

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

149 (46) (a) "Movable tiny home" means a transportable unit
 150 that has a body width of not more than 14 feet, that is built on

151 a 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
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
 185 from the exterior of the front of the body, nearest to the
 186 drawbar and coupling mechanism, to the exterior of the rear of
 187 the body, at the opposite end of the body, including any
 188 protrusions.

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

191 320.018 Taxation of movable tiny homes.—

192 (1) A movable tiny home as defined in s. 320.01(46),
 193 regardless of its actual use, is subject only to a license tax
 194 unless classified and taxed as real property. A movable tiny
 195 home is considered real property only when the owner of the
 196 movable tiny home is also the owner of the land on which the
 197 movable tiny home is situated and such movable tiny home is
 198 permanently affixed thereto. A prefabricated or modular housing
 199 unit or portion thereof not manufactured upon an integral
 200 chassis or undercarriage for travel over highways shall be taxed

201 as real property once it is permanently affixed to real
 202 property. This subsection does not apply to a display home or
 203 other inventory being held for sale by a manufacturer or dealer
 204 of modular housing units.

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

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

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

219 (3) Before ~~Prior to~~ the registration in this state of a
 220 ~~any~~ vehicle registered outside the state, the application must
 221 be accompanied by either a sworn affidavit from the seller and
 222 purchaser verifying that the vehicle identification number shown
 223 on the affidavit is identical to the vehicle identification
 224 number shown on the motor vehicle or a copy of the appropriate
 225 departmental form evidencing that a physical examination has

226 | been made of the motor vehicle by the owner and by a duly
 227 | constituted police officer of any state, a licensed motor
 228 | vehicle dealer, a license inspector as provided by s. 320.58, or
 229 | a notary public commissioned by any state and that the vehicle
 230 | identification number shown on the applicable form and the
 231 | application is identical to the vehicle identification number
 232 | shown on the motor vehicle. Vehicle identification number
 233 | verification is not required for a ~~any~~ new vehicle sold in this
 234 | state by a licensed motor vehicle dealer, a ~~any~~ mobile home, a
 235 | movable tiny home, a ~~any~~ trailer or semitrailer with a net
 236 | weight of less than 2,000 pounds, or a ~~any~~ travel trailer or
 237 | camping trailer.

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

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

243 | (1) The tax collectors in the several counties of the
 244 | state, as authorized agents of the department, shall issue
 245 | registration certificates, registration license plates,
 246 | validation stickers, movable tiny home stickers, and mobile home
 247 | stickers to applicants, and shall provide to applicants for each
 248 | the option to register emergency contact information and the
 249 | option to be contacted with information about state and federal
 250 | benefits available as a result of military service, subject to

251 the requirements of law, in accordance with rules of the
 252 department. ~~A~~ Any person, firm, or corporation representing
 253 itself, through advertising or naming of the business, to be an
 254 authorized agent of the department commits ~~shall be deemed~~
 255 ~~guilty of~~ an unfair and deceptive trade practice as defined in
 256 part II of chapter 501. ~~No~~ Such person, firm, or corporation may
 257 not ~~shall~~ use ~~either~~ the state or county name as a part of its
 258 ~~their~~ business name when such use can reasonably be interpreted
 259 as an official state or county office.

260 (3) Each tax collector shall keep a full and complete
 261 record and account of all validation stickers, movable tiny home
 262 stickers, mobile home stickers, or other properties received by
 263 him or her from the department, or from any other source.
 264 Notwithstanding chapter 116, every county officer within this
 265 state authorized to collect funds provided for in this chapter
 266 shall pay all sums officially received by the officer into the
 267 State Treasury no later than 5 working days after the close of
 268 the business day in which the officer received the funds.
 269 Payment by county officers to the state shall be made by means
 270 of electronic funds transfer.

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

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

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

280 3. Issue or transfer registration license plates or
281 decals;

282 4. Electronically transfer fees due for the title and
283 registration process; and

284 5. Perform inquiries for title, registration, and
285 lienholder verification and certification of service providers,
286
287 is expressly preempted to the state, and the department shall
288 have regulatory authority over the system. The electronic filing
289 system shall be available for use statewide and applied
290 uniformly throughout the state.

291 Section 5. Section 320.031, Florida Statutes, is amended
292 to read:

293 320.031 Mailing of registration certificates, license
294 plates, and validation stickers.—

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

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

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

316 320.04 Registration service charge.—

317 (1)(a) A service charge of \$2.50 shall be imposed on each
318 application that is handled in connection with original
319 issuance, duplicate issuance, or transfer of a license plate,
320 mobile home sticker, movable tiny home sticker, or validation
321 sticker or with transfer or duplicate issuance of a registration
322 certificate. This service charge shall be retained by the
323 department or by the tax collector, as the case may be, as other
324 fees accruing to those offices.

325 (b) A service charge of \$1 shall also be imposed for the

326 issuance of each license plate validation sticker, vessel decal,
 327 ~~and mobile home sticker,~~ and movable tiny home sticker issued
 328 from an automated vending facility or printer dispenser machine.

329 This service charge is payable to the department and shall be
 330 used to provide for automated vending facilities or printer
 331 dispenser machines that are used to dispense such stickers and
 332 decals by each tax collector's or license tag agent's employee.

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

336 320.05 Records of the department; inspection procedure;
 337 lists and searches; fees.—

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

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

371 (3)

372 (b) Fees therefor shall be charged and collected as
373 follows:

374 1. For providing lists of motor vehicle or vessel records
375 for the entire state, or any part or parts thereof, divided

376 according to counties, a sum computed at a rate of not less than
 377 1 cent nor more than 5 cents per item.

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

380 3. For providing noncertified photographic copies of
 381 micrographic records, \$1 per page.

382 4. For providing certified copies of motor vehicle or
 383 vessel records, \$3 per record.

384 5. For providing noncertified computer-generated printouts
 385 of motor vehicle or vessel records, 50 cents per record.

386 6. For providing certified computer-generated printouts of
 387 motor vehicle or vessel records, \$3 per record.

388 7. For providing electronic access to motor vehicle,
 389 vessel, movable tiny home, and mobile home registration data
 390 requested by tag, vehicle identification number, title number,
 391 or decal number, 50 cents per item.

392 8. For providing electronic access to driver license
 393 status report by name, sex, and date of birth or by driver
 394 license number, 50 cents per item.

395 9. For providing lists of licensed mobile home dealers and
 396 manufacturers, movable tiny home dealers and manufacturers, and
 397 recreational vehicle dealers and manufacturers, \$15 per list.

398 10. For providing lists of licensed motor vehicle dealers,
 399 \$25 per list.

400 11. For each copy of a videotape record, \$15 per tape.

401 12. For each copy of the Division of Motorist Services
 402 Procedures Manual, \$25.

403 (e) When motor vehicle, vessel, movable tiny home, or
 404 mobile home registration data is provided by electronic access
 405 through a tax collector's office, the applicable fee as provided
 406 in paragraph (b) must be collected and deposited pursuant to
 407 paragraph (c). However, when such registration data is obtained
 408 through an electronic system described in s. 320.03(10), s.
 409 320.0609, or s. 320.131 and results in the issuance of a title
 410 certificate or the registration credential, such fee does ~~shall~~
 411 not apply.

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

415 320.055 Registration periods; renewal periods.—The
 416 following registration periods and renewal periods are
 417 established:

418 (1)

419 (b) A motor vehicle, ~~or~~ mobile home, or movable tiny home
 420 that is subject to registration under s. 320.08(1), (2), (3),
 421 (4)(a) or (b), (6), (7), (8), (9), (10), ~~or~~ (11), or (12) is
 422 eligible for an extended registration period as defined in s.
 423 320.01(19)(b).

424 (2) For a vehicle subject to registration under s.
 425 320.08(11) or (12), the registration period begins January 1 and

426 ends December 31. For a vehicle subject to this registration
427 period, the renewal period is the 31-day period before ~~prior to~~
428 expiration.

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

434 (4) For a vehicle subject to registration under s.
435 320.08(14) ~~s. 320.08(13)~~, for vehicles subject to registration
436 under s. 320.08(6)(a) that are short-term rental vehicles, and
437 for any vehicle for which a registration period is not otherwise
438 specified, the registration period begins June 1 and ends May
439 31. For a vehicle subject to this registration period, the
440 renewal period is the 30-day period beginning June 1.

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

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451 nonapportioned registration under s. 320.08(4)(c)-(n), (5)(a)1.,
452 (6)(b), or (15) ~~(14)~~, the registration period begins December 1
453 and ends November 30. The renewal period is the 31-day period
454 beginning December 1.

455 Section 9. Effective September 1, 2023, subsection (2) of
456 section 320.055, Florida Statutes, as amended by chapter 2022-
457 123, Laws of Florida, is amended to read:

458 320.055 Registration periods; renewal periods.—The
459 following registration periods and renewal periods are
460 established:

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

466 Section 10. Subsection (2) of section 320.0607, Florida
467 Statutes, is amended to read:

468 320.0607 Replacement license plates, validation decal,
469 movable tiny home sticker, or mobile home sticker.—

470 (2) When a license plate, mobile home sticker, movable
471 tiny home sticker, or validation decal has been lost, stolen, or
472 destroyed, the owner of the motor vehicle, ~~or~~ mobile home, or
473 movable tiny home for which the plate, sticker, or decal was
474 issued shall make application to the department for a
475 replacement. The application shall contain the plate, sticker,

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476 or decal number being replaced and a statement that the item was
477 lost, stolen, or destroyed. If the application includes a copy
478 of the police report prepared in response to a report of a
479 stolen plate, sticker, or decal, such plate, sticker, or decal
480 must be replaced at no charge.

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

483 320.0609 Transfer and exchange of registration license
484 plates; transfer fee.—

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

495 Section 12. Section 320.061, Florida Statutes, is amended
496 to read:

497 320.061 Unlawful to alter motor vehicle registration
498 certificates, license plates, temporary license plates, mobile
499 home stickers, movable tiny home stickers, or validation
500 stickers or to obscure license plates; penalty.—A person may not

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

515 Section 13. Subsections (1), (2), (3), and (5) of section
 516 320.07, Florida Statutes, are amended to read:

517 320.07 Expiration of registration; renewal required;
 518 penalties.—

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

526 | midnight on the owner's birthday, unless the registration has
 527 | been renewed according to law.

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

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

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

546 | (3) The operation of a ~~any~~ motor vehicle without having
 547 | attached thereto a registration license plate and validation
 548 | stickers, or the use of a ~~any~~ mobile home or movable tiny home
 549 | without having attached thereto a mobile home sticker or movable
 550 | tiny home sticker, for the current registration period subjects

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551 ~~shall subject~~ the owner thereof, if he or she is present, or, if
552 the owner is not present, the operator thereof to the following
553 penalties ~~penalty provisions~~:

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

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

565 (c) A ~~Any~~ person whose motor vehicle, ~~or~~ mobile home, or
566 movable tiny home registration has been expired for more than 6
567 months, upon a second or subsequent offense, commits a
568 misdemeanor of the second degree, punishable as provided in s.
569 775.082 or s. 775.083.

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

574 (e) A ~~Any~~ servicemember, ~~as defined in s. 250.01,~~ whose
575 mobile home or movable tiny home registration expired while he

576 or she was serving on active duty or state active duty shall not
 577 be charged with a violation of this subsection if, at the time
 578 of the offense, the servicemember was serving on active duty or
 579 state active duty 35 miles or more from the mobile home or
 580 movable tiny home. The servicemember must present to the
 581 department either a copy of the official military orders or a
 582 written verification signed by the servicemember's commanding
 583 officer to receive a waiver of charges.

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

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

600 Section 14. Section 320.071, Florida Statutes, is amended

601 to read:

602 320.071 Advance registration renewal; procedures.—

603 (1) (a) The owner of a ~~any~~ motor vehicle, or ~~or~~ mobile home, or
 604 or movable tiny home currently registered in this state may file
 605 an application for renewal of registration with the department,
 606 or its authorized agent in the county wherein the owner resides,
 607 any time during the 3 months preceding the date of expiration of
 608 the registration period. The registration period may not exceed
 609 27 months.

610 (b) The owner of any apportionable vehicle currently
 611 registered in this state under the International Registration
 612 Plan may file an application for renewal of registration with
 613 the department any time during the 3 months preceding the date
 614 of expiration of the registration period.

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

624 (3) A ~~Any~~ person who uses a mobile home sticker, movable
 625 tiny home sticker, or validation sticker without lawful

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626 authority or who willfully violates a ~~any~~ rule of the department
 627 relating to this section commits ~~is guilty of~~ a misdemeanor of
 628 the second degree, punishable as provided in s. 775.082 or s.
 629 775.083.

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

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

639 (12) DEALER AND MANUFACTURER LICENSE PLATES.—A franchised
 640 motor vehicle dealer, independent motor vehicle dealer, marine
 641 boat trailer dealer, ~~or~~ mobile home dealer and manufacturer, or
 642 movable tiny home dealer and manufacturer license plate: \$17
 643 flat. For additional fees as set forth in s. 320.08056, dealers
 644 may purchase specialty license plates in lieu of the standard
 645 dealer license plates. Dealers shall be responsible for all
 646 costs associated with the specialty license plate, including all
 647 annual use fees, processing fees, fees associated with switching
 648 license plate types, and any other applicable fees.

649 Section 16. Section 320.0802, Florida Statutes, is amended
 650 to read:

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

658 Section 17. Section 320.0804, Florida Statutes, is amended
 659 to read:

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

669 Section 18. Section 320.08046, Florida Statutes, is
 670 amended to read:

671 320.08046 Juvenile programs surcharge on license tax.—A
 672 surcharge of \$1 shall be imposed on each license tax imposed
 673 under s. 320.08, except those set forth in s. 320.08(11) and
 674 (12), which shall be collected in the same manner as the license
 675 tax and deposited into the Grants and Donations Trust Fund in

676 the Department of Juvenile Justice to fund the juvenile crime
677 prevention programs and the community juvenile justice
678 partnership grants program.

679 Section 19. Subsections (1), (2), and (3) of section
680 320.081, Florida Statutes, are amended to read:

681 320.081 Collection and distribution of annual license tax
682 imposed on the following type units.—

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

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

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

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

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

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

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

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

734 320.10 Exemptions.—

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

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

741 (2) Any such vehicle, ~~or~~ mobile home, or movable tiny
 742 home, except one owned or operated exclusively by the Federal
 743 Government, shall be furnished a license plate, validation
 744 sticker, ~~or~~ mobile home sticker, or movable tiny home sticker
 745 upon the proper application to the department and upon the
 746 payment of \$3 ~~to cover the cost of same.~~ For any motor vehicle,
 747 ~~or~~ mobile home, or movable tiny home that ~~which~~ is exempt under
 748 paragraph (1)(a), there shall be issued a license plate,
 749 validation sticker, ~~or~~ mobile home sticker, or movable tiny home
 750 sticker prescribed by s. 320.06; and for any vehicle that ~~which~~

751 is exempt under paragraphs (1) (c) - (h), there shall be issued a
 752 license plate under series "X." Vehicles exempt under this
 753 provision must be equipped with proper license plates showing
 754 such exempt status.

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

757 320.13 Dealer and manufacturer license plates and
 758 alternative method of registration.—

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

772 (b)1. Marine boat trailer dealers and manufacturers may,
 773 upon payment of the license taxes imposed by s. 320.08(13) ~~s.~~
 774 ~~320.08(12)~~, secure one or more dealer plates, which are valid
 775 for use on boat trailers owned by the dealer to whom such plates

776 are issued while being used in connection with such dealer's
 777 business, but are not valid for use for hire.

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

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

796 (2) A licensed manufacturer, importer, or distributor of
 797 motor vehicles may, upon payment of the license tax imposed by
 798 s. 320.08(13) ~~s. 320.08(12)~~, secure one or more manufacturer
 799 license plates, which are valid for use on motor vehicles owned
 800 by the manufacturer, importer, or distributor to whom such

801 plates are issued while the motor vehicles are in inventory and
 802 for sale, being operated for demonstration purposes, or in
 803 connection with the manufacturer's business, but are not valid
 804 for use for hire.

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

807 320.131 Temporary tags.—

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

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

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

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

824 Section 24. Section 320.15, Florida Statutes, is amended
 825 to read:

826 320.15 Refund of license tax.—

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

840 (2) A motor vehicle registrant, ~~or~~ mobile home owner, or
 841 movable tiny home owner who has renewed a motor vehicle
 842 registration during the advance renewal period pursuant to s.
 843 320.071 and who surrenders the license plate for the vehicle
 844 before the end of the renewal period may apply for a refund of
 845 the license taxes assessed in s. 320.08.

846 Section 25. Section 320.17, Florida Statutes, is amended
 847 to read:

848 320.17 Classification of vehicles, ~~and~~ mobile homes, and
 849 movable tiny homes; assessment of license tax by department.—The
 850 department may, in accordance with ~~the provisions of this~~

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

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

866 320.18 Withholding registration.—

867 (1) The department may withhold the registration of any
 868 motor vehicle, ~~or~~ mobile home, or movable tiny home the owner or
 869 co-owner of which has failed to register it under the provisions
 870 of law for any previous period or periods for which it appears
 871 registration should have been made in this state until the tax
 872 for such period or periods is paid. The department may cancel
 873 any vehicle or vessel registration, driver license,
 874 identification card, or fuel-use tax decal if the owner or co-
 875 owner pays for any vehicle or vessel registration, driver

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

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

892 Section 27. Section 320.19, Florida Statutes, is amended
 893 to read:

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

901 provided by law, enforce the lien by issuance of a tax warrant.
 902 The sheriff or other person to whom such warrant is directed
 903 shall proceed upon the warrant in the manner and with like
 904 effect as is prescribed by law for executions issued against
 905 property upon judgments of record.

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

908 320.203 Disposition of biennial license tax moneys.—

909 (1) Notwithstanding ss. 320.08(1), (2), (3), (4)(a) or
 910 (b), (6), (7), (8), (9), (10), ~~or (11)~~, or (12), 320.08058, and
 911 328.76 and pursuant to s. 216.351, after the provisions of s.
 912 320.20(1), (2), (3), (4), and (5) are fulfilled, an amount equal
 913 to 50 percent of revenues collected from the biennial
 914 registrations created in s. 320.07 shall be retained in the
 915 Motor Vehicle License Clearing Trust Fund, authorized in s.
 916 215.32(2)(b)2.f., until July 1. After July 1 of the subsequent
 917 fiscal year, an amount equal to 50 percent of revenues collected
 918 from the biennial registrations created in s. 320.07 shall be
 919 distributed according to ss. 320.08(1), (2), (3), (4)(a) or (b),
 920 (6), (7), (8), (9), (10), ~~or (11)~~, or (12), 320.08058, 328.76,
 921 and 320.20(1), (2), (3), (4), and (5).

922 Section 29. Section 320.26, Florida Statutes, is amended
 923 to read:

924 320.26 Counterfeiting license plates, validation stickers,
 925 mobile home stickers, movable tiny home stickers, cab cards,

926 | trip permits, or special temporary operational permits
 927 | prohibited; penalty.—

928 | (1) (a) A ~~No~~ person may not ~~shall~~ counterfeit registration
 929 | license plates, validation stickers, ~~or~~ mobile home stickers, or
 930 | movable tiny home stickers, or have in his or her possession any
 931 | such plates or stickers; nor shall a ~~any~~ person manufacture,
 932 | sell, or dispose of registration license plates, validation
 933 | stickers, ~~or~~ mobile home stickers, or movable tiny home stickers
 934 | in the state without first having obtained the permission and
 935 | authority of the department in writing.

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

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

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

948 | (b) If the violator is an association or corporation, it
 949 | is punishable as provided in s. 775.083, and the official of the
 950 | association or corporation under whose direction or with whose

951 knowledge, consent, or acquiescence such violation occurred may
 952 be punished as provided in s. 775.082, in addition to the fine
 953 ~~that which~~ may be imposed upon such association or corporation.

954 Section 30. Section 320.261, Florida Statutes, is amended
 955 to read:

956 320.261 Attaching registration license plate not assigned
 957 unlawful; penalty.—A Any person who knowingly attaches to a any
 958 motor vehicle, ~~or~~ mobile home, or movable tiny home a any
 959 registration license plate, or who knowingly attaches a any
 960 validation sticker, ~~or~~ mobile home sticker, or movable tiny home
 961 sticker to a registration license plate, which plate or sticker
 962 was not issued and assigned or lawfully transferred to such
 963 motor vehicle, mobile home, or movable tiny home commits is
 964 ~~guilty of~~ a misdemeanor of the second degree, punishable as
 965 provided in s. 775.082 or s. 775.083.

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

969 320.27 Motor vehicle dealers.—

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

974 (b) "Motor vehicle" means any motor vehicle of the type
 975 and kind required to be registered and titled under chapter 319

976 and this chapter, except a recreational vehicle, moped,
 977 motorcycle powered by a motor with a displacement of 50 cubic
 978 centimeters or less, ~~or~~ mobile home, or movable tiny home.

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

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

986 1. Representation that a demonstrator is a new motor
 987 vehicle, or the attempt to sell or the sale of a demonstrator as
 988 a new motor vehicle without written notice to the purchaser that
 989 the vehicle is a demonstrator. For the purposes of this section,
 990 a "demonstrator," a "new motor vehicle," and a "used motor
 991 vehicle" shall be defined as under s. 320.60.

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

998 3. Misrepresentation or false, deceptive, or misleading
 999 statements with regard to the sale or financing of motor
 1000 vehicles which any motor vehicle dealer has, or causes to have,

1001 advertised, printed, displayed, published, distributed,
 1002 broadcast, televised, or made in any manner with regard to the
 1003 sale or financing of motor vehicles.

1004 4. Failure by any motor vehicle dealer to provide a
 1005 customer or purchaser with an odometer disclosure statement and
 1006 a copy of any bona fide written, executed sales contract or
 1007 agreement of purchase connected with the purchase of the motor
 1008 vehicle purchased by the customer or purchaser.

1009 5. Failure of any motor vehicle dealer to comply with the
 1010 terms of any bona fide written, executed agreement, pursuant to
 1011 the sale of a motor vehicle.

1012 6. Failure to apply for transfer of a title as prescribed
 1013 in s. 319.23(6).

1014 7. Use of the dealer license identification number by any
 1015 person other than the licensed dealer or his or her designee.

1016 8. Failure to continually meet the requirements of the
 1017 licensure law.

1018 9. Representation to a customer or any advertisement to
 1019 the public representing or suggesting that a motor vehicle is a
 1020 new motor vehicle if such vehicle lawfully cannot be titled in
 1021 the name of the customer or other member of the public by the
 1022 seller using a manufacturer's statement of origin as permitted
 1023 in s. 319.23(1).

1024 10. Requirement by any motor vehicle dealer that a
 1025 customer or purchaser accept equipment on his or her motor

1026 | vehicle which was not ordered by the customer or purchaser.

1027 | 11. Requirement by any motor vehicle dealer that any
1028 | customer or purchaser finance a motor vehicle with a specific
1029 | financial institution or company.

1030 | 12. Requirement by any motor vehicle dealer that the
1031 | purchaser of a motor vehicle contract with the dealer for
1032 | physical damage insurance.

1033 | 13. Perpetration of a fraud upon any person as a result of
1034 | dealing in motor vehicles, including, without limitation, the
1035 | misrepresentation to any person by the licensee of the
1036 | licensee's relationship to any manufacturer, importer, or
1037 | distributor.

1038 | 14. Violation of any of the provisions of s. 319.35 by any
1039 | motor vehicle dealer.

1040 | 15. Sale by a motor vehicle dealer of a vehicle offered in
1041 | trade by a customer prior to consummation of the sale, exchange,
1042 | or transfer of a newly acquired vehicle to the customer, unless
1043 | the customer provides written authorization for the sale of the
1044 | trade-in vehicle prior to delivery of the newly acquired
1045 | vehicle.

1046 | 16. Willful failure to comply with any administrative rule
1047 | adopted by the department or the provisions of s. 320.131(8).

1048 | 17. Violation of chapter 319, this chapter, or ss.
1049 | 559.901-559.9221, which has to do with dealing in or repairing
1050 | motor vehicles, ~~or~~ mobile homes, or movable tiny homes.

1051 Additionally, in the case of used motor vehicles, the willful
 1052 violation of the federal law and rule in 15 U.S.C. s. 2304, 16
 1053 C.F.R. part 455, pertaining to the consumer sales window form.

1054 18. Failure to maintain evidence of notification to the
 1055 owner or co-owner of a vehicle regarding registration or titling
 1056 fees owed as required in s. 320.02(17).

1057 19. Failure to register a mobile home salesperson or
 1058 movable tiny home salesperson with the department as required by
 1059 this section.

1060 Section 32. Section 320.28, Florida Statutes, is amended
 1061 to read:

1062 320.28 Nonresident dealers in secondhand motor vehicles,
 1063 recreational vehicles, movable tiny homes, or mobile homes.—
 1064 Every dealer in used or secondhand motor vehicles, recreational
 1065 vehicles, movable tiny homes, or mobile homes who is a
 1066 nonresident of the state, does not have a permanent place of
 1067 business in this state, and has not qualified as a dealer under
 1068 ~~the provisions of~~ ss. 320.27, 320.77, ~~and~~ 320.771, and 320.772,
 1069 and any person other than a dealer qualified under ~~the~~
 1070 ~~provisions of said~~ ss. 320.27, 320.77, ~~and~~ 320.771, and 320.772,
 1071 who brings any used or secondhand motor vehicle, recreational
 1072 vehicle, movable tiny home, or mobile home into the state for
 1073 the purpose of sale, except to a dealer licensed under ~~the~~
 1074 ~~provisions of~~ ss. 320.27, 320.77, ~~and~~ 320.771, and 320.772,
 1075 shall, at least 10 days before ~~prior to~~ the sale ~~of said~~

1076 ~~vehicle~~, the offering ~~of said vehicle~~ for sale, or the
 1077 advertising ~~of said vehicle~~ for sale of such vehicle, make and
 1078 file with the department the official application for a
 1079 certificate of title for such ~~said~~ vehicle as provided by law.
 1080 Any person who has had one or more transactions involving the
 1081 sale of three or more used or secondhand motor vehicles,
 1082 recreational vehicles, movable tiny homes, or mobile homes in
 1083 Florida during any 12-month period shall be deemed to be a
 1084 secondhand dealer in motor vehicles, recreational vehicles,
 1085 movable tiny homes, or mobile homes.

1086 Section 33. Paragraph (c) of subsection (2) of section
 1087 320.37, Florida Statutes, is amended to read:

1088 320.37 Registration not to apply to nonresidents.—

1089 (2) The exemption granted by this section does not apply
 1090 to:

1091 (c) Recreational vehicles, movable tiny homes, or mobile
 1092 homes located in this state for at least 6 consecutive months;
 1093 or

1094 Section 34. Subsection (1) of section 320.71, Florida
 1095 Statutes, is amended to read:

1096 320.71 Nonresident motor vehicle, mobile home, movable
 1097 tiny home, or recreational vehicle dealer's license.—

1098 (1) A ~~Any~~ person who is a nonresident of the state, who
 1099 does not have a dealer's contract from the manufacturer or
 1100 manufacturer's distributor of motor vehicles, mobile homes,

1101 movable tiny homes, or recreational vehicles authorizing the
 1102 sale thereof in definite Florida territory, and who sells or
 1103 engages in the business of selling such ~~said~~ vehicles at retail
 1104 within the state shall register with the Department of Revenue
 1105 for a sales tax dealer registration number, ~~and~~ comply with
 1106 chapter 212, and pay a license tax of \$2,000 per annum in each
 1107 county where such sales are made. Of such tax, ~~\$1,250 of said~~
 1108 ~~tax~~ shall be transmitted to the Department of Financial Services
 1109 to be deposited in the General Revenue Fund of the state, and
 1110 \$750 ~~thereof~~ shall be returned to the county. The license tax
 1111 shall cover the period from January 1 to the following December
 1112 31, and ~~no~~ such license may not ~~shall~~ be issued for any
 1113 fractional part of a year.

1114 Section 35. Subsection (11) of section 320.771, Florida
 1115 Statutes, is amended, and subsection (18) is added to that
 1116 section, to read:

1117 320.771 License required of recreational vehicle dealers.—

1118 (11) SETUP OPERATIONS.—Each licensee may perform setup
 1119 operations only as defined in s. 320.822(16) ~~s. 320.822~~, and the
 1120 department shall provide by rule for the uniform application of
 1121 all existing statutory provisions relating to licensing and
 1122 setup operations.

1123 (18) MOVABLE TINY HOMES.—A licensed recreational vehicle
 1124 dealer may also sell movable tiny homes.

1125 Section 36. Section 320.772, Florida Statutes, is created

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1126 to read:

1127 320.772 License required of movable tiny home dealers.-

1128 (1) DEFINITIONS.-As used in this section, the term:

1129 (a)1. "Dealer" means a person engaged in the business of
1130 buying, selling, or dealing in movable tiny homes or offering or
1131 displaying movable tiny homes for sale. The term "dealer"
1132 includes a movable tiny home broker. A person who buys, sells,
1133 deals in, or offers or displays for sale, or who acts as the
1134 agent for the sale of, one or more movable tiny homes in any 12-
1135 month period shall be prima facie presumed to be a dealer. The
1136 terms "selling" and "sale" include lease-purchase transactions.
1137 The term "dealer" does not include banks, credit unions, and
1138 finance companies that acquire movable tiny homes as an incident
1139 to their regular business and does not include mobile home
1140 rental and leasing companies that sell movable tiny homes to
1141 dealers licensed under this section.

1142 2. A licensed dealer may transact business in movable tiny
1143 homes with a motor vehicle auction as defined in s.

1144 320.27(1)(c)4. Further, a licensed dealer may, at retail or
1145 wholesale, sell a motor vehicle, as described in s.

1146 320.01(1)(a), acquired in exchange for the sale of a movable
1147 tiny home if the acquisition is incidental to the principal
1148 business of being a movable tiny home dealer. However, a movable
1149 tiny home dealer may not buy a motor vehicle for the purpose of
1150 resale unless licensed as a motor vehicle dealer pursuant to s.

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1151 320.27. A dealer may apply for a certificate of title to a
1152 movable tiny home required to be registered under s. 320.08(12),
1153 using a manufacturer's statement of origin as permitted by s.
1154 319.23(1), only if the dealer is authorized by a
1155 manufacturer/dealer agreement, as defined in s. 320.3202, on
1156 file with the department, to buy, sell, or deal in that
1157 particular line-make of movable tiny home and the dealer is
1158 authorized by the manufacturer/dealer agreement to perform
1159 delivery and preparation obligations and warranty defect
1160 adjustments on that line-make.

1161 (b) "Movable tiny home broker" means a person who is
1162 engaged in the business of offering to procure or procuring used
1163 movable tiny homes for the general public; who holds himself or
1164 herself out through solicitation, advertisement, or otherwise as
1165 one who offers to procure or procures used movable tiny homes
1166 for the general public; or who acts as the agent or intermediary
1167 on behalf of the owner or seller of a used movable tiny home
1168 that is for sale or who assists or represents the seller in
1169 finding a buyer for the movable tiny home.

1170 (2) LICENSE REQUIRED.—A person may not engage in business
1171 as, or serve in the capacity of, a dealer in this state unless
1172 such person possesses a valid, current license as provided in
1173 this section. Motor vehicle dealers licensed under s. 320.27
1174 shall not be required to obtain the license provided in this
1175 section to sell motor vehicles as defined in s. 320.01(1)(b)4.,

1176 | 5., and 6.

1177 | (3) APPLICATION.—The application for such license shall be
 1178 | in the form prescribed by the department and subject to such
 1179 | rules as may be prescribed by it. The application shall be
 1180 | verified by oath or affirmation and shall contain:

1181 | (a) A full statement of the name and the date of birth of
 1182 | the person or persons applying therefor.

1183 | (b) The name of the firm or copartnership with the names
 1184 | and places of residence of all its members, if the applicant is
 1185 | a firm or copartnership.

1186 | (c) The names and places of residence of the principal
 1187 | officers, if the applicant is a body corporate or other
 1188 | artificial body.

1189 | (d) The name of the state under the laws of which the
 1190 | corporation is organized.

1191 | (e) The former place or places of residence of the
 1192 | applicant.

1193 | (f) The prior businesses in which the applicant has been
 1194 | engaged, the dates during which the applicant was engaged in
 1195 | such businesses, and the locations thereof.

1196 | (g) A description of the exact location of the place of
 1197 | business, when it was acquired, and whether it is owned in fee
 1198 | simple by the applicant. If leased, a true copy of the lease
 1199 | shall be attached to the application.

1200 | (h) Certification by the applicant that the location is a

1201 permanent one, not a tent or a temporary stand or other
1202 temporary quarters; that the location affords sufficient
1203 unoccupied space to store all movable tiny homes offered and
1204 displayed for sale; and that the location is a suitable place in
1205 which the applicant can in good faith carry on business and keep
1206 and maintain books, records, and files necessary to conduct such
1207 business, which will be available at all reasonable hours to
1208 inspection by the department or any of its inspectors or other
1209 employees.

1210 (i) Certification by the applicant that the business of a
1211 movable tiny home dealer is the principal business that shall be
1212 conducted at that location; however, this paragraph does not
1213 apply to movable tiny home or mobile home park operators
1214 licensed as mobile home or movable tiny home dealers.

1215 (j) A statement that the applicant is insured under a
1216 garage liability insurance policy, which shall include, at a
1217 minimum, \$25,000 combined single-limit liability coverage,
1218 including bodily injury and property damage protection, and
1219 \$10,000 personal injury protection, if the applicant is to be
1220 licensed as a dealer in, or intends to sell, movable tiny homes.
1221 However, a garage liability policy is not required for the
1222 licensure of a mobile home dealer who sells only park trailers.

1223 (k) A statement that the applicant for a movable tiny home
1224 license issued pursuant to this section has not and will not
1225 enter into any agreements, written or oral, with any other

1226 person or business entity which would constitute an unfair or
1227 deceptive trade practice in violation of part II of chapter 501.

1228 (1) Such other relevant information as may be required by
1229 the department. Each applicant, general partner in the case of a
1230 partnership, or corporate officer and director in the case of a
1231 corporate applicant must file a set of fingerprints with the
1232 department for the purpose of determining any prior criminal
1233 record or any outstanding warrants. The department shall submit
1234 the fingerprinting to the Department of Law Enforcement for
1235 state processing and forwarding to the Federal Bureau of
1236 Investigation for federal processing. The department may issue a
1237 license to an applicant pending the results of the fingerprint
1238 investigation, which license is fully revocable if the
1239 department subsequently determines that any facts set forth in
1240 the application are not true or correctly represented.

1241
1242 The department shall, if it deems necessary, cause an
1243 investigation to be made to ascertain whether the facts set
1244 forth in the application are true and shall not issue a license
1245 to the applicant until it is satisfied that the facts set forth
1246 in the application are true.

1247 (4) DENIAL OF LICENSE.—The department may deny any
1248 applicant a license on the ground that:

1249 (a) The applicant has made a material misstatement in the
1250 application for a license.

1251 (b) The applicant has failed to comply with any applicable
1252 provision of this chapter.

1253 (c) The applicant has failed to provide warranty service.

1254 (d) The applicant or one or more of the applicant's
1255 principals or agents has violated any law, rule, or regulation
1256 relating to the sale of movable tiny homes.

1257 (e) The department has proof of unfitness of the
1258 applicant.

1259 (f) The applicant has engaged in previous conduct in any
1260 state which would have been a ground for revocation or
1261 suspension of a license in this state.

1262 (g) The applicant has violated any of the provisions of
1263 the National Mobile Home Construction and Safety Standards Act
1264 of 1974 or any rule or regulation of the Department of Housing
1265 and Urban Development adopted thereunder.

1266
1267 Upon denial of a license, the department shall notify the
1268 applicant within 10 days, stating in writing its grounds for
1269 denial. The applicant is entitled to a public hearing and may
1270 request that such hearing be held within 45 days after denial of
1271 the license. All proceedings shall be pursuant to chapter 120.

1272 (5) LICENSE CERTIFICATE.—A license certificate shall be
1273 issued by the department in accordance with the application when
1274 the application is regular in form and in compliance with this
1275 section. The license certificate may be in the form of a

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1276 document or a computerized card as determined by the department.
1277 The license, when issued, shall entitle the licensee to carry on
1278 and conduct the business of a movable tiny home dealer at the
1279 location set forth in the license for 1 or 2 years from October
1280 1 preceding the date of issuance. Each initial application
1281 received by the department shall be accompanied by verification
1282 that, within the preceding 6 months, the applicant or one or
1283 more of his or her designated employees has attended a training
1284 and information seminar conducted by the department or by a
1285 public or private provider approved by the department. Such
1286 seminar shall include, but not be limited to, statutory dealer
1287 requirements, which requirements include required bookkeeping
1288 and recording procedures, requirements for the collection of
1289 sales and use taxes, and such other information that in the
1290 opinion of the department will promote good business practices.

1291 (6) SUPPLEMENTAL LICENSE.—A person licensed under this
1292 section shall be entitled to operate one or more additional
1293 places of business under a supplemental license for each such
1294 business if the ownership of each such business is identical to
1295 that of the principal business for which the original license is
1296 issued. Each supplemental license shall run concurrently with
1297 the original license and shall be issued upon application by the
1298 licensee on a form to be furnished by the department. Only one
1299 licensed dealer shall operate at the same place of business. A
1300 supplemental license authorizing off-premises sales shall be

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1301 issued, at no charge to the dealer, for up to 10 consecutive
1302 days. A licensed dealer who conducts an off-premises sale not in
1303 conjunction with a public vehicle show, as defined in s.
1304 320.3203(5)(c), shall:

1305 (a) Notify the applicable local department office of the
1306 specific dates and location for which such license is requested.

1307 (b) Provide staff to work at the temporary location for
1308 the duration of the off-premises sale.

1309 (c) Meet all local government permit requirements.

1310 (d) Have the permission of the property owner to operate
1311 at that location.

1312 (e) Conspicuously display a sign at the licensed location
1313 which clearly identifies the dealer's name and business address
1314 as listed on the dealer's original license.

1315 (f) Prominently include the dealer's name and business
1316 address, as listed on the dealer's original license, in all
1317 advertisements associated with such sale.

1318 (7) LICENSE ENDORSEMENT.—A mobile home dealer licensed
1319 under s. 320.77 may apply to the department for authority to
1320 sell movable tiny homes. The mobile home dealer shall file an
1321 application required by this section and shall be governed by
1322 the licensing provisions contained in this section. Additional
1323 license fees or bond shall not be required for issuance of this
1324 endorsement to the mobile home dealer's license.

1325 (8) RECORDS TO BE KEPT BY LICENSEE.—Each licensee shall

1326 | keep records in such form as shall be prescribed by the
 1327 | department. Such records shall include:

1328 | (a) A record of the purchase, sale, or exchange, or
 1329 | receipt for the purpose of sale, of any movable tiny home.

1330 | (b) The description of each such movable tiny home,
 1331 | including the identification or serial number and such other
 1332 | numbers or identification marks as may be thereon, and a
 1333 | statement that a number has been obliterated, defaced, or
 1334 | changed, if such fact is apparent.

1335 | (c) The name and address of the seller, the purchaser, and
 1336 | the alleged owner or other person from whom the movable tiny
 1337 | home was purchased or received and the person to whom it was
 1338 | sold or delivered, as the case may be.

1339 | (9) EVIDENCE OF TITLE REQUIRED.—

1340 | (a) The licensee shall also have in his or her possession
 1341 | for each new movable tiny home a manufacturer's invoice or
 1342 | statement of origin.

1343 | (b) For each used movable tiny home in the possession of a
 1344 | licensee and offered for sale by him or her, the licensee shall
 1345 | have in his or her possession or control a duly assigned
 1346 | certificate of title from the owner in accordance with chapter
 1347 | 319, or a registration certificate if the used movable tiny home
 1348 | was previously registered in a nontitle state, from the time
 1349 | when the movable tiny home is delivered to the licensee and
 1350 | offered for sale by him or her until it has been disposed of by

1351 the licensee, or shall have reasonable indicia of ownership or
1352 right of possession, or shall have made proper application for a
1353 certificate of title or duplicate certificate of title in
1354 accordance with chapter 319. A dealer may not sell or offer for
1355 sale a movable tiny home in his or her possession unless the
1356 dealer satisfies the requirements of this subsection. Reasonable
1357 indicia of ownership includes a duly assigned certificate of
1358 title; in the case of a new movable tiny home, a manufacturer's
1359 certificate of origin issued to or reassigned to the dealer; a
1360 consignment contract between the owner and the dealer along with
1361 a secure power of attorney from the owner to the dealer
1362 authorizing the dealer to apply for a duplicate certificate of
1363 title and assign the title on behalf of the owner; a court order
1364 awarding title to the movable tiny home to the dealer; a salvage
1365 certificate of title; a photocopy of a duly assigned certificate
1366 of title being held by a financial institution as collateral for
1367 a business loan of money to the dealer ("floor plan"); a copy of
1368 a canceled check or other documentation evidencing that an
1369 outstanding lien on a movable tiny home taken in trade by a
1370 licensed dealer has been satisfied and that the certificate of
1371 title will be, but has not yet been, received by the dealer; or
1372 a vehicle purchase order or installment contract for a specific
1373 movable tiny home identifying that movable tiny home as a trade-
1374 in on a replacement movable tiny home.

1375 (10) SETUP OPERATIONS.—Each licensee may perform setup

1376 operations only as defined in s. 320.822(16), and the department
1377 shall provide by rule for the uniform application of all
1378 existing statutory provisions relating to licensing and setup
1379 operations.

1380 (11) PENALTY.—A violation of this section is a misdemeanor
1381 of the second degree, punishable as provided in s. 775.082 or s.
1382 775.083.

1383 (12) INJUNCTION.—In addition to the remedies provided in
1384 this chapter, and notwithstanding the existence of any adequate
1385 remedy at law, the department may make application to a circuit
1386 court of the state, and the circuit court shall have
1387 jurisdiction, upon a hearing and for cause shown, to grant a
1388 temporary or permanent injunction restraining a person from
1389 acting as a movable tiny home dealer under this section who is
1390 not properly licensed or who violates or fails or refuses to
1391 comply with any of the provisions of chapter 319 and this
1392 chapter or any rule or regulation adopted thereunder. Such
1393 injunction shall be issued without bond. A single act in
1394 violation of chapter 319 or this chapter shall be sufficient to
1395 authorize the issuance of an injunction.

1396 (13) SUSPENSION OR REVOCATION.—The department shall, as it
1397 deems necessary, suspend or revoke a license issued under this
1398 section upon a finding that the licensee violated any provision
1399 of this section or of any other law of this state having to do
1400 with dealing in movable tiny homes or perpetrated a fraud upon a

1401 person as a result of such dealing in movable tiny homes.

1402 (14) ADMINISTRATIVE FINES.—In addition to the exercise of
1403 other powers provided in this section, the department may
1404 assess, impose, levy, and collect by legal process fines, in an
1405 amount not to exceed \$1,000 for each violation, against a
1406 licensee if it finds that the licensee has violated any
1407 provision of this section or any other law of this state having
1408 to do with dealing in movable tiny homes. A licensee is entitled
1409 to a hearing pursuant to chapter 120 should the licensee wish to
1410 contest the fine levied, or about to be levied, upon him or her.

1411 (15) BOND.—

1412 (a) Before a license is issued or renewed, the applicant
1413 shall deliver to the department a good and sufficient surety
1414 bond, executed by the applicant as principal and by a surety
1415 company qualified to do business in the state as surety. The
1416 bond shall be in a form to be approved by the department and
1417 shall be conditioned upon the dealer's complying with the
1418 conditions of any written contract made by that dealer in
1419 connection with the sale, exchange, or improvement of any
1420 movable tiny home and his or her not violating any of the
1421 provisions of chapter 319 or this chapter in the conduct of the
1422 business for which he or she is licensed. The bond shall be to
1423 the department and in favor of any retail customer who suffers
1424 any loss as a result of any violation of the conditions
1425 hereinabove contained. The bond shall be for the license period,

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1426 and a new bond or a proper continuation certificate shall be
1427 delivered to the department at the beginning of each license
1428 period. However, the aggregate liability of the surety in any
1429 one license year shall in no event exceed the sum of such bond.

1430 The amount of the bond required shall be as follows:

1431 1. A single dealer who buys, sells, or deals in movable
1432 tiny homes and has four or fewer supplemental licenses shall
1433 provide a surety bond in the amount of \$10,000.

1434 2. A single dealer who buys, sells, or deals in movable
1435 tiny homes and has more than four supplemental licenses shall
1436 provide a surety bond in the amount of \$20,000.

1437
1438 For purposes of this paragraph, a person who buys, sells, or
1439 deals in both mobile homes and movable tiny homes shall provide
1440 the same surety bond required of dealers who buy, sell, or deal
1441 in mobile homes only.

1442 (b) The department shall, upon denial, suspension, or
1443 revocation of a license, notify the surety company of the
1444 licensee, in writing, that the license has been denied,
1445 suspended, or revoked and shall state the reason for such
1446 denial, suspension, or revocation.

1447 (c) A surety company that pays a claim against the bond of
1448 a licensee shall notify the department, in writing, that it has
1449 paid such a claim and shall state the amount of the claim.

1450 (d) A surety company that cancels the bond of a licensee

1451 shall notify the department, in writing, of such cancellation
 1452 and shall state the reason for the cancellation.

1453 (16) PROHIBITED COMMISSION SHARING.-In accordance with s.
 1454 626.753, a dealer or movable tiny home broker, as defined in
 1455 this section, who is not a licensed insurance agent may not
 1456 share in the commission on the sale of insurance coverage on the
 1457 types of movable tiny homes defined in s. 320.01(46) by the
 1458 creation of a foreign partnership, corporation, or other entity
 1459 that is controlled by a person or entity not licensed as an
 1460 insurance agent.

1461 Section 37. Section 320.781, Florida Statutes, is amended
 1462 to read:

1463 320.781 Mobile Home, Movable Tiny Home, and Recreational
 1464 Vehicle Protection Trust Fund.-

1465 (1) There is ~~hereby~~ established a Mobile Home, Movable
 1466 Tiny Home, and Recreational Vehicle Protection Trust Fund. The
 1467 trust fund shall be administered and managed by the Department
 1468 of Highway Safety and Motor Vehicles. The expenses incurred by
 1469 the department in administering this section shall be paid only
 1470 from appropriations made from the trust fund.

1471 (2) ~~Beginning October 1, 1990,~~ The department shall charge
 1472 and collect an additional fee of \$1 for each new mobile home, ,
 1473 new movable tiny home, and new recreational vehicle title
 1474 transaction for which it charges a fee. This additional fee
 1475 shall be deposited into the trust fund. The Department of

1476 Highway Safety and Motor Vehicles shall charge a fee of \$40 per
 1477 annual dealer and manufacturer license and license renewal,
 1478 which shall be deposited into the trust fund. The sums deposited
 1479 in the trust fund shall be used exclusively for carrying out the
 1480 purposes of this section. These sums may be invested and
 1481 reinvested by the Chief Financial Officer under the same
 1482 limitations as apply to investment of other state funds, with
 1483 all interest from these investments deposited to the credit of
 1484 the trust fund.

1485 (3) The trust fund shall be used to satisfy any judgment
 1486 or claim by any person, as provided by this section, against a
 1487 mobile home, movable tiny home, or recreational vehicle dealer
 1488 or broker for damages, restitution, or expenses, including
 1489 reasonable attorney ~~attorney's~~ fees, resulting from a cause of
 1490 action directly related to the conditions of any written
 1491 contract made by him or her in connection with the sale,
 1492 exchange, or improvement of any mobile home, movable tiny home,
 1493 or recreational vehicle, or for any violation of chapter 319 or
 1494 this chapter.

1495 (4) The trust fund shall not be liable for any judgment,
 1496 or part thereof, resulting from any tort claim except as
 1497 expressly provided in subsection (3), nor for any punitive,
 1498 exemplary, double, or treble damages. A person, the state, or
 1499 any political subdivision thereof may recover against the mobile
 1500 home, movable tiny home, or recreational vehicle dealer, broker,

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1501 or surety, jointly and severally, for such damages, restitution,
1502 or expenses.~~;~~ ~~provided,~~ However, ~~that in no event shall the~~
1503 trust fund or the surety shall not be liable for an amount in
1504 excess of actual damages, restitution, or expenses.

1505 (5) Subject to the limitations and requirements of this
1506 section, the trust fund shall be used by the department to
1507 compensate persons who have unsatisfied judgments, or in certain
1508 limited circumstances unsatisfied claims, against a mobile home,
1509 movable tiny home, or recreational vehicle dealer or broker. The
1510 following conditions must exist for a person to be eligible to
1511 file a claim against the trust fund:

1512 (a) The claimant has obtained a final judgment that is
1513 unsatisfied against the mobile home, movable tiny home, or
1514 recreational vehicle dealer or broker or its surety jointly and
1515 severally, or against the mobile home or movable tiny home
1516 dealer or broker only, if the court found that the surety was
1517 not liable due to prior payment of valid claims against the bond
1518 in an amount equal to, or greater than, the face amount of the
1519 applicable bond; or the claimant is prohibited from filing a
1520 claim in a lawsuit because a bankruptcy proceeding is pending by
1521 the dealer or broker, and the claimant has filed a claim in that
1522 bankruptcy proceeding; or the dealer or broker has closed his or
1523 her business and cannot be found or located within the
1524 jurisdiction of the state; and

1525 (b) A claim has been made in a lawsuit against the surety

1526 and a judgment obtained is unsatisfied; a claim has been made in
1527 a lawsuit against the surety which has been stayed or discharged
1528 in a bankruptcy proceeding; or a claimant is prohibited from
1529 filing a claim in a lawsuit because a bankruptcy proceeding is
1530 pending by surety or the surety is not liable due to the prior
1531 payment of valid claims against the bond in an amount equal to,
1532 or greater than, the face amount of the applicable bond.
1533 However, a claimant may not recover against the trust fund if
1534 the claimant has recovered from the surety an amount that is
1535 equal to or greater than the total loss.

1536 (6) In order to recover from the trust fund, the person
1537 must file an application and verified claim with the department.

1538 (a) If the claimant has obtained a judgment that is
1539 unsatisfied against the mobile home, movable tiny home, or
1540 recreational vehicle dealer or broker or its surety as set forth
1541 in this section, the verified claim must specify the following:

1542 1.a. That the judgment against the mobile home, movable
1543 tiny home, or recreational vehicle dealer or broker and its
1544 surety has been entered; or

1545 b. That the judgment against the mobile home, movable tiny
1546 home, or recreational vehicle dealer or broker contains a
1547 specific finding that the surety has no liability, that
1548 execution has been returned unsatisfied, and that a judgment
1549 lien has been perfected;

1550 2. The amount of actual damages broken down by category as

1551 awarded by the court or jury in the cause which resulted in the
1552 unsatisfied judgment, and the amount of attorney ~~attorney's~~ fees
1553 set forth in the unsatisfied judgment;

1554 3. The amount of payment or other consideration received,
1555 if any, from the mobile home, movable tiny home, or recreational
1556 vehicle dealer or broker or its surety;

1557 4. The amount that may be realized, if any, from the sale
1558 of real or personal property or other assets of the judgment
1559 debtor liable to be sold or applied in satisfaction of the
1560 judgment and the balance remaining due on the judgment after
1561 application of the amount which has been realized and a
1562 certification that the claimant has made a good faith effort to
1563 collect the judgment;

1564 5. An assignment by the claimant of rights, title, or
1565 interest in the unsatisfied judgment lien to the department; and

1566 6. Such other information as the department requires.

1567 (b) If the claimant has alleged a claim as set forth in
1568 paragraph (5) (a) and for the reasons set forth therein has not
1569 been able to secure a judgment, the verified claim must contain
1570 the following:

1571 1. A true copy of the pleadings in the lawsuit that was
1572 stayed or discharged by the bankruptcy court and the order of
1573 the bankruptcy court staying those proceedings or a true copy of
1574 the claim that was filed in the bankruptcy court proceedings;

1575 2. Allegations of the acts or omissions by the mobile

1576 | home, movable tiny home, or recreational vehicle dealer or
 1577 | broker setting forth the specific acts or omissions complained
 1578 | of which resulted in actual damage to the person, along with the
 1579 | actual dollar amount necessary to reimburse or compensate the
 1580 | person for costs or expenses resulting from the acts or
 1581 | omissions of which the person complained;

1582 | 3. True copies of all purchase agreements, notices,
 1583 | service or repair orders or papers or documents of any kind
 1584 | whatsoever which the person received in connection with the
 1585 | purchase, exchange, or lease-purchase of the mobile home, or
 1586 | movable tiny home, or recreational vehicle from which the
 1587 | person's cause of action arises;

1588 | 4. An assignment by the claimant of rights, title, or
 1589 | interest in the claim to the department; and

1590 | 5. Such other information as the department requires.

1591 | (c) The department may require such proof as it deems
 1592 | necessary to document the matters set forth in the claim.

1593 | (7) Within 90 days after receipt of the application and
 1594 | verified claim, the department shall issue its determination on
 1595 | the claim. Such determination shall not be subject to ~~the~~
 1596 | ~~provisions of~~ chapter 120~~7~~, but shall be reviewable only by writ
 1597 | of certiorari in the circuit court in the county in which the
 1598 | claimant resides in the manner and within the time provided by
 1599 | the Florida Rules of Appellate Procedure. The claim must be paid
 1600 | within 45 days after the determination~~7~~ or, if judicial review

1601 is sought, within 45 days after the review becomes final. A
 1602 person may not be paid an amount from the fund in excess of
 1603 \$25,000 per mobile home, movable tiny home, or recreational
 1604 vehicle, which includes any damages, restitution, payments
 1605 received as the result of a claim against the surety bond, or
 1606 expenses, including reasonable attorney ~~attorney's~~ fees. Before
 1607 ~~Prior to~~ payment, the person must execute an assignment to the
 1608 department of all the person's rights and title to, and interest
 1609 in, the unsatisfied judgment and judgment lien or the claim
 1610 against the dealer or broker and its surety.

1611 (8) The department, in its discretion and where feasible,
 1612 may try to recover from the mobile home, movable tiny home, or
 1613 recreational vehicle dealer or broker, or the judgment debtor or
 1614 its surety, all sums paid to persons from the trust fund. Any
 1615 sums recovered shall be deposited to the credit of the trust
 1616 fund. The department shall be awarded a reasonable attorney
 1617 ~~attorney's~~ fee for all actions taken to recover any sums paid to
 1618 persons from the trust fund pursuant to this section.

1619 (9) This section does not apply to any claim, and a person
 1620 may not recover against the trust fund as the result of any
 1621 claim, against a mobile home, movable tiny home, or recreational
 1622 vehicle dealer or broker resulting from a cause of action
 1623 directly related to the sale, lease-purchase, exchange,
 1624 brokerage, or installation of a mobile home, movable tiny home,
 1625 or recreational vehicle before ~~prior to~~ July 1, 2006.

1626 (10) Neither the department, nor the trust fund shall be
 1627 liable to any person for recovery if the trust fund does not
 1628 have the moneys necessary to pay amounts claimed. If the trust
 1629 fund does not have sufficient assets to pay the claimant, it
 1630 shall log the time and date of its determination for payment to
 1631 a claimant. If moneys become available, the department shall pay
 1632 the claimant whose unpaid claim is the earliest by time and date
 1633 of determination.

1634 (11) A ~~It is unlawful for any person or his or her agent~~
 1635 ~~may not to~~ file a ~~any~~ notice, statement, or other document
 1636 required under this section which is false or contains any
 1637 material misstatement of fact. A ~~Any~~ person who violates this
 1638 subsection commits ~~is guilty of~~ a misdemeanor of the second
 1639 degree, punishable as provided in s. 775.082 or s. 775.083.

1640 Section 38. Section 320.822, Florida Statutes, is amended
 1641 to read:

1642 320.822 Definitions; ss. 320.822-320.862.—In construing
 1643 ss. 320.822-320.862, unless the context otherwise requires, the
 1644 following words or phrases have the following meanings:

1645 (1) "Buyer" means a person who purchases at retail from a
 1646 dealer or manufacturer a mobile home, movable tiny home, or
 1647 recreational vehicle for his or her own use as a residence, or
 1648 other related use.

1649 (2) "Code" means the appropriate standards found in:

1650 (a) The Federal Manufactured Housing Construction and

1651 Safety Standards for single-family mobile homes, adopted
 1652 ~~promulgated~~ by the Department of Housing and Urban Development;

1653 (b) The Uniform Standards Code approved by the American
 1654 National Standards Institute, ANSI A-119.2 for recreational
 1655 vehicles and ANSI A-119.5 for park trailers or the United States
 1656 Department of Housing and Urban Development standard for park
 1657 trailers certified as meeting that standard; ~~or~~

1658 (c) The Mobile and Manufactured Home Repair and Remodeling
 1659 Code and the Used Recreational Vehicle Code; or

1660 (d) Code requirements specified in s. 320.82315 for
 1661 movable tiny homes and certified to meet those standards.

1662 (3) "Construction" means the minimum requirements for
 1663 materials, products, equipment, and workmanship needed to ensure
 1664 ~~assure~~ that the mobile home, movable tiny home, or recreational
 1665 vehicle will provide structural strength and rigidity;
 1666 protection against corrosion, decay, and other similar
 1667 destructive forces; resistance to the elements; and durability
 1668 and economy of maintenance.

1669 (4) "Institute" means the United States of America
 1670 Standards Institute.

1671 (5) "Length," for purposes of transportation only, means
 1672 the distance from the extreme front of the mobile home, movable
 1673 tiny home, or recreational vehicle, to the extreme rear,
 1674 including the drawbar and coupling mechanism, but not including
 1675 expandable features that do not project from the body during

1676 transportation.

1677 (6) "Length of a mobile home or movable tiny home" means
1678 the distance from the exterior of the front wall (nearest to the
1679 drawbar and coupling mechanism) to the exterior of the rear wall
1680 (at the opposite end of the home) where such walls enclose
1681 living or other interior space and such distance includes
1682 expandable rooms but not bay windows, porches, drawbars,
1683 couplings, hitches, wall and roof extensions, or other
1684 attachments.

1685 (7) "Licensee" means a ~~any~~ person licensed or required to
1686 be licensed under s. 320.8225.

1687 (8) "Mobile home dealer" means a ~~any~~ person engaged in the
1688 business of buying, selling, or dealing in mobile homes or
1689 offering or displaying mobile homes for sale. A ~~Any~~ person who
1690 buys, sells, or deals in one or more mobile homes in any 12-
1691 month period or who offers or displays for sale one or more
1692 mobile homes in any 12-month period shall be prima facie
1693 presumed to be engaged in the business of a mobile home dealer.
1694 The terms "selling" and "sale" include lease-purchase
1695 transactions. The term "mobile home dealer" does not include a
1696 bank, credit union, or finance company that acquires mobile
1697 homes as an incident to its regular business, does not include a
1698 mobile home rental or leasing company that sells mobile homes to
1699 mobile home dealers licensed under s. 320.77, and does not
1700 include persons who are selling their own mobile homes.

1701 (9) "Movable tiny home dealer" means a person engaged in
1702 the business of buying, selling, or dealing in movable tiny
1703 homes or offering or displaying movable tiny homes for sale. The
1704 term "dealer" includes a movable tiny home broker. A person who
1705 buys, sells, deals in, or offers or displays for sale, or who
1706 acts as the agent for the sale of, one or more movable tiny
1707 homes in any 12-month period shall be prima facie presumed to be
1708 a dealer. The terms "selling" and "sale" include lease-purchase
1709 transactions. The term "dealer" does not include banks, credit
1710 unions, and finance companies that acquire movable tiny homes as
1711 an incident to their regular business and does not include
1712 mobile home rental and leasing companies that sell movable tiny
1713 homes to dealers licensed under s. 320.772.

1714 (10)~~(9)~~ "Recreational vehicle dealer" means a ~~any~~ person
1715 engaged in the business of buying, selling, or dealing in
1716 recreational vehicles or offering or displaying recreational
1717 vehicles for sale. The term "dealer" includes a recreational
1718 vehicle broker. A ~~Any~~ person who buys, sells, deals in, or
1719 offers or displays for sale, or who acts as the agent for the
1720 sale of, one or more recreational vehicles in any 12-month
1721 period shall be prima facie presumed to be a dealer. The terms
1722 "selling" and "sale" include lease-purchase transactions. The
1723 term "dealer" does not include banks, credit unions, and finance
1724 companies that acquire recreational vehicles as an incident to
1725 their regular business and does not include mobile home rental

1726 and leasing companies that sell recreational vehicles to dealers
 1727 licensed under s. 320.771.

1728 ~~(11)-(10)~~ "Mobile home manufacturer" means a ~~any~~ person,
 1729 resident or nonresident, who, as a trade or commerce,
 1730 manufactures or assembles mobile homes.

1731 (12) "Movable tiny home manufacturer" means a person,
 1732 resident or nonresident, who, as a trade or commerce,
 1733 manufactures or assembles movable tiny homes in such manner that
 1734 they then qualify as movable tiny homes for sale in this state.

1735 ~~(13)-(11)~~ "Recreational vehicle manufacturer" means a ~~any~~
 1736 person, resident or nonresident, who, as a trade or commerce,
 1737 manufactures or assembles recreational vehicles or van-type
 1738 vehicles in such manner that they then qualify as recreational
 1739 vehicles, for sale in this state.

1740 ~~(14)-(12)~~ "Responsible party" means a manufacturer, dealer,
 1741 or supplier.

1742 ~~(15)-(13)~~ "Seal" or "label" means a device issued by the
 1743 department certifying that a mobile home, movable tiny home, or
 1744 recreational vehicle meets the appropriate code, which device is
 1745 to be displayed on the exterior of the mobile home, movable tiny
 1746 home, or recreational vehicle.

1747 ~~(16)-(14)~~ "Setup" or "installation" means the operations
 1748 performed at the occupancy site which render a mobile home,
 1749 movable tiny home, or park trailer fit for habitation. Such
 1750 operations include, but are not limited to, transporting;

1751 positioning; blocking; leveling, supporting, installing
 1752 foundation products, components, and systems; connecting utility
 1753 systems; making minor adjustments; or assembling multiple or
 1754 expandable units.

1755 ~~(17)-(15)~~ "Substantial defect" means:

1756 (a) A ~~Any~~ substantial deficiency or defect in materials or
 1757 workmanship occurring to a mobile home, movable tiny home, or
 1758 recreational vehicle which has been reasonably maintained and
 1759 cared for in normal use.

1760 (b) A ~~Any~~ structural element, utility system, or component
 1761 of the mobile home, movable tiny home, or recreational vehicle,
 1762 which fails to comply with the code.

1763 ~~(18)-(16)~~ "Supplier" means the original producer of
 1764 completed components, including refrigerators, stoves, ~~hot~~ water
 1765 heaters, dishwashers, cabinets, air conditioners, heating units,
 1766 and similar components, which are furnished to a manufacturer or
 1767 dealer for installation in the mobile home, movable tiny home,
 1768 or recreational vehicle before ~~prior to~~ sale to a buyer.

1769 ~~(19)-(17)~~ "Width of a mobile home or movable tiny home"
 1770 means the distance from the exterior of one side wall to the
 1771 exterior of the opposite side wall where such walls enclose
 1772 living or other interior space and such distance includes
 1773 expandable rooms but not bay windows, porches, wall and roof
 1774 extensions, or other attachments.

1775 ~~(20)-(18)~~ "Body size" of a movable tiny home, park trailer,

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1776 travel trailer, or fifth-wheel trailer means the distance from
1777 the exterior side or end to the opposite exterior side or end of
1778 the body. Such distance includes expandable rooms, bay windows,
1779 wall and roof extensions, or other extrusions in the travel
1780 mode. The following exceptions apply:

1781 (a) Travel trailers may ~~shall~~ not exceed 320 square feet.
1782 All square footage measurements are of the exterior when in
1783 setup mode, including bay windows.

1784 (b) Park trailers constructed to ANSI A-119.5 may ~~shall~~
1785 not exceed 400 square feet. Park trailers constructed to the
1786 United States Department of Housing and Urban Development
1787 standard may ~~shall~~ not exceed 500 square feet. All square
1788 footage measurements are of the exterior when in setup mode and
1789 do not include bay windows.

1790 (c) Fifth-wheel trailers may not exceed 400 square feet.
1791 All square footage measurements are of the exterior when in
1792 setup mode, including bay windows.

1793 (d) Movable tiny homes constructed to code requirements
1794 specified in s. 320.82315 may not exceed 400 square feet.
1795 Movable tiny homes constructed to the United States Department
1796 of Housing and Urban Development standard may not exceed 500
1797 square feet. All square footage measurements are of the exterior
1798 when in setup mode and do not include bay windows.

1799 Section 39. Subsection (1), paragraph (b) of subsection
1800 (5), and subsections (6), (7), and (8) of section 320.8225,

1801 Florida Statutes, are amended to read:
 1802 320.8225 Mobile home, movable tiny home, and recreational
 1803 vehicle manufacturer, distributor, and importer license.—
 1804 (1) LICENSE REQUIRED.—A ~~Any~~ person who engages in the
 1805 business of a mobile home manufacturer, a movable tiny home
 1806 manufacturer, or a recreational vehicle manufacturer,
 1807 distributor, or importer in this state, or who manufactures
 1808 mobile homes, movable tiny homes, or recreational vehicles out
 1809 of state which are ultimately offered for sale in this state,
 1810 shall obtain annually a license for each factory location in
 1811 this state and for each factory location out of state which
 1812 manufactures mobile homes, movable tiny homes, or recreational
 1813 vehicles for sale in this state before, ~~prior to~~ distributing or
 1814 importing mobile homes, movable tiny homes, or recreational
 1815 vehicles for sale in this state.
 1816 (5) REQUIREMENT OF ASSURANCE.—
 1817 (b) Annually, before ~~prior to~~ the receipt of a license to
 1818 manufacture, distribute, or import recreational vehicles or
 1819 movable tiny homes, the applicant or licensee shall submit a
 1820 surety bond, or a proper continuation certificate, sufficient to
 1821 assure satisfaction of claims against the licensee for failure
 1822 to comply with appropriate code standards, failure to provide
 1823 warranty service, or violation of ~~any provisions of~~ this
 1824 section. The amount of the surety bond must be \$10,000 per year.
 1825 The surety bond must be to the department, in favor of any

1826 retail customer who suffers loss arising out of noncompliance
 1827 with code standards or failure to honor or provide warranty
 1828 service. The department may disapprove any bond that does not
 1829 provide assurance as provided in this section. Within 10
 1830 calendar days after any renewal or continuation of or material
 1831 change in such surety bond or issuance of a new surety bond, a
 1832 licensee shall deliver to the department, in a manner prescribed
 1833 by the department, a copy of such renewed, continued, changed,
 1834 or new surety bond.

1835 (6) LICENSE PERIOD.—A license issued to a mobile home
 1836 manufacturer, a movable tiny home manufacturer, or a
 1837 recreational vehicle manufacturer, distributor, or importer
 1838 entitles the licensee to conduct business for a period of 1 or 2
 1839 years beginning October 1 preceding the date of issuance.

1840 (7) DENIAL OF LICENSE.—The department may deny a mobile
 1841 home manufacturer, a movable tiny home manufacturer, or a
 1842 recreational vehicle manufacturer, distributor, or importer
 1843 license on the ground that:

1844 (a) The applicant has made a material misstatement in his
 1845 or her application for a license.

1846 (b) The applicant has failed to comply with any applicable
 1847 provision of this chapter.

1848 (c) The applicant has failed to provide warranty service.

1849 (d) The applicant or one or more of his or her principals
 1850 or agents has violated any law, rule, or regulation relating to

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1851 the manufacture or sale of mobile homes, movable tiny homes, or
1852 recreational vehicles.

1853 (e) The department has proof of the unfitness of the
1854 applicant.

1855 (f) The applicant or licensee has engaged in previous
1856 conduct in any state which would have been a ground for
1857 revocation or suspension of a license in this state.

1858 (g) The applicant or licensee has violated any provision
1859 of the National Mobile Home Construction and Safety Standards
1860 Act of 1974 or any related rule or regulation adopted by the
1861 Department of Housing and Urban Development.

1862
1863 Upon denial of a license, the department shall notify the
1864 applicant within 10 days, stating in writing its grounds for
1865 denial. The applicant is entitled to an administrative hearing
1866 and may request that such hearing be held within 45 days after
1867 ~~of~~ denial of the license. All proceedings must be pursuant to
1868 chapter 120.

1869 (8) REVOCATION OR SUSPENSION OF LICENSE.—The department
1870 shall suspend or, in the case of a subsequent offense, shall
1871 revoke a ~~any~~ license upon a finding that the licensee violated
1872 any provision of this chapter or any other law of this state
1873 regarding the manufacture, warranty, or sale of mobile homes,
1874 movable tiny homes, or recreational vehicles. The department may
1875 reinstate the license if it finds that the former licensee has

1876 | complied with all applicable requirements of this chapter and an
 1877 | application for a license is refiled pursuant to this section.

1878 | Section 40. Section 320.82315, Florida Statutes, is
 1879 | created to read:

1880 | 320.82315 Establishment of uniform standards for movable
 1881 | tiny homes.-

1882 | (1) Each movable tiny home, as defined in s. 320.01(46),
 1883 | manufactured in this state or manufactured outside this state
 1884 | but sold or offered for sale in this state shall meet the
 1885 | Uniform Standards Code ANSI book A-119.2 or A-119.5, as
 1886 | applicable, approved by the American National Standards
 1887 | Institute. Such standards shall include, but are not limited to,
 1888 | standards for the installation of plumbing, heating, and
 1889 | electrical systems and fire and life safety in movable tiny
 1890 | homes. Each movable tiny home shall also be manufactured with:

1891 | (a) Insulation with a thermal resistance value of at least
 1892 | R-13 in the walls and at least R-19 in the ceiling.

1893 | (b) Residential-grade insulated doors and windows.

1894 | (c) An electrical system that meets National Fire
 1895 | Protection Association (NFPA) 70, National Electrical Code,
 1896 | article 551 or article 552, as applicable.

1897 | (d) Low-voltage electrical systems that meet the
 1898 | requirements of the ANSI/RVIA Low Voltage Systems in Conversion
 1899 | and RVs Standard.

1900 | (e) Wall framing consisting of studs that are between 16

1901 and 24 inches on center, which studs are at least 2 inches by 4
 1902 inches of wood or metal, or equivalent structural insulated
 1903 panels.

1904 (2) Each movable tiny home must be inspected and certified
 1905 by a professional engineer licensed in this state or a qualified
 1906 third-party inspector for compliance with subsection (1).

1907 However, a movable tiny home that exceeds 400 square feet must
 1908 comply with federal manufactured home construction and safety
 1909 standards contained in 42 U.S.C. ss. 5401-5426 and must be given
 1910 a United States Department of Housing and Urban Development
 1911 label.

1912 (3) Trailer hitches or other trailer connecting devices
 1913 manufactured, sold, or offered for sale in this state for use
 1914 with a trailer governed by this section must conform to the
 1915 certification standards in Vehicle Equipment Safety Commission
 1916 Regulation V-5.

1917 Section 41. Section 320.8245, Florida Statutes, is amended
 1918 to read:

1919 320.8245 Limitation of alteration or modification to
 1920 mobile homes, movable tiny homes, or recreational vehicles.—

1921 (1) LIMITATION OF ALTERATIONS OR MODIFICATIONS.—An ~~No~~
 1922 alteration or modification may not ~~shall~~ be made to a mobile
 1923 home, movable tiny home, or recreational vehicle by a licensed
 1924 dealer after shipment from the manufacturer's plant unless such
 1925 alteration or modification is authorized in this section.

1926 (2) EFFECT ON MOBILE HOME OR MOVABLE TINY HOME WARRANTY.—
 1927 Unless an alteration or modification is performed by a qualified
 1928 person as defined in subsection (4), the warranty responsibility
 1929 of the manufacturer as to the altered or modified item shall be
 1930 void.

1931 (a) An alteration or modification performed by a mobile
 1932 home, movable tiny home, or recreational vehicle dealer or his
 1933 or her agent or employee shall place warranty responsibility for
 1934 the altered or modified item upon the dealer. If the
 1935 manufacturer fulfills, or is required to fulfill, the warranty
 1936 on the altered or modified item, he or she shall be entitled to
 1937 recover damages in the amount of his or her costs and attorney
 1938 ~~attorneys'~~ fees from the dealer.

1939 (b) An alteration or modification performed by a mobile
 1940 home, movable tiny home, or recreational vehicle owner or his or
 1941 her agent shall render the manufacturer's warranty as to that
 1942 item void. A statement shall be displayed clearly and
 1943 conspicuously on the face of the warranty that the warranty is
 1944 void as to the altered or modified item if the alteration or
 1945 modification is performed by other than a qualified person.
 1946 Failure to display such statement shall result in warranty
 1947 responsibility on the manufacturer.

1948 (3) AUTHORITY OF THE DEPARTMENT.—The department may adopt
 1949 ~~is authorized to promulgate~~ rules and regulations pursuant to
 1950 chapter 120 which define the alterations or modifications that

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1951 ~~which~~ must be made by qualified personnel. The department may
1952 regulate only those alterations and modifications that ~~which~~
1953 substantially impair the structural integrity or safety of the
1954 mobile home.

1955 (4) DESIGNATION AS A QUALIFIED PERSON.—

1956 (a) In order to be designated as a person qualified to
1957 alter or modify a mobile home, movable tiny home, or
1958 recreational vehicle, a person must comply with local or county
1959 licensing or competency requirements in skills relevant to
1960 performing alterations or modifications on mobile homes, movable
1961 tiny homes, or recreational vehicles.

1962 (b) When no local or county licensing or competency
1963 requirements exist, the department may certify persons to
1964 perform mobile home alterations or modifications. The department
1965 shall by rule or regulation determine what skills and competency
1966 requirements are requisite to the issuance of a certification. A
1967 fee sufficient to cover the costs of issuing certifications may
1968 be charged by the department. The certification shall be valid
1969 for a period that ~~which~~ terminates when the county or other
1970 local governmental unit enacts relevant competency or licensing
1971 requirements. The certification shall be valid only in counties
1972 or localities without licensing or competency requirements.

1973 (c) The department shall determine which counties and
1974 localities have licensing or competency requirements adequate to
1975 eliminate the requirement of certification. This determination

1976 shall be based on a review of the relevant county or local
 1977 standards for adequacy in regulating persons who perform
 1978 alterations or modifications to mobile homes. The department
 1979 shall find local or county standards adequate when minimal
 1980 licensing or competency standards are provided.

1981 Section 42. Subsection (7) of section 320.8285, Florida
 1982 Statutes, is amended to read:

1983 320.8285 Onsite inspection.—

1984 (7) Park trailers and movable tiny homes are subject to
 1985 inspection in the same manner as are mobile homes pursuant to
 1986 this section.

1987 Section 43. Subsection (1) of section 320.8325, Florida
 1988 Statutes, is amended to read:

1989 320.8325 Mobile homes, movable tiny homes, manufactured
 1990 homes, and park trailers; uniform installation standards;
 1991 injunctions; penalty.—

1992 (1) The department shall adopt rules setting forth uniform
 1993 standards for the installation of mobile homes, movable tiny
 1994 homes, manufactured homes, and park trailers and for the
 1995 manufacture of components, products, or systems used in the
 1996 installation of mobile homes, movable tiny homes, manufactured
 1997 homes, and park trailers. The rules shall ensure that the home
 1998 or park trailer is installed on a permanent foundation that
 1999 resists wind, flood, flotation, overturning, sliding, and
 2000 lateral movement of the home or park trailer. Only ~~No entity,~~

2001 ~~other than~~ the department ~~may, has authority to~~ amend these
 2002 uniform standards. The owner of the mobile home, movable tiny
 2003 home, manufactured home, or park trailer ~~is shall be~~ responsible
 2004 for the installation in accordance with department rules.

2005 Section 44. Section 320.835, Florida Statutes, is amended
 2006 to read:

2007 320.835 Mobile home, movable tiny home, and recreational
 2008 vehicle warranties.—Each manufacturer, dealer, installer, and
 2009 supplier of mobile homes, movable tiny homes, or recreational
 2010 vehicles shall warrant each new mobile home, movable tiny home,
 2011 or recreational vehicle sold in this state and the setup of each
 2012 such mobile home, in accordance with the warranty requirements
 2013 prescribed by this section, for a period of at least 12 months,
 2014 measured from the date of delivery of the mobile home to the
 2015 buyer or the date of sale of the movable tiny home or
 2016 recreational vehicle in the case of a manufacturer or dealer, or
 2017 from the date of receipt of a certificate of occupancy in the
 2018 case of an installer. The warranty requirements of each
 2019 manufacturer, dealer, installer, and supplier of mobile homes, ,
 2020 movable tiny homes, or recreational vehicles are as follows:

2021 (1) The manufacturer warrants:

2022 (a) For a mobile home, movable tiny home, or recreational
 2023 vehicle, that all structural elements; plumbing systems;
 2024 heating, cooling, and fuel-burning systems; electrical systems;
 2025 fire prevention systems; and any other components or conditions

2026 included by the manufacturer are free from substantial defect.

2027 (b) That 100-ampere electrical service exists in the
2028 mobile home.

2029 (2) The dealer warrants:

2030 (a) That any modifications or alterations made to the
2031 mobile home, movable tiny home, or recreational vehicle by the
2032 dealer or authorized by the dealer shall be free from
2033 substantial defect. Alterations or modifications made by a
2034 dealer shall relieve the manufacturer of warranty responsibility
2035 only as to the item altered or modified.

2036 (b) That setup operations performed on the mobile home are
2037 performed in compliance with s. 320.8325.

2038 (c) That substantial defects do not occur to the mobile
2039 home during setup or by transporting it to the occupancy site.

2040
2041 When the setup of a mobile home is performed by a person who is
2042 not an employee or agent of the mobile home manufacturer or
2043 dealer and is not compensated or authorized by, or connected
2044 with, such manufacturer or dealer, ~~then~~ the warranty
2045 responsibility of the manufacturer or dealer as to setup shall
2046 be limited to transporting the mobile home to the occupancy site
2047 free from substantial defect.

2048 (3) The installer warrants that the setup operations
2049 performed on the mobile home are performed in compliance with s.
2050 320.8325 and department rules governing the installation.

2051 (4) The supplier warrants that any warranties generally
 2052 offered in the ordinary sale of his or her product to consumers
 2053 shall be extended to buyers of mobile homes, movable tiny homes,
 2054 and recreational vehicles. When a ~~no~~ warranty is not extended by
 2055 suppliers, the manufacturer shall assume warranty responsibility
 2056 for that component.

2057 (5) The department may adopt rules under chapter 120 to
 2058 resolve disputes that may arise among the mobile home
 2059 manufacturer, dealer, installer, or supplier. Those rules must
 2060 comply with the dispute resolution process as set forth in the
 2061 federal Manufactured Housing Improvement Act.

2062 Section 45. Section 205.193, Florida Statutes, is amended
 2063 to read:

2064 205.193 Mobile home setup operations; local business tax
 2065 receipt prohibited; exception.—A county, municipality, or other
 2066 unit of local government may not require a licensed mobile home
 2067 dealer or a licensed mobile home manufacturer, or an employee of
 2068 a dealer or manufacturer, who performs setup operations as
 2069 defined in s. 320.822(16) ~~s. 320.822~~ to be a business tax
 2070 receiptholder to engage in such operations. However, such dealer
 2071 or manufacturer must obtain a local receipt for his or her
 2072 permanent business location or branch office, which receipt
 2073 shall not require for its issuance any conditions other than
 2074 those required by chapter 320.

2075 Section 46. Subsections (1) and (2) of section 212.0601,

2076 Florida Statutes, are amended to read:

2077 212.0601 Use taxes of vehicle dealers.—

2078 (1) Each motor vehicle dealer who is required by s.
 2079 320.08(13) ~~s. 320.08(12)~~ to purchase one or more dealer license
 2080 plates shall pay an annual use tax of \$27 for each dealer
 2081 license plate purchased under that subsection, in addition to
 2082 the license tax imposed by that subsection. The use tax shall be
 2083 for the year for which the dealer license plate was purchased.

2084 (2) There shall be no additional tax imposed by this
 2085 chapter for the use of a dealer license plate for which, after
 2086 July 1, 1987, a dealer use tax has been paid under this section.
 2087 This exemption shall apply to the time period before the sale or
 2088 any other disposition of the vehicle throughout the year for
 2089 which the dealer license plate required by s. 320.08(13) ~~s.~~
 2090 ~~320.08(12)~~ is purchased.

2091 Section 47. Paragraph (a) of subsection (3) of section
 2092 320.06, Florida Statutes, is amended to read:

2093 320.06 Registration certificates, license plates, and
 2094 validation stickers generally.—

2095 (3)(a) Registration license plates must be made of metal
 2096 specially treated with a retroreflection material, as specified
 2097 by the department. The registration license plate is designed to
 2098 increase nighttime visibility and legibility and must be at
 2099 least 6 inches wide and not less than 12 inches in length,
 2100 unless a plate with reduced dimensions is deemed necessary by

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2101 the department to accommodate motorcycles, mopeds, or similar
2102 smaller vehicles. Validation stickers must also be treated with
2103 a retroreflection material, must be of such size as specified by
2104 the department, and must adhere to the license plate. The
2105 registration license plate must be imprinted with a combination
2106 of bold letters and numerals or numerals, not to exceed seven
2107 digits, to identify the registration license plate number. The
2108 license plate must be imprinted with the word "Florida" at the
2109 top and the name of the county in which it is sold, the state
2110 motto, or the words "Sunshine State" at the bottom. Apportioned
2111 license plates must have the word "Apportioned" at the bottom,
2112 and license plates issued for vehicles taxed under s.
2113 320.08(3) (d), (4) (m) or (n), (5) (b) or (c), or (15) ~~(14)~~ must
2114 have the word "Restricted" at the bottom. License plates issued
2115 for vehicles taxed under s. 320.08(13) ~~s. 320.08(12)~~ must be
2116 imprinted with the word "Florida" at the top and the word
2117 "Dealer" at the bottom unless the license plate is a specialty
2118 license plate as authorized in s. 320.08056. Manufacturer
2119 license plates issued for vehicles taxed under s. 320.08(13) ~~s.~~
2120 ~~320.08(12)~~ must be imprinted with the word "Florida" at the top
2121 and the word "Manufacturer" at the bottom. License plates issued
2122 for vehicles taxed under s. 320.08(5) (d) or (e) must be
2123 imprinted with the word "Wrecker" at the bottom. Any county may,
2124 upon majority vote of the county commission, elect to have the
2125 county name removed from the license plates sold in that county.

2126 The state motto or the words "Sunshine State" shall be printed
 2127 in lieu thereof. A license plate issued for a vehicle taxed
 2128 under s. 320.08(6) may not be assigned a registration license
 2129 number, or be issued with any other distinctive character or
 2130 designation, that distinguishes the motor vehicle as a for-hire
 2131 motor vehicle.

2132 Section 48. Subsection (1) of section 320.133, Florida
 2133 Statutes, is amended to read:

2134 320.133 Transporter license plates.—

2135 (1) The department may ~~is authorized to~~ issue a
 2136 transporter license plate to an ~~any~~ applicant who, incidental to
 2137 the conduct of his or her business, engages in the transporting
 2138 of motor vehicles that ~~which~~ are not currently registered to any
 2139 owner and that ~~which~~ do not have license plates, upon payment of
 2140 the license tax imposed by s. 320.08(16) ~~s. 320.08(15)~~ for each
 2141 such license plate and upon proof of liability insurance
 2142 coverage in the amount of \$100,000 or more. Such a transporter
 2143 license plate is valid for use on any motor vehicle in the
 2144 possession of the transporter while the motor vehicle is being
 2145 transported in the course of the transporter's business.

2146 Section 49. Subsection (11) of section 320.77, Florida
 2147 Statutes, is amended to read:

2148 320.77 License required of mobile home dealers.—

2149 (11) SETUP OPERATIONS.—Each licensee may perform setup
 2150 operations only as defined in s. 320.822(16) ~~s. 320.822~~, and the

2151 department shall provide by rule for the uniform application of
 2152 all existing statutory provisions relating to licensing and
 2153 setup operations.

2154 Section 50. Subsections (6), (12), and (15) of section
 2155 320.8249, Florida Statutes, are amended to read:

2156 320.8249 Mobile home installers license.—

2157 (6) For purposes of this section, the term "installation,"
 2158 has the same meaning as the term as used herein, is synonymous
 2159 with "setup" as defined in s. 320.822(16) s. 320.822(14).

2160 (12) A county, municipality, or other unit of local
 2161 government may not require additional licensing, bonding, or
 2162 insurance of a duly licensed installer who performs setup
 2163 operations as defined in s. 320.822(16) s. 320.822. However, a
 2164 county, municipality, or other unit of local government may
 2165 require an installer to obtain a local occupational license,
 2166 which license shall not require for its issuance any conditions
 2167 other than those required by this chapter and payment of the
 2168 appropriate occupational license fee.

2169 (15) In performing the installation, installers shall not
 2170 perform plumbing or electrical activities prohibited by
 2171 department rules related to setup operations pursuant to s.
 2172 320.822(16) s. 320.822.

2173 Section 51. Except as otherwise expressly provided in this
 2174 act, this act shall take effect July 1, 2023, but only if HB 323
 2175 or similar legislation takes effect, if such legislation is

HB 321

2023

2176 | adopted in the same legislative session or an extension thereof
2177 | and becomes a law.