

By Senator Bradley

7-01028-14

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1 A bill to be entitled
2 An act relating to certificates of destruction;
3 amending s. 319.30, F.S.; revising the requirements
4 for an owner or insurance company to obtain a
5 certificate of destruction for certain motor vehicles
6 or mobile homes; providing an effective date.

7
8 Be It Enacted by the Legislature of the State of Florida:
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10 Section 1. Paragraph (b) of subsection (3) of section
11 319.30, Florida Statutes, is amended to read:

12 319.30 Definitions; dismantling, destruction, change of
13 identity of motor vehicle or mobile home; salvage.—

14 (3)

15 (b) The owner, including persons who are self-insured, of a
16 ~~any~~ motor vehicle or mobile home that ~~which~~ is considered to be
17 salvage shall, within 72 hours after the motor vehicle or mobile
18 home becomes salvage, forward the title to the motor vehicle or
19 mobile home to the department for processing. However, an
20 insurance company that ~~which~~ pays money as compensation for the
21 total loss of a motor vehicle or mobile home shall obtain the
22 certificate of title for the motor vehicle or mobile home, make
23 the required notification to the National Motor Vehicle Title
24 Information System, and, within 72 hours after receiving such
25 certificate of title, ~~shall~~ forward such title to the department
26 for processing. The owner or insurance company, as applicable
27 ~~the case may be~~, may not dispose of a vehicle or mobile home
28 that is a total loss before it obtains ~~has obtained~~ a salvage
29 certificate of title or certificate of destruction from the

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30 department. When applying for a salvage certificate of title or
31 certificate of destruction, the owner or insurance company must
32 provide the department with an estimate of the costs of
33 repairing the physical and mechanical damage suffered by the
34 vehicle for which a salvage certificate of title or certificate
35 of destruction is sought. If a motor vehicle or mobile home is
36 damaged, wrecked, or burned to the extent that the only residual
37 value of the motor vehicle or mobile home is as a source of
38 parts or scrap metal, or if the motor vehicle or mobile home
39 comes into this state under a title or other ownership document
40 that indicates that the motor vehicle or mobile home is not
41 repairable, is junked, or is for parts or dismantling only, the
42 owner or insurance company that pays money as compensation for
43 total loss of a motor vehicle or mobile home shall obtain the
44 ~~estimated costs of repairing the physical and mechanical damage~~
45 ~~to the vehicle are equal to 80 percent or more of the current~~
46 ~~retail cost of the vehicle, as established in any official used~~
47 ~~car or used mobile home guide, the department shall declare the~~
48 ~~vehicle unrebuildable and print a certificate of destruction,~~
49 which authorizes the dismantling or destruction of the motor
50 vehicle or mobile home ~~described therein~~. However, if the
51 damaged motor vehicle is equipped with custom-lowered floors for
52 wheelchair access or a wheelchair lift, the insurance company
53 may, upon determining that the vehicle is repairable to a
54 condition that is safe for operation on public roads, submit the
55 certificate of title to the department for reissuance as a
56 salvage rebuildable title and the addition of a title brand of
57 "insurance-declared total loss." The certificate of destruction
58 shall be reassignable a maximum of two times before dismantling

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59 or destruction of the vehicle is ~~shall be~~ required, and shall
60 accompany the motor vehicle or mobile home for which it is
61 issued, when such motor vehicle or mobile home is sold for such
62 purposes, in lieu of a certificate of title , ~~and, thereafter,~~
63 The department may not issue a ~~shall refuse issuance of any~~
64 certificate of title for that vehicle. ~~Nothing in~~ This
65 subsection is not ~~shall be~~ applicable if ~~when~~ a vehicle is worth
66 less than \$1,500 retail in undamaged condition in any official
67 used motor vehicle guide or used mobile home guide or when a
68 stolen motor vehicle or mobile home is recovered in
69 substantially intact condition and is readily resalable without
70 extensive repairs to or replacement of the frame or engine. A
71 ~~Any~~ person who knowingly violates this paragraph or falsifies
72 documentation ~~any document~~ to avoid the requirements of this
73 paragraph commits a misdemeanor of the first degree, punishable
74 as provided in s. 775.082 or s. 775.083.

75 Section 2. This act shall take effect July 1, 2014.