

By the Committee on Transportation; and Senators Rodriguez and Hooper

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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.; requiring the
5 application form for motor vehicle registration to
6 include certain language allowing an applicant to
7 indicate that he or she has been diagnosed with, or is
8 the parent or legal guardian of a child or ward who
9 has been diagnosed with, specified disabilities or
10 disorders; requiring that certain information be
11 included in a specified database if an applicant
12 indicates a certain diagnosis and provides proof of
13 such; requiring the Department of Highway Safety and
14 Motor Vehicles to allow specified persons to update a
15 motor vehicle registration to include or remove
16 information regarding a diagnosis at any time;
17 amending s. 320.27, F.S.; conforming a cross-
18 reference; providing an effective date.

19
20 WHEREAS, persons with special needs, including
21 developmental disabilities and mental illnesses, are among the
22 most vulnerable within their communities, and

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

29 WHEREAS, providing law enforcement officers and first

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30 responders with advance notice that a person with whom they are
31 about to interact has a developmental disability, mental
32 illness, or other special need will improve communication,
33 reduce unnecessary adverse actions, and ensure that the person
34 receives the specific response and care he or she requires, NOW,
35 THEREFORE,

36
37 Be It Enacted by the Legislature of the State of Florida:

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39 Section 1. This act may be cited as the "Safeguarding
40 American Families Everywhere (SAFE) Act."

41 Section 2. Present subsections (15) through (20) of section
42 320.02, Florida Statutes, are redesignated as subsections (16)
43 through (21), respectively, and a new subsection (15) is added
44 to that section, to read:

45 320.02 Registration required; application for registration;
46 forms.—

47 (15) The application form for motor vehicle registration
48 must include language allowing an applicant to voluntarily
49 indicate that the applicant has been diagnosed with, or is the
50 parent or legal guardian of a child or ward who has been
51 diagnosed with, any of the following disabilities or disorders
52 by a physician licensed under chapter 458 or chapter 459:

53 (a) Autism.

54 (b) Attention deficit hyperactivity disorder.

55 (c) Down syndrome.

56 (d) Alzheimer's disease.

57 (e) Traumatic brain injury.

58 (f) Posttraumatic stress disorder.

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59 (g) Diabetes.

60 (h) An autoimmune disorder.

61 (i) Deafness.

62 (j) Blindness.

63 (k) Any other mentally or physically limiting disorder.

64
65 If the applicant indicates one of the diagnoses listed above on
66 the application and provides proof acceptable to the department
67 of such diagnosis, the information from the application must be
68 included through the Driver and Vehicle Information Database.
69 The department must allow a motor vehicle owner or co-owner to
70 update a motor vehicle registration to include or remove
71 information regarding a diagnosis under this subsection at any
72 time.

73 Section 3. Paragraph (b) of subsection (9) of section
74 320.27, Florida Statutes, is amended to read:

75 320.27 Motor vehicle dealers.—

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

77 (b) The department may deny, suspend, or revoke any license
78 issued hereunder or under the provisions of s. 320.77 or s.
79 320.771 upon proof that a licensee has committed, with
80 sufficient frequency so as to establish a pattern of wrongdoing
81 on the part of a licensee, violations of one or more of the
82 following activities:

83 1. Representation that a demonstrator is a new motor
84 vehicle, or the attempt to sell or the sale of a demonstrator as
85 a new motor vehicle without written notice to the purchaser that
86 the vehicle is a demonstrator. For the purposes of this section,
87 a "demonstrator," a "new motor vehicle," and a "used motor

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88 vehicle" shall be defined as under s. 320.60.

89 2. Unjustifiable refusal to comply with a licensee's
90 responsibility under the terms of the new motor vehicle warranty
91 issued by its respective manufacturer, distributor, or importer.
92 However, if such refusal is at the direction of the
93 manufacturer, distributor, or importer, such refusal shall not
94 be a ground under this section.

95 3. Misrepresentation or false, deceptive, or misleading
96 statements with regard to the sale or financing of motor
97 vehicles which any motor vehicle dealer has, or causes to have,
98 advertised, printed, displayed, published, distributed,
99 broadcast, televised, or made in any manner with regard to the
100 sale or financing of motor vehicles.

101 4. Failure by any motor vehicle dealer to provide a
102 customer or purchaser with an odometer disclosure statement and
103 a copy of any bona fide written, executed sales contract or
104 agreement of purchase connected with the purchase of the motor
105 vehicle purchased by the customer or purchaser.

106 5. Failure of any motor vehicle dealer to comply with the
107 terms of any bona fide written, executed agreement, pursuant to
108 the sale of a motor vehicle.

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

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

113 8. Failure to continually meet the requirements of the
114 licensure law.

115 9. Representation to a customer or any advertisement to the
116 public representing or suggesting that a motor vehicle is a new

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117 motor vehicle if such vehicle lawfully cannot be titled in the
118 name of the customer or other member of the public by the seller
119 using a manufacturer's statement of origin as permitted in s.
120 319.23(1).

121 10. Requirement by any motor vehicle dealer that a customer
122 or purchaser accept equipment on his or her motor vehicle which
123 was not ordered by the customer or purchaser.

124 11. Requirement by any motor vehicle dealer that any
125 customer or purchaser finance a motor vehicle with a specific
126 financial institution or company.

127 12. Requirement by any motor vehicle dealer that the
128 purchaser of a motor vehicle contract with the dealer for
129 physical damage insurance.

130 13. Perpetration of a fraud upon any person as a result of
131 dealing in motor vehicles, including, without limitation, the
132 misrepresentation to any person by the licensee of the
133 licensee's relationship to any manufacturer, importer, or
134 distributor.

135 14. Violation of any of the provisions of s. 319.35 by any
136 motor vehicle dealer.

137 15. Sale by a motor vehicle dealer of a vehicle offered in
138 trade by a customer prior to consummation of the sale, exchange,
139 or transfer of a newly acquired vehicle to the customer, unless
140 the customer provides written authorization for the sale of the
141 trade-in vehicle prior to delivery of the newly acquired
142 vehicle.

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

145 17. Violation of chapter 319, this chapter, or ss. 559.901-

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146 559.9221, which has to do with dealing in or repairing motor
147 vehicles or mobile homes. Additionally, in the case of used
148 motor vehicles, the willful violation of the federal law and
149 rule in 15 U.S.C. s. 2304, 16 C.F.R. part 455, pertaining to the
150 consumer sales window form.

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

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

156 Section 4. This act shall take effect October 1, 2024.