

By Senator Rodriguez

40-00317B-24

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1 A bill to be entitled

2 An act relating to designation of a certain diagnosis  
3 on motor vehicle registrations; providing a short  
4 title; amending s. 320.02, F.S.; authorizing a motor  
5 vehicle owner or registrant to designate on his or her  
6 application form for motor vehicle registration that  
7 he or she has been diagnosed with, or is the parent or  
8 legal guardian of a child or ward who has been  
9 diagnosed with, a developmental disability or  
10 psychiatric disorder; authorizing removal of such  
11 designation upon request; amending s. 320.27, F.S.;  
12 conforming a cross-reference; providing an effective  
13 date.

14  
15 WHEREAS, persons with special needs, including  
16 developmental disabilities and mental illnesses, are among the  
17 most vulnerable within their communities, and

18 WHEREAS, interacting with law enforcement officers or first  
19 responders in an emergency, such as a motor vehicle crash or  
20 other crisis situation, can be more complex for persons with  
21 special needs, as language, physical, cognitive, learning, or  
22 mental disabilities may create barriers to receiving immediate  
23 and appropriate assistance, and

24 WHEREAS, providing law enforcement officers and first  
25 responders with advance notice that a person with whom they are  
26 about to interact has a developmental disability, mental  
27 illness, or other special need will improve communication,  
28 reduce unnecessary adverse actions, and ensure that the person  
29 receives the specific response and care he or she requires, NOW,

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30 THEREFORE,

31  
32 Be It Enacted by the Legislature of the State of Florida:

33  
34 Section 1. This act may be cited as the "Safeguarding  
35 Families Everywhere (SAFE) Act."

36 Section 2. Present subsections (15) through (20) of section  
37 320.02, Florida Statutes, are redesignated as subsections (16)  
38 through (21), respectively, and a new subsection (15) is added  
39 to that section, to read:

40 320.02 Registration required; application for registration;  
41 forms.—

42 (15) Upon presentation of proof acceptable to the  
43 department, a motor vehicle owner or registrant may designate on  
44 his or her application form for motor vehicle registration that  
45 the owner or registrant has been diagnosed with, or is the  
46 parent or legal guardian of a child or ward who has been  
47 diagnosed with, a developmental disability or psychiatric  
48 disorder by a physician licensed under chapter 458 or chapter  
49 459. Such designation may be removed at any time upon request of  
50 the owner or registrant.

51 Section 3. Paragraph (b) of subsection (9) of section  
52 320.27, Florida Statutes, is amended to read:

53 320.27 Motor vehicle dealers.—

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

55 (b) The department may deny, suspend, or revoke any license  
56 issued hereunder or under the provisions of s. 320.77 or s.  
57 320.771 upon proof that a licensee has committed, with  
58 sufficient frequency so as to establish a pattern of wrongdoing

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59 on the part of a licensee, violations of one or more of the  
60 following activities:

61 1. Representation that a demonstrator is a new motor  
62 vehicle, or the attempt to sell or the sale of a demonstrator as  
63 a new motor vehicle without written notice to the purchaser that  
64 the vehicle is a demonstrator. For the purposes of this section,  
65 a "demonstrator," a "new motor vehicle," and a "used motor  
66 vehicle" shall be defined as under s. 320.60.

67 2. Unjustifiable refusal to comply with a licensee's  
68 responsibility under the terms of the new motor vehicle warranty  
69 issued by its respective manufacturer, distributor, or importer.  
70 However, if such refusal is at the direction of the  
71 manufacturer, distributor, or importer, such refusal shall not  
72 be a ground under this section.

73 3. Misrepresentation or false, deceptive, or misleading  
74 statements with regard to the sale or financing of motor  
75 vehicles which any motor vehicle dealer has, or causes to have,  
76 advertised, printed, displayed, published, distributed,  
77 broadcast, televised, or made in any manner with regard to the  
78 sale or financing of motor vehicles.

79 4. Failure by any motor vehicle dealer to provide a  
80 customer or purchaser with an odometer disclosure statement and  
81 a copy of any bona fide written, executed sales contract or  
82 agreement of purchase connected with the purchase of the motor  
83 vehicle purchased by the customer or purchaser.

84 5. Failure of any motor vehicle dealer to comply with the  
85 terms of any bona fide written, executed agreement, pursuant to  
86 the sale of a motor vehicle.

87 6. Failure to apply for transfer of a title as prescribed

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88 in s. 319.23(6).

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

91 8. Failure to continually meet the requirements of the  
92 licensure law.

93 9. Representation to a customer or any advertisement to the  
94 public representing or suggesting that a motor vehicle is a new  
95 motor vehicle if such vehicle lawfully cannot be titled in the  
96 name of the customer or other member of the public by the seller  
97 using a manufacturer's statement of origin as permitted in s.  
98 319.23(1).

99 10. Requirement by any motor vehicle dealer that a customer  
100 or purchaser accept equipment on his or her motor vehicle which  
101 was not ordered by the customer or purchaser.

102 11. Requirement by any motor vehicle dealer that any  
103 customer or purchaser finance a motor vehicle with a specific  
104 financial institution or company.

105 12. Requirement by any motor vehicle dealer that the  
106 purchaser of a motor vehicle contract with the dealer for  
107 physical damage insurance.

108 13. Perpetration of a fraud upon any person as a result of  
109 dealing in motor vehicles, including, without limitation, the  
110 misrepresentation to any person by the licensee of the  
111 licensee's relationship to any manufacturer, importer, or  
112 distributor.

113 14. Violation of any of the provisions of s. 319.35 by any  
114 motor vehicle dealer.

115 15. Sale by a motor vehicle dealer of a vehicle offered in  
116 trade by a customer prior to consummation of the sale, exchange,

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117 or transfer of a newly acquired vehicle to the customer, unless  
118 the customer provides written authorization for the sale of the  
119 trade-in vehicle prior to delivery of the newly acquired  
120 vehicle.

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

123 17. Violation of chapter 319, this chapter, or ss. 559.901-  
124 559.9221, which has to do with dealing in or repairing motor  
125 vehicles or mobile homes. Additionally, in the case of used  
126 motor vehicles, the willful violation of the federal law and  
127 rule in 15 U.S.C. s. 2304, 16 C.F.R. part 455, pertaining to the  
128 consumer sales window form.

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

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

134 Section 4. This act shall take effect July 1, 2024.