

By Senator Hays

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1 A bill to be entitled
2 An act relating to low-speed vehicles; amending s.
3 319.14, F.S.; authorizing the conversion of a vehicle
4 titled or branded and registered as a low-speed
5 vehicle to a golf cart; providing procedures;
6 providing for a fee; providing an effective date.

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

9
10 Section 1. Section 319.14, Florida Statutes, is amended to
11 read:

12 319.14 Sale of motor vehicles registered or used as
13 taxicabs, police vehicles, lease vehicles, rebuilt vehicles,
14 nonconforming vehicles, custom vehicles, or street rod vehicles;
15 conversion of low-speed vehicles.-

16 (1) (a) A person may not knowingly offer for sale, sell, or
17 exchange any vehicle that has been licensed, registered, or used
18 as a taxicab, police vehicle, or short-term-lease vehicle, or a
19 vehicle that has been repurchased by a manufacturer pursuant to
20 a settlement, determination, or decision under chapter 681,
21 until the department has stamped in a conspicuous place on the
22 certificate of title of the vehicle, or its duplicate, words
23 stating the nature of the previous use of the vehicle or the
24 title has been stamped "Manufacturer's Buy Back" to reflect that
25 the vehicle is a nonconforming vehicle. If the certificate of
26 title or duplicate was not so stamped upon initial issuance
27 thereof or if, subsequent to initial issuance of the title, the
28 use of the vehicle is changed to a use requiring the notation
29 provided for in this section, the owner or lienholder of the

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30 vehicle shall surrender the certificate of title or duplicate to
31 the department prior to offering the vehicle for sale, and the
32 department shall stamp the certificate or duplicate as required
33 herein. When a vehicle has been repurchased by a manufacturer
34 pursuant to a settlement, determination, or decision under
35 chapter 681, the title shall be stamped "Manufacturer's Buy
36 Back" to reflect that the vehicle is a nonconforming vehicle.

37 (b) A person may not knowingly offer for sale, sell, or
38 exchange a rebuilt vehicle until the department has stamped in a
39 conspicuous place on the certificate of title for the vehicle
40 words stating that the vehicle has been rebuilt or assembled
41 from parts, or is a kit car, glider kit, replica, flood vehicle,
42 custom vehicle, or street rod vehicle unless proper application
43 for a certificate of title for a vehicle that is rebuilt or
44 assembled from parts, or is a kit car, glider kit, replica,
45 flood vehicle, custom vehicle, or street rod vehicle has been
46 made to the department in accordance with this chapter and the
47 department has conducted the physical examination of the vehicle
48 to assure the identity of the vehicle and all major component
49 parts, as defined in s. 319.30(1), which have been repaired or
50 replaced. Thereafter, the department shall affix a decal to the
51 vehicle, in the manner prescribed by the department, showing the
52 vehicle to be rebuilt.

53 (c) As used in this section, the term:

54 1. "Police vehicle" means a motor vehicle owned or leased
55 by the state or a county or municipality and used in law
56 enforcement.

57 2.a. "Short-term-lease vehicle" means a motor vehicle
58 leased without a driver and under a written agreement to one or

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59 more persons from time to time for a period of less than 12
60 months.

61 b. "Long-term-lease vehicle" means a motor vehicle leased
62 without a driver and under a written agreement to one person for
63 a period of 12 months or longer.

64 c. "Lease vehicle" includes both short-term-lease vehicles
65 and long-term-lease vehicles.

66 3. "Rebuilt vehicle" means a motor vehicle or mobile home
67 built from salvage or junk, as defined in s. 319.30(1).

68 4. "Assembled from parts" means a motor vehicle or mobile
69 home assembled from parts or combined from parts of motor
70 vehicles or mobile homes, new or used. "Assembled from parts"
71 does not mean a motor vehicle defined as a "rebuilt vehicle" in
72 subparagraph 3., which has been declared a total loss pursuant
73 to s. 319.30.

74 5. "Kit car" means a motor vehicle assembled with a kit
75 supplied by a manufacturer to rebuild a wrecked or outdated
76 motor vehicle with a new body kit.

77 6. "Glider kit" means a vehicle assembled with a kit
78 supplied by a manufacturer to rebuild a wrecked or outdated
79 truck or truck tractor.

80 7. "Replica" means a complete new motor vehicle
81 manufactured to look like an old vehicle.

82 8. "Flood vehicle" means a motor vehicle or mobile home
83 that has been declared to be a total loss pursuant to s.
84 319.30(3)(a) resulting from damage caused by water.

85 9. "Nonconforming vehicle" means a motor vehicle which has
86 been purchased by a manufacturer pursuant to a settlement,
87 determination, or decision under chapter 681.

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88 10. "Settlement" means an agreement entered into between a
89 manufacturer and a consumer that occurs after a dispute is
90 submitted to a program, or an informal dispute settlement
91 procedure established by a manufacturer or is approved for
92 arbitration before the New Motor Vehicle Arbitration Board as
93 defined in s. 681.102.

94 11. "Custom vehicle" means a motor vehicle that:

95 a. Is 25 years of age or older and of a model year after
96 1948 or was manufactured to resemble a vehicle that is 25 years
97 of age or older and of a model year after 1948; and

98 b. Has been altered from the manufacturer's original design
99 or has a body constructed from nonoriginal materials.

100
101 The model year and year of manufacture that the body of a custom
102 vehicle resembles is the model year and year of manufacture
103 listed on the certificate of title, regardless of when the
104 vehicle was actually manufactured.

105 12. "Street rod" means a motor vehicle that:

106 a. Is of a model year of 1948 or older or was manufactured
107 after 1948 to resemble a vehicle of a model year of 1948 or
108 older; and

109 b. Has been altered from the manufacturer's original design
110 or has a body constructed from nonoriginal materials.

111
112 The model year and year of manufacture that the body of a street
113 rod resembles is the model year and year of manufacture listed
114 on the certificate of title, regardless of when the vehicle was
115 actually manufactured.

116 (2) A person may not knowingly sell, exchange, or transfer

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117 a vehicle referred to in subsection (1) without, before
118 consummating the sale, exchange, or transfer, disclosing in
119 writing to the purchaser, customer, or transferee the fact that
120 the vehicle has previously been titled, registered, or used as a
121 taxicab, police vehicle, or short-term-lease vehicle, is a
122 vehicle that is rebuilt or assembled from parts, is a kit car,
123 glider kit, replica, or flood vehicle, or is a nonconforming
124 vehicle, custom vehicle, or street rod vehicle, as the case may
125 be.

126 (3) Any person who, with intent to offer for sale or
127 exchange any vehicle referred to in subsection (1), knowingly or
128 intentionally advertises, publishes, disseminates, circulates,
129 or places before the public in any communications medium,
130 whether directly or indirectly, any offer to sell or exchange
131 the vehicle shall clearly and precisely state in each such offer
132 that the vehicle has previously been titled, registered, or used
133 as a taxicab, police vehicle, or short-term-lease vehicle or
134 that the vehicle or mobile home is a vehicle that is rebuilt or
135 assembled from parts, is a kit car, glider kit, replica, or
136 flood vehicle, or is a nonconforming vehicle, custom vehicle, or
137 street rod vehicle, as the case may be. A person who violates
138 this subsection commits a misdemeanor of the second degree,
139 punishable as provided in s. 775.082 or s. 775.083.

140 (4) If a certificate of title, including a foreign
141 certificate, is branded to reflect a condition or prior use of
142 the titled vehicle, the brand must be noted on the registration
143 certificate of the vehicle and such brand shall be carried
144 forward on all subsequent certificates of title and registration
145 certificates issued for the life of the vehicle.

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146 (5) A person who knowingly sells, exchanges, or offers to
147 sell or exchange a motor vehicle or mobile home contrary to this
148 section or any officer, agent, or employee of a person who
149 knowingly authorizes, directs, aids in, or consents to the sale,
150 exchange, or offer to sell or exchange a motor vehicle or mobile
151 home contrary to this section commits a misdemeanor of the
152 second degree, punishable as provided in s. 775.082 or s.
153 775.083.

154 (6) A person who removes a rebuilt decal from a rebuilt
155 vehicle with the intent to conceal the rebuilt status of the
156 vehicle commits a felony of the third degree, punishable as
157 provided in s. 775.082, s. 775.083, or s. 775.084.

158 (7) This section applies to a mobile home, travel trailer,
159 camping trailer, truck camper, or fifth-wheel recreation trailer
160 only when the mobile home or vehicle is a rebuilt vehicle or is
161 assembled from parts.

162 (8) A person is not liable or accountable in any civil
163 action arising out of a violation of this section if the
164 designation of the previous use or condition of the motor
165 vehicle is not noted on the certificate of title and
166 registration certificate of the vehicle which was received by,
167 or delivered to, such person, unless the person has actively
168 concealed the prior use or condition of the vehicle from the
169 purchaser.

170 (9) Subsections (1), (2), and (3) do not apply to the
171 transfer of ownership of a motor vehicle after the motor vehicle
172 has ceased to be used as a lease vehicle and the ownership has
173 been transferred to an owner for private use or to the transfer
174 of ownership of a nonconforming vehicle with 36,000 or more

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175 miles on its odometer, or 34 months whichever is later and the
176 ownership has been transferred to an owner for private use. Such
177 owner, as shown on the title certificate, may request the
178 department to issue a corrected certificate of title that does
179 not contain the statement of the previous use of the vehicle as
180 a lease vehicle or condition as a nonconforming vehicle.

181 (10) (a) A vehicle titled or branded and registered as a
182 low-speed vehicle may be converted to a golf cart pursuant to
183 the following:

184 1. The owner of the converted vehicle must contact the
185 regional office of the department to verify the conversion,
186 surrender the registration license plate and the current
187 certificate of title, and pay the appropriate fee established
188 under paragraph (b).

189 2. Upon verification of the conversion, the department
190 shall note in the vehicle record that the low-speed vehicle has
191 been converted to a golf cart and cancel the certificate of
192 title and registration of the vehicle.

193 (b) The department shall establish a fee of \$40 to cover
194 the cost of verification and associated administrative costs for
195 carrying out its responsibilities under this subsection.

196 Section 2. This act shall take effect July 1, 2013.