

**By** the Appropriations Committee on Transportation, Tourism, and Economic Development; the Committee on Transportation; and Senators Rodriguez, Hooper, Wright, DiCeglie, and Broxson

606-03289-24

2024288c2

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 a specified designation to be  
11      included in a motor vehicle record; prohibiting  
12      inclusion of specified information in a motor vehicle  
13      record for certain purposes; requiring the Department  
14      of Highway Safety and Motor Vehicles to allow  
15      specified persons to update a motor vehicle  
16      registration to include or remove the specified  
17      designation at any time; amending s. 320.27, F.S.;  
18      conforming a cross-reference; providing an effective  
19      date.

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

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

606-03289-24

2024288c2

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

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

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

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

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

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

54 (a) Autism.

55 (b) Attention deficit hyperactivity disorder.

56 (c) Down syndrome.

57 (d) Alzheimer's disease.

58 (e) Traumatic brain injury.

606-03289-24

2024288c2

- 59       (f) Posttraumatic stress disorder.  
60       (g) Diabetes.  
61       (h) An autoimmune disorder.  
62       (i) Deafness.  
63       (j) Blindness.  
64       (k) Any other mentally or physically limiting disorder.

65  
66       If the applicant indicates one of the diagnoses listed above on  
67       the application, the department must include the designation  
68       "SAFE" in the motor vehicle record. For purposes of this  
69       subsection, the department may not include in the motor vehicle  
70       record personal identifying information of or any diagnosis of a  
71       person for whom a diagnosis is indicated. The department must  
72       allow a motor vehicle owner or co-owner to update a motor  
73       vehicle registration to include or remove the "SAFE" designation  
74       under this subsection at any time.

75               Section 3. Paragraph (b) of subsection (9) of section  
76       320.27, Florida Statutes, is amended to read:

77               320.27 Motor vehicle dealers.—

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

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

85               1. Representation that a demonstrator is a new motor  
86       vehicle, or the attempt to sell or the sale of a demonstrator as  
87       a new motor vehicle without written notice to the purchaser that

606-03289-24

2024288c2

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

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

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

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

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

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

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

115 8. Failure to continually meet the requirements of the  
116 licensure law.

606-03289-24

2024288c2

117           9. Representation to a customer or any advertisement to the  
118 public representing or suggesting that a motor vehicle is a new  
119 motor vehicle if such vehicle lawfully cannot be titled in the  
120 name of the customer or other member of the public by the seller  
121 using a manufacturer's statement of origin as permitted in s.  
122 319.23(1).

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

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

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

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

137           14. Violation of any of the provisions of s. 319.35 by any  
138 motor vehicle dealer.

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

145           16. Willful failure to comply with any administrative rule

606-03289-24

2024288c2

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

147 17. Violation of chapter 319, this chapter, or ss. 559.901-  
148 559.9221, which has to do with dealing in or repairing motor  
149 vehicles or mobile homes. Additionally, in the case of used  
150 motor vehicles, the willful violation of the federal law and  
151 rule in 15 U.S.C. s. 2304, 16 C.F.R. part 455, pertaining to the  
152 consumer sales window form.

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

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

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