mobile homes,
 1099 movable tiny homes, or recreational vehicles authorizing the
 1100 sale thereof in definite Florida territory, and who sells or
 1101 engages in the business of selling such ~~said~~ vehicles at retail
 1102 within the state shall register with the Department of Revenue

2-01158-23

20231404__

1103 for a sales tax dealer registration number, ~~and~~ comply with
 1104 chapter 212, and pay a license tax of \$2,000 per annum in each
 1105 county where such sales are made. Of such tax, \$1,250 ~~of said~~
 1106 ~~tax~~ shall be transmitted to the Department of Financial Services
 1107 to be deposited in the General Revenue Fund of the state, and
 1108 \$750 ~~thereof~~ shall be returned to the county. The license tax
 1109 shall cover the period from January 1 to the following December
 1110 31, and ~~no~~ such license may not ~~shall~~ be issued for any
 1111 fractional part of a year.

1112 Section 35. Subsection (11) of section 320.771, Florida
 1113 Statutes, is amended, and subsection (18) is added to that
 1114 section, to read:

1115 320.771 License required of recreational vehicle dealers.—

1116 (11) SETUP OPERATIONS.—Each licensee may perform setup
 1117 operations only as defined in s. 320.822(16) ~~s. 320.822~~, and the
 1118 department shall provide by rule for the uniform application of
 1119 all existing statutory provisions relating to licensing and
 1120 setup operations.

1121 (18) MOVABLE TINY HOMES.—A licensed recreational vehicle
 1122 dealer may also sell movable tiny homes.

1123 Section 36. Section 320.772, Florida Statutes, is created
 1124 to read:

1125 320.772 License required of movable tiny home dealers.—

1126 (1) DEFINITIONS.—As used in this section, the term:

1127 (a)1. "Dealer" means a person engaged in the business of
 1128 buying, selling, or dealing in movable tiny homes or offering or
 1129 displaying movable tiny homes for sale. The term "dealer"
 1130 includes a movable tiny home broker. A person who buys, sells,
 1131 deals in, or offers or displays for sale, or who acts as the

2-01158-23

20231404__

1132 agent for the sale of, one or more movable tiny homes in any 12-
1133 month period shall be prima facie presumed to be a dealer. The
1134 terms "selling" and "sale" include lease-purchase transactions.
1135 The term "dealer" does not include banks, credit unions, and
1136 finance companies that acquire movable tiny homes as an incident
1137 to their regular business and does not include mobile home
1138 rental and leasing companies that sell movable tiny homes to
1139 dealers licensed under this section.

1140 2. A licensed dealer may transact business in movable tiny
1141 homes with a motor vehicle auction as defined in s.
1142 320.27(1)(c)4. Further, a licensed dealer may, at retail or
1143 wholesale, sell a motor vehicle, as described in s.
1144 320.01(1)(a), acquired in exchange for the sale of a movable
1145 tiny home if the acquisition is incidental to the principal
1146 business of being a movable tiny home dealer. However, a movable
1147 tiny home dealer may not buy a motor vehicle for the purpose of
1148 resale unless licensed as a motor vehicle dealer pursuant to s.
1149 320.27. A dealer may apply for a certificate of title to a
1150 movable tiny home required to be registered under s. 320.08(12),
1151 using a manufacturer's statement of origin as permitted by s.
1152 319.23(1), only if the dealer is authorized by a
1153 manufacturer/dealer agreement, as defined in s. 320.3202, on
1154 file with the department, to buy, sell, or deal in that
1155 particular line-make of movable tiny home and the dealer is
1156 authorized by the manufacturer/dealer agreement to perform
1157 delivery and preparation obligations and warranty defect
1158 adjustments on that line-make.

1159 (b) "Movable tiny home broker" means a person who is
1160 engaged in the business of offering to procure or procuring used

2-01158-23

20231404__

1161 movable tiny homes for the general public; who holds himself or
1162 herself out through solicitation, advertisement, or otherwise as
1163 one who offers to procure or procures used movable tiny homes
1164 for the general public; or who acts as the agent or intermediary
1165 on behalf of the owner or seller of a used movable tiny home
1166 that is for sale or who assists or represents the seller in
1167 finding a buyer for the movable tiny home.

1168 (2) LICENSE REQUIRED.—A person may not engage in business
1169 as, or serve in the capacity of, a dealer in this state unless
1170 such person possesses a valid, current license as provided in
1171 this section. Motor vehicle dealers licensed under s. 320.27
1172 shall not be required to obtain the license provided in this
1173 section to sell motor vehicles as defined in s. 320.01(1)(b)4.,
1174 5., and 6.

1175 (3) APPLICATION.—The application for such license shall be
1176 in the form prescribed by the department and subject to such
1177 rules as may be prescribed by it. The application shall be
1178 verified by oath or affirmation and shall contain:

1179 (a) A full statement of the name and the date of birth of
1180 the person or persons applying therefor.

1181 (b) The name of the firm or copartnership with the names
1182 and places of residence of all its members, if the applicant is
1183 a firm or copartnership.

1184 (c) The names and places of residence of the principal
1185 officers, if the applicant is a body corporate or other
1186 artificial body.

1187 (d) The name of the state under the laws of which the
1188 corporation is organized.

1189 (e) The former place or places of residence of the

2-01158-23

20231404__

1190 applicant.

1191 (f) The prior businesses in which the applicant has been
1192 engaged, the dates during which the applicant was engaged in
1193 such businesses, and the locations thereof.

1194 (g) A description of the exact location of the place of
1195 business, when it was acquired, and whether it is owned in fee
1196 simple by the applicant. If leased, a true copy of the lease
1197 shall be attached to the application.

1198 (h) Certification by the applicant that the location is a
1199 permanent one, not a tent or a temporary stand or other
1200 temporary quarters; that the location affords sufficient
1201 unoccupied space to store all movable tiny homes offered and
1202 displayed for sale; and that the location is a suitable place in
1203 which the applicant can in good faith carry on business and keep
1204 and maintain books, records, and files necessary to conduct such
1205 business, which will be available at all reasonable hours to
1206 inspection by the department or any of its inspectors or other
1207 employees.

1208 (i) Certification by the applicant that the business of a
1209 movable tiny home dealer is the principal business that shall be
1210 conducted at that location; however, this paragraph does not
1211 apply to movable tiny home or mobile home park operators
1212 licensed as mobile home or movable tiny home dealers.

1213 (j) A statement that the applicant is insured under a
1214 garage liability insurance policy, which shall include, at a
1215 minimum, \$25,000 combined single-limit liability coverage,
1216 including bodily injury and property damage protection, and
1217 \$10,000 personal injury protection, if the applicant is to be
1218 licensed as a dealer in, or intends to sell, movable tiny homes.

2-01158-23

20231404__

1219 However, a garage liability policy is not required for the
1220 licensure of a mobile home dealer who sells only park trailers.

1221 (k) A statement that the applicant for a movable tiny home
1222 license issued pursuant to this section has not and will not
1223 enter into any agreements, written or oral, with any other
1224 person or business entity which would constitute an unfair or
1225 deceptive trade practice in violation of part II of chapter 501.

1226 (l) Such other relevant information as may be required by
1227 the department. Each applicant, general partner in the case of a
1228 partnership, or corporate officer and director in the case of a
1229 corporate applicant must file a set of fingerprints with the
1230 department for the purpose of determining any prior criminal
1231 record or any outstanding warrants. The department shall submit
1232 the fingerprinting to the Department of Law Enforcement for
1233 state processing and forwarding to the Federal Bureau of
1234 Investigation for federal processing. The department may issue a
1235 license to an applicant pending the results of the fingerprint
1236 investigation, which license is fully revocable if the
1237 department subsequently determines that any facts set forth in
1238 the application are not true or correctly represented.

1239
1240 The department shall, if it deems necessary, cause an
1241 investigation to be made to ascertain whether the facts set
1242 forth in the application are true and shall not issue a license
1243 to the applicant until it is satisfied that the facts set forth
1244 in the application are true.

1245 (4) DENIAL OF LICENSE.—The department may deny any
1246 applicant a license on the ground that:

1247 (a) The applicant has made a material misstatement in the

2-01158-23

20231404__

1248 application for a license.

1249 (b) The applicant has failed to comply with any applicable
1250 provision of this chapter.

1251 (c) The applicant has failed to provide warranty service.

1252 (d) The applicant or one or more of the applicant's
1253 principals or agents has violated any law, rule, or regulation
1254 relating to the sale of movable tiny homes.

1255 (e) The department has proof of unfitness of the applicant.

1256 (f) The applicant has engaged in previous conduct in any
1257 state which would have been a ground for revocation or
1258 suspension of a license in this state.

1259 (g) The applicant has violated any of the provisions of the
1260 National Mobile Home Construction and Safety Standards Act of
1261 1974 or any rule or regulation of the Department of Housing and
1262 Urban Development adopted thereunder.

1263
1264 Upon denial of a license, the department shall notify the
1265 applicant within 10 days, stating in writing its grounds for
1266 denial. The applicant is entitled to a public hearing and may
1267 request that such hearing be held within 45 days after denial of
1268 the license. All proceedings shall be pursuant to chapter 120.

1269 (5) LICENSE CERTIFICATE.—A license certificate shall be
1270 issued by the department in accordance with the application when
1271 the application is regular in form and in compliance with this
1272 section. The license certificate may be in the form of a
1273 document or a computerized card as determined by the department.
1274 The license, when issued, shall entitle the licensee to carry on
1275 and conduct the business of a movable tiny home dealer at the
1276 location set forth in the license for 1 or 2 years from October

2-01158-23

20231404__

1277 1 preceding the date of issuance. Each initial application
1278 received by the department shall be accompanied by verification
1279 that, within the preceding 6 months, the applicant or one or
1280 more of his or her designated employees has attended a training
1281 and information seminar conducted by the department or by a
1282 public or private provider approved by the department. Such
1283 seminar shall include, but not be limited to, statutory dealer
1284 requirements, which requirements include required bookkeeping
1285 and recording procedures, requirements for the collection of
1286 sales and use taxes, and such other information that in the
1287 opinion of the department will promote good business practices.

1288 (6) SUPPLEMENTAL LICENSE.—A person licensed under this
1289 section shall be entitled to operate one or more additional
1290 places of business under a supplemental license for each such
1291 business if the ownership of each such business is identical to
1292 that of the principal business for which the original license is
1293 issued. Each supplemental license shall run concurrently with
1294 the original license and shall be issued upon application by the
1295 licensee on a form to be furnished by the department. Only one
1296 licensed dealer shall operate at the same place of business. A
1297 supplemental license authorizing off-premises sales shall be
1298 issued, at no charge to the dealer, for up to 10 consecutive
1299 days. A licensed dealer who conducts an off-premises sale not in
1300 conjunction with a public vehicle show, as defined in s.
1301 320.3203(5)(c), shall:

1302 (a) Notify the applicable local department office of the
1303 specific dates and location for which such license is requested.

1304 (b) Provide staff to work at the temporary location for the
1305 duration of the off-premises sale.

2-01158-23

20231404__

- 1306 (c) Meet all local government permit requirements.
- 1307 (d) Have the permission of the property owner to operate at
1308 that location.
- 1309 (e) Conspicuously display a sign at the licensed location
1310 which clearly identifies the dealer's name and business address
1311 as listed on the dealer's original license.
- 1312 (f) Prominently include the dealer's name and business
1313 address, as listed on the dealer's original license, in all
1314 advertisements associated with such sale.
- 1315 (7) LICENSE ENDORSEMENT.—A mobile home dealer licensed
1316 under s. 320.77 may apply to the department for authority to
1317 sell movable tiny homes. The mobile home dealer shall file an
1318 application required by this section and shall be governed by
1319 the licensing provisions contained in this section. Additional
1320 license fees or bond shall not be required for issuance of this
1321 endorsement to the mobile home dealer's license.
- 1322 (8) RECORDS TO BE KEPT BY LICENSEE.—Each licensee shall
1323 keep records in such form as shall be prescribed by the
1324 department. Such records shall include:
- 1325 (a) A record of the purchase, sale, or exchange, or receipt
1326 for the purpose of sale, of any movable tiny home.
- 1327 (b) The description of each such movable tiny home,
1328 including the identification or serial number and such other
1329 numbers or identification marks as may be thereon, and a
1330 statement that a number has been obliterated, defaced, or
1331 changed, if such fact is apparent.
- 1332 (c) The name and address of the seller, the purchaser, and
1333 the alleged owner or other person from whom the movable tiny
1334 home was purchased or received and the person to whom it was

2-01158-23

20231404__

1335 sold or delivered, as the case may be.

1336 (9) EVIDENCE OF TITLE REQUIRED.—

1337 (a) The licensee shall also have in his or her possession
1338 for each new movable tiny home a manufacturer's invoice or
1339 statement of origin.

1340 (b) For each used movable tiny home in the possession of a
1341 licensee and offered for sale by him or her, the licensee shall
1342 have in his or her possession or control a duly assigned
1343 certificate of title from the owner in accordance with chapter
1344 319, or a registration certificate if the used movable tiny home
1345 was previously registered in a nontitle state, from the time
1346 when the movable tiny home is delivered to the licensee and
1347 offered for sale by him or her until it has been disposed of by
1348 the licensee, or shall have reasonable indicia of ownership or
1349 right of possession, or shall have made proper application for a
1350 certificate of title or duplicate certificate of title in
1351 accordance with chapter 319. A dealer may not sell or offer for
1352 sale a movable tiny home in his or her possession unless the
1353 dealer satisfies the requirements of this subsection. Reasonable
1354 indicia of ownership includes a duly assigned certificate of
1355 title; in the case of a new movable tiny home, a manufacturer's
1356 certificate of origin issued to or reassigned to the dealer; a
1357 consignment contract between the owner and the dealer along with
1358 a secure power of attorney from the owner to the dealer
1359 authorizing the dealer to apply for a duplicate certificate of
1360 title and assign the title on behalf of the owner; a court order
1361 awarding title to the movable tiny home to the dealer; a salvage
1362 certificate of title; a photocopy of a duly assigned certificate
1363 of title being held by a financial institution as collateral for

2-01158-23

20231404__

1364 a business loan of money to the dealer ("floor plan"); a copy of
1365 a canceled check or other documentation evidencing that an
1366 outstanding lien on a movable tiny home taken in trade by a
1367 licensed dealer has been satisfied and that the certificate of
1368 title will be, but has not yet been, received by the dealer; or
1369 a vehicle purchase order or installment contract for a specific
1370 movable tiny home identifying that movable tiny home as a trade-
1371 in on a replacement movable tiny home.

1372 (10) SETUP OPERATIONS.—Each licensee may perform setup
1373 operations only as defined in s. 320.822(16), and the department
1374 shall provide by rule for the uniform application of all
1375 existing statutory provisions relating to licensing and setup
1376 operations.

1377 (11) PENALTY.—A violation of this section is a misdemeanor
1378 of the second degree, punishable as provided in s. 775.082 or s.
1379 775.083.

1380 (12) INJUNCTION.—In addition to the remedies provided in
1381 this chapter, and notwithstanding the existence of any adequate
1382 remedy at law, the department may make application to a circuit
1383 court of the state, and the circuit court shall have
1384 jurisdiction, upon a hearing and for cause shown, to grant a
1385 temporary or permanent injunction restraining a person from
1386 acting as a movable tiny home dealer under this section who is
1387 not properly licensed or who violates or fails or refuses to
1388 comply with any of the provisions of chapter 319 and this
1389 chapter or any rule or regulation adopted thereunder. Such
1390 injunction shall be issued without bond. A single act in
1391 violation of chapter 319 or this chapter shall be sufficient to
1392 authorize the issuance of an injunction.

2-01158-23

20231404__

1393 (13) SUSPENSION OR REVOCATION.—The department shall, as it
1394 deems necessary, suspend or revoke a license issued under this
1395 section upon a finding that the licensee violated any provision
1396 of this section or of any other law of this state having to do
1397 with dealing in movable tiny homes or perpetrated a fraud upon a
1398 person as a result of such dealing in movable tiny homes.

1399 (14) ADMINISTRATIVE FINES.—In addition to the exercise of
1400 other powers provided in this section, the department may
1401 assess, impose, levy, and collect by legal process fines, in an
1402 amount not to exceed \$1,000 for each violation, against a
1403 licensee if it finds that the licensee has violated any
1404 provision of this section or any other law of this state having
1405 to do with dealing in movable tiny homes. A licensee is entitled
1406 to a hearing pursuant to chapter 120 should the licensee wish to
1407 contest the fine levied, or about to be levied, upon him or her.

1408 (15) BOND.—

1409 (a) Before a license is issued or renewed, the applicant
1410 shall deliver to the department a good and sufficient surety
1411 bond, executed by the applicant as principal and by a surety
1412 company qualified to do business in the state as surety. The
1413 bond shall be in a form to be approved by the department and
1414 shall be conditioned upon the dealer's complying with the
1415 conditions of any written contract made by that dealer in
1416 connection with the sale, exchange, or improvement of any
1417 movable tiny home and his or her not violating any of the
1418 provisions of chapter 319 or this chapter in the conduct of the
1419 business for which he or she is licensed. The bond shall be to
1420 the department and in favor of any retail customer who suffers
1421 any loss as a result of any violation of the conditions

2-01158-23

20231404__

1422 hereinabove contained. The bond shall be for the license period,
1423 and a new bond or a proper continuation certificate shall be
1424 delivered to the department at the beginning of each license
1425 period. However, the aggregate liability of the surety in any
1426 one license year shall in no event exceed the sum of such bond.
1427 The amount of the bond required shall be as follows:

1428 1. A single dealer who buys, sells, or deals in movable
1429 tiny homes and has four or fewer supplemental licenses shall
1430 provide a surety bond in the amount of \$10,000.

1431 2. A single dealer who buys, sells, or deals in movable
1432 tiny homes and has more than four supplemental licenses shall
1433 provide a surety bond in the amount of \$20,000.

1434
1435 For purposes of this paragraph, a person who buys, sells, or
1436 deals in both mobile homes and movable tiny homes shall provide
1437 the same surety bond required of dealers who buy, sell, or deal
1438 in mobile homes only.

1439 (b) The department shall, upon denial, suspension, or
1440 revocation of a license, notify the surety company of the
1441 licensee, in writing, that the license has been denied,
1442 suspended, or revoked and shall state the reason for such
1443 denial, suspension, or revocation.

1444 (c) A surety company that pays a claim against the bond of
1445 a licensee shall notify the department, in writing, that it has
1446 paid such a claim and shall state the amount of the claim.

1447 (d) A surety company that cancels the bond of a licensee
1448 shall notify the department, in writing, of such cancellation
1449 and shall state the reason for the cancellation.

1450 (16) PROHIBITED COMMISSION SHARING.—In accordance with s.

2-01158-23

20231404__

1451 626.753, a dealer or movable tiny home broker, as defined in
1452 this section, who is not a licensed insurance agent may not
1453 share in the commission on the sale of insurance coverage on the
1454 types of movable tiny homes defined in s. 320.01(46) by the
1455 creation of a foreign partnership, corporation, or other entity
1456 that is controlled by a person or entity not licensed as an
1457 insurance agent.

1458 Section 37. Section 320.781, Florida Statutes, is amended
1459 to read:

1460 320.781 Mobile Home, Movable Tiny Home, and Recreational
1461 Vehicle Protection Trust Fund.—

1462 (1) There is ~~hereby~~ established a Mobile Home, Movable Tiny
1463 Home, and Recreational Vehicle Protection Trust Fund. The trust
1464 fund shall be administered and managed by the Department of
1465 Highway Safety and Motor Vehicles. The expenses incurred by the
1466 department in administering this section shall be paid only from
1467 appropriations made from the trust fund.

1468 (2) ~~Beginning October 1, 1990,~~ The department shall charge
1469 and collect an additional fee of \$1 for each new mobile home,
1470 new movable tiny home, and new recreational vehicle title
1471 transaction for which it charges a fee. This additional fee
1472 shall be deposited into the trust fund. The Department of
1473 Highway Safety and Motor Vehicles shall charge a fee of \$40 per
1474 annual dealer and manufacturer license and license renewal,
1475 which shall be deposited into the trust fund. The sums deposited
1476 in the trust fund shall be used exclusively for carrying out the
1477 purposes of this section. These sums may be invested and
1478 reinvested by the Chief Financial Officer under the same
1479 limitations as apply to investment of other state funds, with

2-01158-23

20231404__

1480 all interest from these investments deposited to the credit of
1481 the trust fund.

1482 (3) The trust fund shall be used to satisfy any judgment or
1483 claim by any person, as provided by this section, against a
1484 mobile home, movable tiny home, or recreational vehicle dealer
1485 or broker for damages, restitution, or expenses, including
1486 reasonable attorney ~~attorney's~~ fees, resulting from a cause of
1487 action directly related to the conditions of any written
1488 contract made by him or her in connection with the sale,
1489 exchange, or improvement of any mobile home, movable tiny home,
1490 or recreational vehicle, or for any violation of chapter 319 or
1491 this chapter.

1492 (4) The trust fund shall not be liable for any judgment, or
1493 part thereof, resulting from any tort claim except as expressly
1494 provided in subsection (3), nor for any punitive, exemplary,
1495 double, or treble damages. A person, the state, or any political
1496 subdivision thereof may recover against the mobile home, movable
1497 tiny home, or recreational vehicle dealer, broker, or surety,
1498 jointly and severally, for such damages, restitution, or
1499 expenses. ~~;~~ ~~provided,~~ However, ~~that in no event shall~~ the trust
1500 fund or the surety shall not be liable for an amount in excess
1501 of actual damages, restitution, or expenses.

1502 (5) Subject to the limitations and requirements of this
1503 section, the trust fund shall be used by the department to
1504 compensate persons who have unsatisfied judgments, or in certain
1505 limited circumstances unsatisfied claims, against a mobile home,
1506 movable tiny home, or recreational vehicle dealer or broker. The
1507 following conditions must exist for a person to be eligible to
1508 file a claim against the trust fund:

2-01158-23

20231404__

1509 (a) The claimant has obtained a final judgment that is
1510 unsatisfied against the mobile home, movable tiny home, or
1511 recreational vehicle dealer or broker or its surety jointly and
1512 severally, or against the mobile home or movable tiny home
1513 dealer or broker only, if the court found that the surety was
1514 not liable due to prior payment of valid claims against the bond
1515 in an amount equal to, or greater than, the face amount of the
1516 applicable bond; or the claimant is prohibited from filing a
1517 claim in a lawsuit because a bankruptcy proceeding is pending by
1518 the dealer or broker, and the claimant has filed a claim in that
1519 bankruptcy proceeding; or the dealer or broker has closed his or
1520 her business and cannot be found or located within the
1521 jurisdiction of the state; and

1522 (b) A claim has been made in a lawsuit against the surety
1523 and a judgment obtained is unsatisfied; a claim has been made in
1524 a lawsuit against the surety which has been stayed or discharged
1525 in a bankruptcy proceeding; or a claimant is prohibited from
1526 filing a claim in a lawsuit because a bankruptcy proceeding is
1527 pending by surety or the surety is not liable due to the prior
1528 payment of valid claims against the bond in an amount equal to,
1529 or greater than, the face amount of the applicable bond.

1530 However, a claimant may not recover against the trust fund if
1531 the claimant has recovered from the surety an amount that is
1532 equal to or greater than the total loss.

1533 (6) In order to recover from the trust fund, the person
1534 must file an application and verified claim with the department.

1535 (a) If the claimant has obtained a judgment that is
1536 unsatisfied against the mobile home, movable tiny home, or
1537 recreational vehicle dealer or broker or its surety as set forth

2-01158-23

20231404__

1538 in this section, the verified claim must specify the following:

1539 1.a. That the judgment against the mobile home, movable
1540 tiny home, or recreational vehicle dealer or broker and its
1541 surety has been entered; or

1542 b. That the judgment against the mobile home, movable tiny
1543 home, or recreational vehicle dealer or broker contains a
1544 specific finding that the surety has no liability, that
1545 execution has been returned unsatisfied, and that a judgment
1546 lien has been perfected;

1547 2. The amount of actual damages broken down by category as
1548 awarded by the court or jury in the cause which resulted in the
1549 unsatisfied judgment, and the amount of attorney ~~attorney's~~ fees
1550 set forth in the unsatisfied judgment;

1551 3. The amount of payment or other consideration received,
1552 if any, from the mobile home, movable tiny home, or recreational
1553 vehicle dealer or broker or its surety;

1554 4. The amount that may be realized, if any, from the sale
1555 of real or personal property or other assets of the judgment
1556 debtor liable to be sold or applied in satisfaction of the
1557 judgment and the balance remaining due on the judgment after
1558 application of the amount which has been realized and a
1559 certification that the claimant has made a good faith effort to
1560 collect the judgment;

1561 5. An assignment by the claimant of rights, title, or
1562 interest in the unsatisfied judgment lien to the department; and

1563 6. Such other information as the department requires.

1564 (b) If the claimant has alleged a claim as set forth in
1565 paragraph (5) (a) and for the reasons set forth therein has not
1566 been able to secure a judgment, the verified claim must contain

2-01158-23

20231404__

1567 the following:

1568 1. A true copy of the pleadings in the lawsuit that was
1569 stayed or discharged by the bankruptcy court and the order of
1570 the bankruptcy court staying those proceedings or a true copy of
1571 the claim that was filed in the bankruptcy court proceedings;

1572 2. Allegations of the acts or omissions by the mobile home,
1573 movable tiny home, or recreational vehicle dealer or broker
1574 setting forth the specific acts or omissions complained of which
1575 resulted in actual damage to the person, along with the actual
1576 dollar amount necessary to reimburse or compensate the person
1577 for costs or expenses resulting from the acts or omissions of
1578 which the person complained;

1579 3. True copies of all purchase agreements, notices, service
1580 or repair orders or papers or documents of any kind whatsoever
1581 which the person received in connection with the purchase,
1582 exchange, or lease-purchase of the mobile home, movable tiny
1583 home, or recreational vehicle from which the person's cause of
1584 action arises;

1585 4. An assignment by the claimant of rights, title, or
1586 interest in the claim to the department; and

1587 5. Such other information as the department requires.

1588 (c) The department may require such proof as it deems
1589 necessary to document the matters set forth in the claim.

1590 (7) Within 90 days after receipt of the application and
1591 verified claim, the department shall issue its determination on
1592 the claim. Such determination shall not be subject to ~~the~~
1593 ~~provisions of~~ chapter 120, but shall be reviewable only by writ
1594 of certiorari in the circuit court in the county in which the
1595 claimant resides in the manner and within the time provided by

2-01158-23

20231404__

1596 the Florida Rules of Appellate Procedure. The claim must be paid
1597 within 45 days after the determination, or, if judicial review
1598 is sought, within 45 days after the review becomes final. A
1599 person may not be paid an amount from the fund in excess of
1600 \$25,000 per mobile home, movable tiny home, or recreational
1601 vehicle, which includes any damages, restitution, payments
1602 received as the result of a claim against the surety bond, or
1603 expenses, including reasonable attorney ~~attorney's~~ fees. Before
1604 ~~Prior to~~ payment, the person must execute an assignment to the
1605 department of all the person's rights and title to, and interest
1606 in, the unsatisfied judgment and judgment lien or the claim
1607 against the dealer or broker and its surety.

1608 (8) The department, in its discretion and where feasible,
1609 may try to recover from the mobile home, movable tiny home, or
1610 recreational vehicle dealer or broker, or the judgment debtor or
1611 its surety, all sums paid to persons from the trust fund. Any
1612 sums recovered shall be deposited to the credit of the trust
1613 fund. The department shall be awarded a reasonable attorney
1614 ~~attorney's~~ fee for all actions taken to recover any sums paid to
1615 persons from the trust fund pursuant to this section.

1616 (9) This section does not apply to any claim, and a person
1617 may not recover against the trust fund as the result of any
1618 claim, against a mobile home, movable tiny home, or recreational
1619 vehicle dealer or broker resulting from a cause of action
1620 directly related to the sale, lease-purchase, exchange,
1621 brokerage, or installation of a mobile home, movable tiny home,
1622 or recreational vehicle before ~~prior to~~ July 1, 2006.

1623 (10) Neither the department, nor the trust fund shall be
1624 liable to any person for recovery if the trust fund does not

2-01158-23

20231404__

1625 have the moneys necessary to pay amounts claimed. If the trust
1626 fund does not have sufficient assets to pay the claimant, it
1627 shall log the time and date of its determination for payment to
1628 a claimant. If moneys become available, the department shall pay
1629 the claimant whose unpaid claim is the earliest by time and date
1630 of determination.

1631 (11) A ~~It is unlawful for any~~ person or his or her agent
1632 may not ~~to~~ file a ~~any~~ notice, statement, or other document
1633 required under this section which is false or contains any
1634 material misstatement of fact. A ~~Any~~ person who violates this
1635 subsection commits ~~is guilty of~~ a misdemeanor of the second
1636 degree, punishable as provided in s. 775.082 or s. 775.083.

1637 Section 38. Section 320.822, Florida Statutes, is amended
1638 to read:

1639 320.822 Definitions; ss. 320.822-320.862.—In construing ss.
1640 320.822-320.862, unless the context otherwise requires, the
1641 following words or phrases have the following meanings:

1642 (1) "Buyer" means a person who purchases at retail from a
1643 dealer or manufacturer a mobile home, movable tiny home, or
1644 recreational vehicle for his or her own use as a residence, or
1645 other related use.

1646 (2) "Code" means the appropriate standards found in:

1647 (a) The Federal Manufactured Housing Construction and
1648 Safety Standards for single-family mobile homes, adopted
1649 ~~promulgated~~ by the Department of Housing and Urban Development;

1650 (b) The Uniform Standards Code approved by the American
1651 National Standards Institute, ANSI A-119.2 for recreational
1652 vehicles and ANSI A-119.5 for park trailers or the United States
1653 Department of Housing and Urban Development standard for park

2-01158-23

20231404__

1654 trailers certified as meeting that standard; ~~or~~

1655 (c) The Mobile and Manufactured Home Repair and Remodeling
1656 Code and the Used Recreational Vehicle Code; or

1657 (d) Code requirements specified in s. 320.82315 for movable
1658 tiny homes certified to meet those standards.

1659 (3) "Construction" means the minimum requirements for
1660 materials, products, equipment, and workmanship needed to ensure
1661 ~~assure~~ that the mobile home, movable tiny home, or recreational
1662 vehicle will provide structural strength and rigidity;
1663 protection against corrosion, decay, and other similar
1664 destructive forces; resistance to the elements; and durability
1665 and economy of maintenance.

1666 (4) "Institute" means the United States of America
1667 Standards Institute.

1668 (5) "Length," for purposes of transportation only, means
1669 the distance from the extreme front of the mobile home, movable
1670 tiny home, or recreational vehicle, to the extreme rear,
1671 including the drawbar and coupling mechanism, but not including
1672 expandable features that do not project from the body during
1673 transportation.

1674 (6) "Length of a mobile home or movable tiny home" means
1675 the distance from the exterior of the front wall (nearest to the
1676 drawbar and coupling mechanism) to the exterior of the rear wall
1677 (at the opposite end of the home) where such walls enclose
1678 living or other interior space and such distance includes
1679 expandable rooms but not bay windows, porches, drawbars,
1680 couplings, hitches, wall and roof extensions, or other
1681 attachments.

1682 (7) "Licensee" means a ~~any~~ person licensed or required to

2-01158-23

20231404__

1683 be licensed under s. 320.8225.

1684 (8) "Mobile home dealer" means a ~~any~~ person engaged in the
1685 business of buying, selling, or dealing in mobile homes or
1686 offering or displaying mobile homes for sale. A ~~Any~~ person who
1687 buys, sells, or deals in one or more mobile homes in any 12-
1688 month period or who offers or displays for sale one or more
1689 mobile homes in any 12-month period shall be prima facie
1690 presumed to be engaged in the business of a mobile home dealer.
1691 The terms "selling" and "sale" include lease-purchase
1692 transactions. The term "mobile home dealer" does not include a
1693 bank, credit union, or finance company that acquires mobile
1694 homes as an incident to its regular business, does not include a
1695 mobile home rental or leasing company that sells mobile homes to
1696 mobile home dealers licensed under s. 320.77, and does not
1697 include persons who are selling their own mobile homes.

1698 (9) "Movable tiny home dealer" means a person engaged in
1699 the business of buying, selling, or dealing in movable tiny
1700 homes or offering or displaying movable tiny homes for sale. The
1701 term "dealer" includes a movable tiny home broker. A person who
1702 buys, sells, deals in, or offers or displays for sale, or who
1703 acts as the agent for the sale of, one or more movable tiny
1704 homes in any 12-month period shall be prima facie presumed to be
1705 a dealer. The terms "selling" and "sale" include lease-purchase
1706 transactions. The term "dealer" does not include banks, credit
1707 unions, and finance companies that acquire movable tiny homes as
1708 an incident to their regular business and does not include
1709 mobile home rental and leasing companies that sell movable tiny
1710 homes to dealers licensed under s. 320.772.

1711 (10) ~~(9)~~ "Recreational vehicle dealer" means a ~~any~~ person

2-01158-23

20231404__

1712 engaged in the business of buying, selling, or dealing in
1713 recreational vehicles or offering or displaying recreational
1714 vehicles for sale. The term "dealer" includes a recreational
1715 vehicle broker. A ~~Any~~ person who buys, sells, deals in, or
1716 offers or displays for sale, or who acts as the agent for the
1717 sale of, one or more recreational vehicles in any 12-month
1718 period shall be prima facie presumed to be a dealer. The terms
1719 "selling" and "sale" include lease-purchase transactions. The
1720 term "dealer" does not include banks, credit unions, and finance
1721 companies that acquire recreational vehicles as an incident to
1722 their regular business and does not include mobile home rental
1723 and leasing companies that sell recreational vehicles to dealers
1724 licensed under s. 320.771.

1725 (11) ~~(10)~~ "Mobile home manufacturer" means a ~~any~~ person,
1726 resident or nonresident, who, as a trade or commerce,
1727 manufactures or assembles mobile homes.

1728 (12) "Movable tiny home manufacturer" means a person,
1729 resident or nonresident, who, as a trade or commerce,
1730 manufactures or assembles movable tiny homes in such manner that
1731 they then qualify as movable tiny homes for sale in this state.

1732 (13) ~~(11)~~ "Recreational vehicle manufacturer" means a ~~any~~
1733 person, resident or nonresident, who, as a trade or commerce,
1734 manufactures or assembles recreational vehicles or van-type
1735 vehicles in such manner that they then qualify as recreational
1736 vehicles, ~~7~~ for sale in this state.

1737 (14) ~~(12)~~ "Responsible party" means a manufacturer, dealer,
1738 or supplier.

1739 (15) ~~(13)~~ "Seal" or "label" means a device issued by the
1740 department certifying that a mobile home, movable tiny home, or

2-01158-23

20231404__

1741 recreational vehicle meets the appropriate code, which device is
 1742 to be displayed on the exterior of the mobile home, movable tiny
 1743 home, or recreational vehicle.

1744 (16)~~(14)~~ "Setup" or "installation" means the operations
 1745 performed at the occupancy site which render a mobile home,
 1746 movable tiny home, or park trailer fit for habitation. Such
 1747 operations include, but are not limited to, transporting;
 1748 positioning; blocking; leveling, supporting, installing
 1749 foundation products, components, and systems; connecting utility
 1750 systems; making minor adjustments; or assembling multiple or
 1751 expandable units.

1752 (17)~~(15)~~ "Substantial defect" means:

1753 (a) A ~~Any~~ substantial deficiency or defect in materials or
 1754 workmanship occurring to a mobile home, movable tiny home, or
 1755 recreational vehicle which has been reasonably maintained and
 1756 cared for in normal use.

1757 (b) A ~~Any~~ structural element, utility system, or component
 1758 of the mobile home, movable tiny home, or recreational vehicle,
 1759 which fails to comply with the code.

1760 (18)~~(16)~~ "Supplier" means the original producer of
 1761 completed components, including refrigerators, stoves, ~~hot~~ water
 1762 heaters, dishwashers, cabinets, air conditioners, heating units,
 1763 and similar components, which are furnished to a manufacturer or
 1764 dealer for installation in the mobile home, movable tiny home,
 1765 or recreational vehicle before ~~prior to~~ sale to a buyer.

1766 (19)~~(17)~~ "Width of a mobile home or movable tiny home"
 1767 means the distance from the exterior of one side wall to the
 1768 exterior of the opposite side wall where such walls enclose
 1769 living or other interior space and such distance includes

2-01158-23

20231404__

1770 expandable rooms but not bay windows, porches, wall and roof
1771 extensions, or other attachments.

1772 ~~(20)-(18)~~ "Body size" of a movable tiny home, park trailer,
1773 travel trailer, or fifth-wheel trailer means the distance from
1774 the exterior side or end to the opposite exterior side or end of
1775 the body. Such distance includes expandable rooms, bay windows,
1776 wall and roof extensions, or other extrusions in the travel
1777 mode. The following exceptions apply:

1778 (a) Travel trailers may ~~shall~~ not exceed 320 square feet.
1779 All square footage measurements are of the exterior when in
1780 setup mode, including bay windows.

1781 (b) Park trailers constructed to ANSI A-119.5 may ~~shall~~ not
1782 exceed 400 square feet. Park trailers constructed to the United
1783 States Department of Housing and Urban Development standard may
1784 ~~shall~~ not exceed 500 square feet. All square footage
1785 measurements are of the exterior when in setup mode and do not
1786 include bay windows.

1787 (c) Fifth-wheel trailers may not exceed 400 square feet.
1788 All square footage measurements are of the exterior when in
1789 setup mode, including bay windows.

1790 (d) Movable tiny homes constructed to code requirements
1791 specified in s. 320.82315 may not exceed 400 square feet.
1792 Movable tiny homes constructed to the United States Department
1793 of Housing and Urban Development standard may not exceed 500
1794 square feet. All square footage measurements are of the exterior
1795 when in setup mode and do not include bay windows.

1796 Section 39. Subsection (1), paragraph (b) of subsection
1797 (5), and subsections (6), (7), and (8) of section 320.8225,
1798 Florida Statutes, are amended to read:

2-01158-23

20231404__

1799 320.8225 Mobile home, movable tiny home, and recreational
1800 vehicle manufacturer, distributor, and importer license.—

1801 (1) LICENSE REQUIRED.—~~A~~ Any person who engages in the
1802 business of a mobile home manufacturer, a movable tiny home
1803 manufacturer, or a recreational vehicle manufacturer,
1804 distributor, or importer in this state, or who manufactures
1805 mobile homes, movable tiny homes, or recreational vehicles out
1806 of state which are ultimately offered for sale in this state,
1807 shall obtain annually a license for each factory location in
1808 this state and for each factory location out of state which
1809 manufactures mobile homes, movable tiny homes, or recreational
1810 vehicles for sale in this state before, ~~prior to~~ distributing or
1811 importing mobile homes, movable tiny homes, or recreational
1812 vehicles for sale in this state.

1813 (5) REQUIREMENT OF ASSURANCE.—

1814 (b) Annually, before ~~prior to~~ the receipt of a license to
1815 manufacture, distribute, or import recreational vehicles or
1816 movable tiny homes, the applicant or licensee shall submit a
1817 surety bond, or a proper continuation certificate, sufficient to
1818 assure satisfaction of claims against the licensee for failure
1819 to comply with appropriate code standards, failure to provide
1820 warranty service, or violation of ~~any provisions of~~ this
1821 section. The amount of the surety bond must be \$10,000 per year.
1822 The surety bond must be to the department, in favor of any
1823 retail customer who suffers loss arising out of noncompliance
1824 with code standards or failure to honor or provide warranty
1825 service. The department may disapprove any bond that does not
1826 provide assurance as provided in this section. Within 10
1827 calendar days after any renewal or continuation of or material

2-01158-23

20231404__

1828 change in such surety bond or issuance of a new surety bond, a
1829 licensee shall deliver to the department, in a manner prescribed
1830 by the department, a copy of such renewed, continued, changed,
1831 or new surety bond.

1832 (6) LICENSE PERIOD.—A license issued to a mobile home
1833 manufacturer, a movable tiny home manufacturer, or a
1834 recreational vehicle manufacturer, distributor, or importer
1835 entitles the licensee to conduct business for a period of 1 or 2
1836 years beginning October 1 preceding the date of issuance.

1837 (7) DENIAL OF LICENSE.—The department may deny a mobile
1838 home manufacturer, a movable tiny home manufacturer, or a
1839 recreational vehicle manufacturer, distributor, or importer
1840 license on the ground that:

1841 (a) The applicant has made a material misstatement in his
1842 or her application for a license.

1843 (b) The applicant has failed to comply with any applicable
1844 provision of this chapter.

1845 (c) The applicant has failed to provide warranty service.

1846 (d) The applicant or one or more of his or her principals
1847 or agents has violated any law, rule, or regulation relating to
1848 the manufacture or sale of mobile homes, movable tiny homes, or
1849 recreational vehicles.

1850 (e) The department has proof of the unfitness of the
1851 applicant.

1852 (f) The applicant or licensee has engaged in previous
1853 conduct in any state which would have been a ground for
1854 revocation or suspension of a license in this state.

1855 (g) The applicant or licensee has violated any provision of
1856 the National Mobile Home Construction and Safety Standards Act

2-01158-23

20231404__

1857 of 1974 or any related rule or regulation adopted by the
1858 Department of Housing and Urban Development.

1859
1860 Upon denial of a license, the department shall notify the
1861 applicant within 10 days, stating in writing its grounds for
1862 denial. The applicant is entitled to an administrative hearing
1863 and may request that such hearing be held within 45 days after
1864 ~~of~~ denial of the license. All proceedings must be pursuant to
1865 chapter 120.

1866 (8) REVOCATION OR SUSPENSION OF LICENSE.—The department
1867 shall suspend or, in the case of a subsequent offense, shall
1868 revoke a any license upon a finding that the licensee violated
1869 any provision of this chapter or any other law of this state
1870 regarding the manufacture, warranty, or sale of mobile homes,
1871 movable tiny homes, or recreational vehicles. The department may
1872 reinstate the license if it finds that the former licensee has
1873 complied with all applicable requirements of this chapter and an
1874 application for a license is refiled pursuant to this section.

1875 Section 40. Section 320.82315, Florida Statutes, is created
1876 to read:

1877 320.82315 Establishment of uniform standards for movable
1878 tiny homes.—

1879 (1) Each movable tiny home, as defined in s. 320.01(46),
1880 manufactured in this state or manufactured outside this state
1881 but sold or offered for sale in this state shall meet the
1882 Uniform Standards Code ANSI book A-119.2 or A-119.5, as
1883 applicable, approved by the American National Standards
1884 Institute. Such standards shall include, but are not limited to,
1885 standards for the installation of plumbing, heating, and

2-01158-23

20231404__

1886 electrical systems and fire and life safety in movable tiny
1887 homes. Each movable tiny home shall also be manufactured with:
1888 (a) Insulation with a thermal resistance value of at least
1889 R-13 in the walls and at least R-19 in the ceiling.
1890 (b) Residential-grade insulated doors and windows.
1891 (c) An electrical system that meets National Fire
1892 Protection Association (NFPA) 70, National Electrical Code
1893 article 551 or article 552, as applicable.
1894 (d) Low-voltage electrical systems that meet the
1895 requirements of the ANSI/RVIA Low Voltage Systems in Conversion
1896 and RVs Standard.
1897 (e) Wall framing consisting of studs that are between 16
1898 and 24 inches on center, which studs are at least 2 inches by 4
1899 inches of wood or metal, or equivalent structural insulated
1900 panels.
1901 (2) Each movable tiny home must be inspected and certified
1902 by a professional engineer licensed in this state or a qualified
1903 third-party inspector for compliance with subsection (1).
1904 However, a movable tiny home that exceeds 400 square feet must
1905 comply with federal manufactured home construction and safety
1906 standards contained in 42 U.S.C. ss. 5401-5426 and must be given
1907 a United States Department of Housing and Urban Development
1908 label.
1909 (3) Trailer hitches or other trailer connecting devices
1910 manufactured, sold, or offered for sale in this state for use
1911 with a trailer governed by this section must conform to the
1912 certification standards in Vehicle Equipment Safety Commission
1913 Regulation V-5.
1914 Section 41. Section 320.8245, Florida Statutes, is amended

2-01158-23

20231404__

1915 to read:

1916 320.8245 Limitation of alteration or modification to mobile
1917 homes, movable tiny homes, or recreational vehicles.-

1918 (1) LIMITATION OF ALTERATIONS OR MODIFICATIONS.-~~An~~ ~~no~~
1919 alteration or modification may not ~~shall~~ be made to a mobile
1920 home, movable tiny home, or recreational vehicle by a licensed
1921 dealer after shipment from the manufacturer's plant unless such
1922 alteration or modification is authorized in this section.

1923 (2) EFFECT ON MOBILE HOME OR MOVABLE TINY HOME WARRANTY.-
1924 Unless an alteration or modification is performed by a qualified
1925 person as defined in subsection (4), the warranty responsibility
1926 of the manufacturer as to the altered or modified item shall be
1927 void.

1928 (a) An alteration or modification performed by a mobile
1929 home, movable tiny home, or recreational vehicle dealer or his
1930 or her agent or employee shall place warranty responsibility for
1931 the altered or modified item upon the dealer. If the
1932 manufacturer fulfills, or is required to fulfill, the warranty
1933 on the altered or modified item, he or she shall be entitled to
1934 recover damages in the amount of his or her costs and attorney
1935 ~~attorneys'~~ fees from the dealer.

1936 (b) An alteration or modification performed by a mobile
1937 home, movable tiny home, or recreational vehicle owner or his or
1938 her agent shall render the manufacturer's warranty as to that
1939 item void. A statement shall be displayed clearly and
1940 conspicuously on the face of the warranty that the warranty is
1941 void as to the altered or modified item if the alteration or
1942 modification is performed by other than a qualified person.
1943 Failure to display such statement shall result in warranty

2-01158-23

20231404__

1944 responsibility on the manufacturer.

1945 (3) AUTHORITY OF THE DEPARTMENT.—The department may adopt
1946 ~~is authorized to promulgate~~ rules and regulations pursuant to
1947 chapter 120 which define the alterations or modifications that
1948 ~~which~~ must be made by qualified personnel. The department may
1949 regulate only those alterations and modifications that ~~which~~
1950 substantially impair the structural integrity or safety of the
1951 mobile home.

1952 (4) DESIGNATION AS A QUALIFIED PERSON.—

1953 (a) In order to be designated as a person qualified to
1954 alter or modify a mobile home, movable tiny home, or
1955 recreational vehicle, a person must comply with local or county
1956 licensing or competency requirements in skills relevant to
1957 performing alterations or modifications on mobile homes, movable
1958 tiny homes, or recreational vehicles.

1959 (b) When no local or county licensing or competency
1960 requirements exist, the department may certify persons to
1961 perform mobile home alterations or modifications. The department
1962 shall by rule or regulation determine what skills and competency
1963 requirements are requisite to the issuance of a certification. A
1964 fee sufficient to cover the costs of issuing certifications may
1965 be charged by the department. The certification shall be valid
1966 for a period that ~~which~~ terminates when the county or other
1967 local governmental unit enacts relevant competency or licensing
1968 requirements. The certification shall be valid only in counties
1969 or localities without licensing or competency requirements.

1970 (c) The department shall determine which counties and
1971 localities have licensing or competency requirements adequate to
1972 eliminate the requirement of certification. This determination

2-01158-23

20231404__

1973 shall be based on a review of the relevant county or local
1974 standards for adequacy in regulating persons who perform
1975 alterations or modifications to mobile homes. The department
1976 shall find local or county standards adequate when minimal
1977 licensing or competency standards are provided.

1978 Section 42. Subsection (7) of section 320.8285, Florida
1979 Statutes, is amended to read:

1980 320.8285 Onsite inspection.—

1981 (7) Park trailers and movable tiny homes are subject to
1982 inspection in the same manner as are mobile homes pursuant to
1983 this section.

1984 Section 43. Subsection (1) of section 320.8325, Florida
1985 Statutes, is amended to read:

1986 320.8325 Mobile homes, movable tiny homes, manufactured
1987 homes, and park trailers; uniform installation standards;
1988 injunctions; penalty.—

1989 (1) The department shall adopt rules setting forth uniform
1990 standards for the installation of mobile homes, movable tiny
1991 homes, manufactured homes, and park trailers and for the
1992 manufacture of components, products, or systems used in the
1993 installation of mobile homes, movable tiny homes, manufactured
1994 homes, and park trailers. The rules shall ensure that the home
1995 or park trailer is installed on a permanent foundation that
1996 resists wind, flood, flotation, overturning, sliding, and
1997 lateral movement of the home or park trailer. ~~Only No entity,~~
1998 ~~other than the department may, has authority to~~ amend these
1999 uniform standards. The owner of the mobile home, movable tiny
2000 home, manufactured home, or park trailer ~~is shall be~~ responsible
2001 for the installation in accordance with department rules.

2-01158-23

20231404__

2002 Section 44. Section 320.835, Florida Statutes, is amended
2003 to read:

2004 320.835 Mobile home, movable tiny home, and recreational
2005 vehicle warranties.—Each manufacturer, dealer, installer, and
2006 supplier of mobile homes, movable tiny homes, or recreational
2007 vehicles shall warrant each new mobile home, movable tiny home,
2008 or recreational vehicle sold in this state and the setup of each
2009 such mobile home, in accordance with the warranty requirements
2010 prescribed by this section, for a period of at least 12 months,
2011 measured from the date of delivery of the mobile home to the
2012 buyer or the date of sale of the movable tiny home or
2013 recreational vehicle in the case of a manufacturer or dealer, or
2014 from the date of receipt of a certificate of occupancy in the
2015 case of an installer. The warranty requirements of each
2016 manufacturer, dealer, installer, and supplier of mobile homes,
2017 movable tiny homes, or recreational vehicles are as follows:

2018 (1) The manufacturer warrants:

2019 (a) For a mobile home, movable tiny home, or recreational
2020 vehicle, that all structural elements; plumbing systems;
2021 heating, cooling, and fuel-burning systems; electrical systems;
2022 fire prevention systems; and any other components or conditions
2023 included by the manufacturer are free from substantial defect.

2024 (b) That 100-ampere electrical service exists in the mobile
2025 home.

2026 (2) The dealer warrants:

2027 (a) That any modifications or alterations made to the
2028 mobile home, movable tiny home, or recreational vehicle by the
2029 dealer or authorized by the dealer shall be free from
2030 substantial defect. Alterations or modifications made by a

2-01158-23

20231404__

2031 dealer shall relieve the manufacturer of warranty responsibility
2032 only as to the item altered or modified.

2033 (b) That setup operations performed on the mobile home are
2034 performed in compliance with s. 320.8325.

2035 (c) That substantial defects do not occur to the mobile
2036 home during setup or by transporting it to the occupancy site.

2037
2038 When the setup of a mobile home is performed by a person who is
2039 not an employee or agent of the mobile home manufacturer or
2040 dealer and is not compensated or authorized by, or connected
2041 with, such manufacturer or dealer, ~~then~~ the warranty
2042 responsibility of the manufacturer or dealer as to setup shall
2043 be limited to transporting the mobile home to the occupancy site
2044 free from substantial defect.

2045 (3) The installer warrants that the setup operations
2046 performed on the mobile home are performed in compliance with s.
2047 320.8325 and department rules governing the installation.

2048 (4) The supplier warrants that any warranties generally
2049 offered in the ordinary sale of his or her product to consumers
2050 shall be extended to buyers of mobile homes, movable tiny homes,
2051 and recreational vehicles. When a ~~no~~ warranty is not extended by
2052 suppliers, the manufacturer shall assume warranty responsibility
2053 for that component.

2054 (5) The department may adopt rules under chapter 120 to
2055 resolve disputes that may arise among the mobile home
2056 manufacturer, dealer, installer, or supplier. Those rules must
2057 comply with the dispute resolution process as set forth in the
2058 federal Manufactured Housing Improvement Act.

2059 Section 45. Section 205.193, Florida Statutes, is amended

2-01158-23

20231404__

2060 to read:

2061 205.193 Mobile home setup operations; local business tax
2062 receipt prohibited; exception.—A county, municipality, or other
2063 unit of local government may not require a licensed mobile home
2064 dealer or a licensed mobile home manufacturer, or an employee of
2065 a dealer or manufacturer, who performs setup operations as
2066 defined in s. 320.822(16) ~~s. 320.822~~ to be a business tax
2067 receipt holder to engage in such operations. However, such dealer
2068 or manufacturer must obtain a local receipt for his or her
2069 permanent business location or branch office, which receipt
2070 shall not require for its issuance any conditions other than
2071 those required by chapter 320.

2072 Section 46. Subsections (1) and (2) of section 212.0601,
2073 Florida Statutes, are amended to read:

2074 212.0601 Use taxes of vehicle dealers.—

2075 (1) Each motor vehicle dealer who is required by s.
2076 320.08(13) ~~s. 320.08(12)~~ to purchase one or more dealer license
2077 plates shall pay an annual use tax of \$27 for each dealer
2078 license plate purchased under that subsection, in addition to
2079 the license tax imposed by that subsection. The use tax shall be
2080 for the year for which the dealer license plate was purchased.

2081 (2) There shall be no additional tax imposed by this
2082 chapter for the use of a dealer license plate for which, after
2083 July 1, 1987, a dealer use tax has been paid under this section.
2084 This exemption shall apply to the time period before the sale or
2085 any other disposition of the vehicle throughout the year for
2086 which the dealer license plate required by s. 320.08(13) ~~s.~~
2087 ~~320.08(12)~~ is purchased.

2088 Section 47. Paragraph (a) of subsection (3) of section

2-01158-23

20231404__

2089 320.06, Florida Statutes, is amended to read:

2090 320.06 Registration certificates, license plates, and
2091 validation stickers generally.—

2092 (3) (a) Registration license plates must be made of metal
2093 specially treated with a retroreflection material, as specified
2094 by the department. The registration license plate is designed to
2095 increase nighttime visibility and legibility and must be at
2096 least 6 inches wide and not less than 12 inches in length,
2097 unless a plate with reduced dimensions is deemed necessary by
2098 the department to accommodate motorcycles, mopeds, or similar
2099 smaller vehicles. Validation stickers must also be treated with
2100 a retroreflection material, must be of such size as specified by
2101 the department, and must adhere to the license plate. The
2102 registration license plate must be imprinted with a combination
2103 of bold letters and numerals or numerals, not to exceed seven
2104 digits, to identify the registration license plate number. The
2105 license plate must be imprinted with the word "Florida" at the
2106 top and the name of the county in which it is sold, the state
2107 motto, or the words "Sunshine State" at the bottom. Apportioned
2108 license plates must have the word "Apportioned" at the bottom,
2109 and license plates issued for vehicles taxed under s.

2110 320.08(3) (d), (4) (m) or (n), (5) (b) or (c), or (15) ~~(14)~~ must
2111 have the word "Restricted" at the bottom. License plates issued
2112 for vehicles taxed under s. 320.08(13) ~~s. 320.08(12)~~ must be
2113 imprinted with the word "Florida" at the top and the word
2114 "Dealer" at the bottom unless the license plate is a specialty
2115 license plate as authorized in s. 320.08056. Manufacturer
2116 license plates issued for vehicles taxed under s. 320.08(13) ~~s.~~
2117 ~~320.08(12)~~ must be imprinted with the word "Florida" at the top

2-01158-23

20231404__

2118 and the word "Manufacturer" at the bottom. License plates issued
 2119 for vehicles taxed under s. 320.08(5)(d) or (e) must be
 2120 imprinted with the word "Wrecker" at the bottom. Any county may,
 2121 upon majority vote of the county commission, elect to have the
 2122 county name removed from the license plates sold in that county.
 2123 The state motto or the words "Sunshine State" shall be printed
 2124 in lieu thereof. A license plate issued for a vehicle taxed
 2125 under s. 320.08(6) may not be assigned a registration license
 2126 number, or be issued with any other distinctive character or
 2127 designation, that distinguishes the motor vehicle as a for-hire
 2128 motor vehicle.

2129 Section 48. Subsection (1) of section 320.133, Florida
 2130 Statutes, is amended to read:

2131 320.133 Transporter license plates.—

2132 (1) The department may ~~is authorized to~~ issue a transporter
 2133 license plate to an ~~any~~ applicant who, incidental to the conduct
 2134 of his or her business, engages in the transporting of motor
 2135 vehicles that ~~which~~ are not currently registered to any owner
 2136 and that ~~which~~ do not have license plates, upon payment of the
 2137 license tax imposed by s. 320.08(16) ~~s. 320.08(15)~~ for each such
 2138 license plate and upon proof of liability insurance coverage in
 2139 the amount of \$100,000 or more. Such a transporter license plate
 2140 is valid for use on any motor vehicle in the possession of the
 2141 transporter while the motor vehicle is being transported in the
 2142 course of the transporter's business.

2143 Section 49. Subsection (11) of section 320.77, Florida
 2144 Statutes, is amended to read:

2145 320.77 License required of mobile home dealers.—

2146 (11) SETUP OPERATIONS.—Each licensee may perform setup

2-01158-23

20231404__

2147 operations only as defined in s. 320.822(16) ~~s. 320.822~~, and the
2148 department shall provide by rule for the uniform application of
2149 all existing statutory provisions relating to licensing and
2150 setup operations.

2151 Section 50. Subsections (6), (12), and (15) of section
2152 320.8249, Florida Statutes, are amended to read:

2153 320.8249 Mobile home installers license.—

2154 (6) For purposes of this section, the term "installation,"
2155 has the same meaning as the term as used herein, is synonymous
2156 with "setup" as defined in s. 320.822(16) ~~s. 320.822(14)~~.

2157 (12) A county, municipality, or other unit of local
2158 government may not require additional licensing, bonding, or
2159 insurance of a duly licensed installer who performs setup
2160 operations as defined in s. 320.822(16) ~~s. 320.822~~. However, a
2161 county, municipality, or other unit of local government may
2162 require an installer to obtain a local occupational license,
2163 which license shall not require for its issuance any conditions
2164 other than those required by this chapter and payment of the
2165 appropriate occupational license fee.

2166 (15) In performing the installation, installers shall not
2167 perform plumbing or electrical activities prohibited by
2168 department rules related to setup operations pursuant to s.
2169 320.822(16) ~~s. 320.822~~.

2170 Section 51. Except as otherwise expressly provided in this
2171 act, this act shall take effect July 1, 2023, but only if SB ____
2172 or similar legislation takes effect, if such legislation is
2173 adopted in the same legislative session or an extension thereof
2174 and becomes a law.