

1 A bill to be entitled
 2 An act relating to designation of a diagnosis on motor
 3 vehicle registrations; providing a short title;
 4 amending s. 320.02, F.S.; authorizing a motor vehicle
 5 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,
 30 | THEREFORE,

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 32 | Be It Enacted by the Legislature of the State of Florida:
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34 | Section 1. This act may be cited as the "Safeguarding
 35 | American Families Everywhere (SAFE) Act."

36 | Section 2. Subsections (15) through (20) of section
 37 | 320.02, Florida Statutes, are renumbered 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
 41 | registration; 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
 56 license issued hereunder or under the provisions of s. 320.77 or
 57 s. 320.771 upon proof that a licensee has committed, with
 58 sufficient frequency so as to establish a pattern of wrongdoing
 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
 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
 94 | the public representing or suggesting that a motor vehicle is a
 95 | new motor vehicle if such vehicle lawfully cannot be titled in
 96 | the name of the customer or other member of the public by the
 97 | seller using a manufacturer's statement of origin as permitted
 98 | in s. 319.23(1).

99 | 10. Requirement by any motor vehicle dealer that a
 100 | customer or purchaser accept equipment on his or her motor

101 vehicle which 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,
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.
124 559.901-559.9221, which has to do with dealing in or repairing
125 motor vehicles or mobile homes. Additionally, in the case of

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126 used motor vehicles, the willful violation of the federal law
127 and rule in 15 U.S.C. s. 2304, 16 C.F.R. part 455, pertaining to
128 the 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.