

# FLORIDA HOUSE OF REPRESENTATIVES

## BILL ANALYSIS

*This bill analysis was prepared by nonpartisan committee staff and does not constitute an official statement of legislative intent.*

**BILL #:** [CS/HB 961](#)

**TITLE:** Salvage Certificates of Title and Certificates of Destruction

**SPONSOR(S):** Albert

**COMPANION BILL:** [SB 684](#) (McClain)

**LINKED BILLS:** None

**RELATED BILLS:** None

### Committee References

[Government Operations](#)

15 Y, 0 N, As CS

[Insurance & Banking](#)

[State Affairs](#)

## SUMMARY

### Effect of the Bill:

The bill replaces a requirement that electronic signatures on odometer disclosures by insurance companies related to certificates of destruction or salvage certificates of title for motor vehicles and mobile homes meet specific authentication standards with a requirement that insurance companies (or their authorized agents) implement secure control processes and procedures for electronic signatures that are acceptable to the Department of Highway Safety and Motor Vehicles.

### Fiscal or Economic Impact:

None

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## ANALYSIS

### EFFECT OF THE BILL:

The bill removes the existing requirement that [electronic signatures](#) on [odometer disclosures](#) submitted by insurance companies use systems that meet heightened digital identity standards under the National Institute of Standards and Technology's Digital Identity Guidelines. The bill replaces that provision with a requirement that insurance companies, or their authorized agents, implement their own control processes and procedures acceptable to the Department of Highway Safety and Motor Vehicles to ensure adequate identity verification, preservation, disposition, integrity, security, confidentiality, and auditability of electronic signatures on odometer disclosures related to [certificates of destruction or salvage certificates of title](#). (Section 1)

The effective date of the bill is July 1, 2026. (Section 2)

## RELEVANT INFORMATION

### SUBJECT OVERVIEW:

#### Electronic Signatures

The "Electronic Signature Act of 1996"<sup>1</sup> provides that unless otherwise provided by law, an electronic signature<sup>2</sup> may be used to sign a writing and has the same force and effect as a written signature. Federal law grants electronic signatures the same force and effect as written signatures for transactions affecting interstate and foreign commerce.<sup>3</sup>

<sup>1</sup> [Ch. 668, part I, F.S.](#)

<sup>2</sup> [S. 668.003\(4\), F.S.](#), defines "electronic signature" as any letters, characters, or symbols, manifested by electronic or similar means, executed or adopted by a party with an intent to authenticate a writing. A writing is electronically signed if an electronic signature is logically associated with such writing.

<sup>3</sup> 15 U.S.C. s. 7001.

**STORAGE NAME:** h0961a.GOS

**DATE:** 1/29/2026

## **Requirements for Salvage Certificates of Title and Certificates of Destruction**

The owner of a motor vehicle or mobile home that is considered to be salvage<sup>4</sup> is required to forward the title of the motor vehicle or mobile home to the Department of Highway Safety and Motor Vehicles (DHSMV) for processing within 72 hours after the motor vehicle or mobile home becomes salvage.<sup>5</sup> In the case of an insurance company that pays for the salvaged motor vehicle or mobile home, however, it must first obtain the certificate of title.<sup>6</sup> Then the insurer must notify the National Motor Vehicle Title Information System<sup>7</sup> and, within 72 hours after receiving the certificate of title, forward it to DHSMV.<sup>8</sup>

The certificate of title may be forwarded to the DHSMV via electronic means, the United States Postal Service, or other commercial delivery service (e.g., FedEx or UPS).<sup>9</sup> The owner or insurance company may not dispose of a vehicle or mobile home that is a total loss before it obtains a salvage certificate of title<sup>10</sup> or certificate of destruction from DHSMV.<sup>11</sup> To facilitate the issuance of salvage certificates of title and certificates of destruction when the insurer has been unable to obtain the title from the insured so that it may be surrendered to DHSMV, the insurer may receive a salvage certificate of title or certificate of destruction from DHSMV 30 days after paying the claim, if the insurer has:

- Obtained a release of all liens.
- Provided proof of payment of the total loss claim.
- Provided an affidavit<sup>12</sup> signed by the insurance company or its authorized agent stating the attempts<sup>13</sup> that have been made to obtain the title from the owner or lienholder and further stating that all attempts are to no avail.

## **Odometer Disclosures**

All certificates of title are required to contain an odometer disclosure statement, which is required by federal regulations<sup>14</sup> to be filled out<sup>15</sup> and signed before the title may be transferred.<sup>16</sup> In September 2019, the U.S. Department of Transportation's National Highway Traffic Safety Administration (NHTSA) announced the publication of a Final Rule establishing standards for states to follow when accepting odometer disclosures in an electronic format.<sup>17</sup> Odometer fraud is a federal crime<sup>18</sup> and NHTSA rules have required sellers to disclose vehicle

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<sup>4</sup> [S. 319.30\(1\)\(t\), F.S.](#), defines “salvage” as a motor vehicle or mobile home that is a total loss.

<sup>5</sup> [S. 319.30\(3\)\(b\), F.S.](#)

<sup>6</sup> [S. 319.30, F.S.](#)

<sup>7</sup> The National Motor Vehicle Title Information System (NMVTIS) is an electronic system that provides consumers with valuable information about a vehicle's condition and history. NMVTIS allows consumers to find information on a vehicle's title, most recent odometer reading, brand history, and, in some cases, historical theft data. *See National Motor Vehicle Title Information System, [For Consumers](#)* (last visited January 23, 2026).

<sup>8</sup> [S. 319.30\(3\)\(b\), F.S.](#)

<sup>9</sup> *Id.*

<sup>10</sup> [S. 319.001\(1\), F.S.](#), defines “certificate of title” as the record that is evidence of ownership of a vehicle, whether a paper certificate authorized by the DHSMV or a certificate consisting of information that is stored in an electronic form in the DHSMV's database.

<sup>11</sup> [S. 319.30\(1\)\(a\), F.S.](#), defines “certificate of destruction” as a certificate issued pursuant to [s. 713.78\(11\)](#) or [s. 713.785\(7\)\(a\), F.S.](#)

<sup>12</sup> The affidavit must include a request that the salvage certificate of title or certificate of destruction be issued in the insurance company's name due to payment of a total loss claim to the owner or lienholder. [S. 319.30\(3\)\(b\)1.c., F.S.](#)

<sup>13</sup> The attempts to contact the owner may be by written request delivered in person or by first-class mail with a certificate of mailing to the owner's or lienholder's last known address. [S. 319.30\(3\)\(b\)1.c., F.S.](#) If the owner or lienholder is notified of the request for title in person, the insurance company must provide an affidavit attesting to the in-person request for a certificate of title. [S. 319.30\(3\)\(b\)2., F.S.](#)

<sup>14</sup> [S. 319.225\(2\), F.S.](#)

<sup>15</sup> 49 C.F.R. s. 580.5(a).

<sup>16</sup> 49 C.F.R. s. 580.5(c). (“This disclosure must be signed by the transferor...”)

<sup>17</sup> 49 C.F.R. Part 580, [Final Rule](#) (September 16, 2019).

<sup>18</sup> 49 U.S.C. s. 32703.

odometer readings at the time of sale for decades.<sup>19</sup> Most vehicle transfers have been subject to a requirement that odometer disclosures be made in a paper format with handwritten names and wet ink signatures. This Final Rule removed the paper requirement and allowed electronic disclosure systems that have robust security and authentication. This action also removed the last remaining federal impediment to paperless motor vehicle transfers.<sup>20</sup> Instead of moving to an entirely paperless system, some states, like Florida, have continued to use hybrid odometer disclosure systems, where title transferors and transferees fill out odometer disclosures on paper forms that are then entered into an electronic system.<sup>21</sup>

While current law authorizes any electronic signature consistent with the state Electronic Signature Act to satisfy the requirements related to the issuance of a salvage certificate of title or certificate of destruction,<sup>22</sup> when it comes to odometer disclosures submitted by insurance companies to obtain a salvage certificate of title or certificate of destruction, electronic signatures must meet a heightened verification standard set by the federal National Institute of Standards and Technology (NIST) Digital Identity Guidelines.<sup>23</sup> The NIST guidelines have three assurance categories for digital identity verification:<sup>24</sup>

- Identity Assurance: Conveys the degree of confidence that the applicant's claimed identity is their real identity.
- Authenticator Assurance: Describes the strength of the authentication process.
- Federation Assurance: Describes the verification protocol used by a set of networked systems to communicate authentication information.

Each assurance category contains three levels, with level 1 being the weakest and level 3 the strongest.<sup>25</sup> Current law requires the electronic signatures on odometer disclosures submitted by insurance companies to obtain a salvage certificate of title or certificate of destruction to be at least level 2 for all assurance levels.<sup>26</sup>

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<sup>19</sup> 49 C.F.R. s. 580

<sup>20</sup> 49 C.F.R. s. 580.5.

<sup>21</sup> 49 C.F.R. Part 580, *Final Rule*, pg. 23-24 (September 16, 2019).

<sup>22</sup> [S. 319.30\(3\)\(d\), F.S.](#)

<sup>23</sup> U.S. Department of Commerce, National Institute of Standards and Technology, [NIST Special Publication 800-63-3, Digital Identity Guidelines](#) (last visited January 23, 2026).

<sup>24</sup> *Id.*

<sup>25</sup> *Id.*

<sup>26</sup> *Id.*

**BILL HISTORY**

COMMITTEE REFERENCE	ACTION	DATE	STAFF DIRECTOR/ POLICY CHIEF	ANALYSIS PREPARED BY
<a href="#"><u>Government Operations Subcommittee</u></a>	15 Y, 0 N, As CS	1/29/2026	Toliver	Lines
THE CHANGES ADOPTED BY THE COMMITTEE:	Allowed authorized agents of insurance companies to provide electronic signatures on odometer disclosures in the same way the bill permits insurance companies to do.			
<a href="#"><u>Insurance &amp; Banking Subcommittee</u></a>				
<a href="#"><u>State Affairs Committee</u></a>				

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**THIS BILL ANALYSIS HAS BEEN UPDATED TO INCORPORATE ALL OF THE CHANGES DESCRIBED ABOVE.**  
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