

By Senator Trumbull

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A bill to be entitled

An act relating to motor vehicle dealers; amending s. 320.64, F.S.; prohibiting applicants and licensees from selling more than a specified number of motor vehicles at wholesale to motor vehicle dealers in a certain period under certain circumstances; providing applicability; providing construction; providing an effective date.

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

Section 1. Subsection (44) is added to section 320.64, Florida Statutes, to read:

320.64 Denial, suspension, or revocation of license; grounds.—A license of a licensee under s. 320.61 may be denied, suspended, or revoked within the entire state or at any specific location or locations within the state at which the applicant or licensee engages or proposes to engage in business, upon proof that the section was violated with sufficient frequency to establish a pattern of wrongdoing, and a licensee or applicant shall be liable for claims and remedies provided in ss. 320.695 and 320.697 for any violation of any of the following provisions. A licensee is prohibited from committing the following acts:

(44) The applicant or licensee has sold at least 3,000 motor vehicles at wholesale to motor vehicle dealers in this state in a 12-month period without first establishing at least five motor vehicle dealers in this state which are all independent from each other. This subsection applies only if the

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30 applicant or licensee is prohibited by s. 320.645 from owning or
31 operating a motor vehicle dealer. For purposes of this
32 subsection, a motor vehicle dealer is independent from another
33 motor vehicle dealer if all of the following conditions are met:

34 (a) The motor vehicle dealer is not controlled by another
35 motor vehicle dealer.

36 (b) The motor vehicle dealer is not controlled by one or
37 more persons who also control another motor vehicle dealer.

38 (c) The motor vehicle dealer has no more than 30 percent of
39 its equity interest directly or indirectly owned, beneficially
40 or of record, through any form of ownership structure by another
41 motor vehicle dealer.

42 (d) The motor vehicle dealer has no more than 30 percent of
43 its equity interest directly or indirectly controlled or owned,
44 beneficially or of record, through any form of ownership
45 structure by one or more persons who also directly or indirectly
46 control or own, beneficially or of record, more than 30 percent
47 of the equity interests of another motor vehicle dealer.

48
49 A motor vehicle dealer who can demonstrate that a violation of,
50 or failure to comply with, any of the preceding provisions by an
51 applicant or licensee will or may adversely and pecuniarily
52 affect the complaining dealer, shall be entitled to pursue all
53 of the remedies, procedures, and rights of recovery available
54 under ss. 320.695 and 320.697.

55 Section 2. This act shall take effect July 1, 2026.