

1 A bill to be entitled  
2 An act relating to motor vehicle manufacturers and  
3 franchised motor vehicle dealers; amending s. 320.64,  
4 F.S.; prohibiting an applicant or licensee from  
5 establishing a monopolistic dealer body; providing an  
6 effective date.

7  
8 Be It Enacted by the Legislature of the State of Florida:

9  
10 **Section 1. Subsection (44) is added to section 320.64,**  
11 **Florida Statutes, to read:**

12 320.64 Denial, suspension, or revocation of license;  
13 grounds.—A license of a licensee under s. 320.61 may be denied,  
14 suspended, or revoked within the entire state or at any specific  
15 location or locations within the state at which the applicant or  
16 licensee engages or proposes to engage in business, upon proof  
17 that the section was violated with sufficient frequency to  
18 establish a pattern of wrongdoing, and a licensee or applicant  
19 shall be liable for claims and remedies provided in ss. 320.695  
20 and 320.697 for any violation of any of the following  
21 provisions. A licensee is prohibited from committing the  
22 following acts:

23 (44) The applicant or licensee has sold at least 3,000  
24 motor vehicles at wholesale to motor vehicle dealers in the  
25 state in a 12-month period without first establishing at least

26 five motor vehicle dealers in the state that are all independent  
27 from each other. This subsection shall apply unless the  
28 applicant or licensee is not prohibited by s. 320.645 from  
29 owning or operating a motor vehicle dealer. A motor vehicle  
30 dealer is independent from another motor vehicle dealer under  
31 this subsection only if the motor vehicle dealer:

32 (a) Is not controlled by another motor vehicle dealer;

33 (b) Is not controlled by one or more persons who also  
34 control another motor vehicle dealer;

35 (c) Has no more than 30 percent of its equity interest  
36 directly or indirectly owned, beneficially or of record, through  
37 any form of ownership structure, by another motor vehicle  
38 dealer; and

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

45  
46 A motor vehicle dealer who can demonstrate that a violation of,  
47 or failure to comply with, any of the preceding provisions by an  
48 applicant or licensee will or may adversely and pecuniarily  
49 affect the complaining dealer, shall be entitled to pursue all  
50 of the remedies, procedures, and rights of recovery available

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51 | under ss. 320.695 and 320.697.

52 |       **Section 2.** This act shall take effect July 1, 2026.