

1 A bill to be entitled  
2 An act relating to damaged or salvage motor vehicles,  
3 mobile homes, and vessels; amending s. 319.30, F.S.;  
4 revising and providing definitions; revising  
5 provisions relating to obtaining a salvage certificate  
6 of title or certificate of destruction; exempting the  
7 Department of Highway Safety and Motor Vehicles from  
8 liability to certain persons as a result of the  
9 issuance of such certificate; providing requirements  
10 for an independent entity's release of a damaged or  
11 dismantled vessel to the owner; authorizing the  
12 independent entity to apply for certain certificates  
13 for an unclaimed vessel; providing requirements for  
14 such application; specifying provisions to which the  
15 independent entity is subject; prohibiting the  
16 independent entity from charging vessel storage fees;  
17 providing an effective date.

18  
19 Be It Enacted by the Legislature of the State of Florida:  
20

21 Section 1. Paragraphs (g) and (j) of subsection (1),  
22 paragraph (b) of subsection (3), and subsection (9) of section  
23 319.30, Florida Statutes, are amended, and paragraph (y) is  
24 added to subsection (1) of that section, to read:

25 319.30 Definitions; dismantling, destruction, change of

26 | identity of motor vehicle, vessel, or mobile home; salvage.—

27 | (1) As used in this section, the term:

28 | (g) "Independent entity" means a business or entity that  
 29 | may temporarily store damaged or dismantled motor vehicles or  
 30 | vessels pursuant to an agreement with an insurance company and  
 31 | is engaged in the sale or resale of damaged or dismantled motor  
 32 | vehicles or vessels. The term does not include a wrecker  
 33 | operator, a towing company, or a repair facility.

34 | (j) "Major component parts" means:

35 | 1. For motor vehicles other than motorcycles and electric,  
 36 | hybrid, or plug-in hybrid motor vehicles, any fender, hood,  
 37 | bumper, cowl assembly, rear quarter panel, trunk lid, door,  
 38 | decklid, floor pan, engine, frame, transmission, catalytic  
 39 | converter, or airbag.

40 | 2. For trucks other than electric, hybrid, or plug-in  
 41 | hybrid motor vehicles, in addition to those parts listed in  
 42 | subparagraph 1., any truck bed, including dump, wrecker, crane,  
 43 | mixer, cargo box, or any bed which mounts to a truck frame.

44 | 3. For motorcycles, the body assembly, frame, fenders, gas  
 45 | tanks, engine, cylinder block, heads, engine case, crank case,  
 46 | transmission, drive train, front fork assembly, and wheels.

47 | 4. For mobile homes, the frame.

48 | 5. For electric, hybrid, or plug-in hybrid motor vehicles,  
 49 | in addition to those parts listed in subparagraph 1., any  
 50 | electric traction motor, electronic transmission, charge port,

51 DC power converter, onboard charger, power electronics  
52 controller, thermal system, or traction battery pack.

53 6. For electric, hybrid, or plug-in hybrid trucks, in  
54 addition to those parts listed in subparagraph 1., any truck  
55 bed, including dump, wrecker, crane, mixer, cargo box, or any  
56 bed that mounts to a truck frame, electric traction motor,  
57 electronic transmission, charge port, DC power converter,  
58 onboard charger, power electronics controller, thermal system,  
59 or traction battery pack.

60 (y) "Vessel" has the same meaning as in s. 713.78(1)(b).

61 (3)

62 (b) The owner, including persons who are self-insured, of  
63 a motor vehicle or mobile home that is considered to be salvage  
64 shall, within 72 hours after the motor vehicle or mobile home  
65 becomes salvage, forward the title to the motor vehicle or  
66 mobile home to the department for processing. However, except as  
67 provided in this paragraph with respect to a motor vehicle or  
68 mobile home retained by the owner in connection with a total  
69 loss claim settlement, an insurance company that pays money as  
70 compensation for the total loss of a motor vehicle or mobile  
71 home shall obtain the certificate of title for the motor vehicle  
72 or mobile home, make the required notification to the National  
73 Motor Vehicle Title Information System, and, within 72 hours  
74 after receiving such certificate of title, forward such title by  
75 the United States Postal Service, by another commercial delivery

HB 1517

2024

76 service, or by electronic means, when such means are made  
77 available by the department, to the department for processing.  
78 If the owner, however, retains possession of a motor vehicle or  
79 mobile home in connection with a total loss claim settlement for  
80 such motor vehicle or mobile home, the owner, within 72 hours  
81 after the insurance company and the owner have agreed that such  
82 motor vehicle or mobile home is to be retained by the owner, or,  
83 if agreed to by the owner and the insurance company, the  
84 insurance company, within 72 hours after receiving the  
85 certificate of title for such motor vehicle or mobile home,  
86 shall forward the certificate of title to the motor vehicle or  
87 mobile home to the department for processing, and the department  
88 shall issue a salvage certificate of title or certificate of  
89 destruction directly to the vehicle owner and not the insurance  
90 company or its agent. The owner or insurance company, as  
91 applicable, may not dispose of a motor vehicle or mobile home  
92 that is a total loss before it obtains a salvage certificate of  
93 title or certificate of destruction from the department.

94 ~~Effective January 1, 2020:~~

95 1. Thirty days after payment of a claim for compensation  
96 pursuant to this paragraph, the insurance company may receive a  
97 salvage certificate of title or certificate of destruction from  
98 the department if the insurance company is unable to obtain a  
99 properly assigned paper certificate of title from the owner or  
100 lienholder of the motor vehicle or mobile home or a properly

HB 1517

2024

101 completed assignment of an electronic certificate of title from  
102 the owner of, ~~if the motor vehicle or mobile home does not carry~~  
103 ~~an electronic lien on the title~~ and the insurance company:

104 a. Has obtained the release of all liens on the motor  
105 vehicle or mobile home, or has paid the amount due to the  
106 lienholder and has obtained proof that the lienholder accepts  
107 payment as satisfying the amount due to the lienholder;

108 b. Has attested on a form provided by the department that  
109 payment of the total loss claim has been distributed; and

110 c. Has attested on a form provided by the department and  
111 signed by the insurance company or its authorized agent stating  
112 the attempts that have been made to obtain the paper certificate  
113 of title or a properly completed assignment of an electronic  
114 certificate of title from the owner or lienholder and further  
115 stating that all attempts are to no avail. The form must include  
116 a request that the salvage certificate of title or certificate  
117 of destruction be issued in the insurance company's name due to  
118 payment of a total loss claim to the owner or lienholder. The  
119 attempts to contact the owner or lienholder may be by written  
120 request delivered in person or by first-class mail with a  
121 certificate of mailing to the owner's last known address or  
122 lienholder's last known address, respectively.

123 2. If the owner or lienholder is notified of the request  
124 for title or assignment of title in person, the insurance  
125 company must provide an affidavit attesting to the in-person

HB 1517

2024

126 request for a certificate of title or assignment of title.

127 3. The request to the owner or lienholder for the  
128 certificate of title or to the owner for the assignment of title  
129 must include a complete description of the motor vehicle or  
130 mobile home and the statement that a total loss claim has been  
131 paid on the motor vehicle or mobile home.

132 4. The department is not liable and may not be held liable  
133 to an owner, a lienholder, or any other person as a result of  
134 the issuance of a salvage certificate of title or a certificate  
135 of destruction pursuant to subparagraph 1.

136 (9) (a) An insurance company may notify an independent  
137 entity that obtains possession of a damaged or dismantled motor  
138 vehicle or vessel to release the vehicle or vessel to the owner.  
139 The insurance company shall provide the independent entity a  
140 release statement on a form prescribed by the department  
141 authorizing the independent entity to release the vehicle or  
142 vessel to the owner or lienholder. The form must, at a minimum,  
143 contain the following:

144 1. The policy and claim number.

145 2. The name and address of the insured.

146 3. The vehicle identification number or vessel hull  
147 identification number.

148 4. The signature of an authorized representative of the  
149 insurance company.

150 (b) The independent entity in possession of a motor

HB 1517

2024

151 vehicle or vessel must send a notice to the owner that the  
152 vehicle or vessel is available for pickup when it receives a  
153 release statement from the insurance company. The notice shall  
154 be sent by certified mail or by another commercially available  
155 delivery service that provides proof of delivery to the owner at  
156 the owner's address contained in the department's records. The  
157 notice must state that the owner has 30 days after delivery of  
158 the notice to the owner at the owner's address to pick up the  
159 vehicle or vessel from the independent entity. If the motor  
160 vehicle or vessel is not claimed within 30 days after the  
161 delivery or attempted delivery of the notice, the independent  
162 entity may apply for a certificate of destruction, a salvage  
163 certificate of title, or a certificate of title for a motor  
164 vehicle or for a certificate of title as defined in s.  
165 328.0015(1) for a vessel. For a vessel that is hull damaged as  
166 defined in s. 328.0015(1), the application shall indicate "Hull  
167 Damaged."

168 (c) If the department's records do not contain the owner's  
169 address, the independent entity must do all of the following:

170 1. Send a notice that meets the requirements of paragraph  
171 (b) to the owner's address that is provided by the insurance  
172 company in the release statement.

173 2. For a motor vehicle, identify the latest titling  
174 jurisdiction of the vehicle through use of the National Motor  
175 Vehicle Title Information System or an equivalent commercially

176 available system and attempt to obtain the owner's address from  
 177 that jurisdiction. If the jurisdiction returns an address that  
 178 is different from the owner's address provided by the insurance  
 179 company, the independent entity must send a notice that meets  
 180 the requirements of paragraph (b) to both addresses.

181 (d) The independent entity shall maintain for at least a  
 182 ~~minimum of~~ 3 years the records related to the 30-day notice sent  
 183 to the owner. For motor vehicles, the independent entity shall  
 184 also maintain for at least 3 years the results of searches of  
 185 the National Motor Vehicle Title Information System or an  
 186 equivalent commercially available system, and the notification  
 187 to the National Motor Vehicle Title Information System made  
 188 pursuant to paragraph (e).

189 (e) The independent entity shall make the required  
 190 notification to the National Motor Vehicle Title Information  
 191 System before releasing any damaged or dismantled motor vehicle  
 192 to the owner or before applying for a certificate of destruction  
 193 or salvage certificate of title. The independent entity is not  
 194 required to notify the National Motor Vehicle Title Information  
 195 System before releasing any damaged or dismantled vessel to the  
 196 owner or before applying for a certificate of title as defined  
 197 in s. 328.0015(1).

198 (f) Upon applying for a certificate of destruction, ~~or~~  
 199 salvage certificate of title, or certificate of title for a  
 200 motor vehicle or for a certificate of title as defined in s.



201 328.0015(1) for a vessel, the independent entity shall provide a  
 202 copy of the release statement from the insurance company to the  
 203 independent entity, proof of providing the 30-day notice to the  
 204 owner, proof of notification to the National Motor Vehicle Title  
 205 Information System if required, proof of all lien satisfactions  
 206 or proof of a release of all liens on the motor vehicle or  
 207 vessel, and applicable fees. If the independent entity is unable  
 208 to obtain a lien satisfaction or a release of all liens on the  
 209 motor vehicle or vessel, the independent entity must provide an  
 210 affidavit stating that notice was sent to all lienholders that  
 211 the motor vehicle or vessel is available for pickup, 30 days  
 212 have passed since the notice was delivered or attempted to be  
 213 delivered pursuant to this section, attempts have been made to  
 214 obtain a release from all lienholders, and all such attempts  
 215 have been to no avail. The notice to lienholders and attempts to  
 216 obtain a release from lienholders may be by written request  
 217 delivered in person or by certified mail or another commercially  
 218 available delivery service that provides proof of delivery to  
 219 the lienholder at the lienholder's address as provided on the  
 220 certificate of title for a motor vehicle or on the certificate  
 221 of title as defined in s. 328.0015(1) for a vessel and to the  
 222 address designated with the Department of State pursuant to s.  
 223 655.0201(2) if such address is different.

224 (g) The independent entity may not charge an owner of the  
 225 vehicle or vessel storage fees or apply for a title under s.

HB 1517

2024

226 | 713.585 or s. 713.78.

227 |       Section 2. This act shall take effect July 1, 2024.