

Bill No. CS for SB 2708

Amendment No. ____ Barcode 404120

	<u>Senate</u>	CHAMBER ACTION	<u>House</u>
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11 Senator Wise moved the following amendment:

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13 **Senate Amendment (with title amendment)**

14 On page 2, between lines 7 and 8,

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16 insert:

17 Section 1. Subsection (8) of section 320.03, Florida

18 Statutes, is amended to read:

19 320.03 Registration; duties of tax collectors;

20 International Registration Plan.--

21 (8) If the applicant's name appears on the list
22 referred to in ss. ~~s.~~ 316.1001(4), s. 316.1967(6), 320.27(14),

23 or s. 713.78(13), a license plate or revalidation sticker may

24 not be issued until that person's name no longer appears on

25 the list or until the person presents a receipt from the clerk

26 showing that the fines outstanding have been paid. The tax

27 collector and the clerk of the court are each entitled to

28 receive monthly, as costs for implementing and administering

29 this subsection, 10 percent of the civil penalties and fines

30 recovered from such persons. As used in this subsection, the

31 term "civil penalties and fines" does not include a wrecker

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1 operator's lien as described in s. 713.78(13), or a motor
 2 vehicle dealer claim as described in s. 320.27(14). If the tax
 3 collector has private tag agents, such tag agents are entitled
 4 to receive a pro rata share of the amount paid to the tax
 5 collector, based upon the percentage of license plates and
 6 revalidation stickers issued by the tag agent compared to the
 7 total issued within the county. The authority of any private
 8 agent to issue license plates shall be revoked, after notice
 9 and a hearing as provided in chapter 120, if he or she issues
 10 any license plate or revalidation sticker contrary to the
 11 provisions of this subsection. This section applies only to
 12 the annual renewal in the owner's birth month of a motor
 13 vehicle registration and does not apply to the transfer of a
 14 registration of a motor vehicle sold by a motor vehicle dealer
 15 licensed under this chapter, except for the transfer of
 16 registrations which is inclusive of the annual renewals. This
 17 section does not affect the issuance of the title to a motor
 18 vehicle, notwithstanding s. 319.23(7)(b).

19 Section 2. Current subsection (14) of section 320.27,
 20 Florida Statutes is redesignated as subsection (15) and a new
 21 subsection (14) is added to that section to read:

22 320.27 Motor vehicle dealers.--

23 (14)(a) Any independent motor vehicle dealer, licensed
 24 pursuant to this section, which finances the sale of a motor
 25 vehicle, may request the department to place the name of the
 26 registered owner of that vehicle on the list of those persons
 27 who may not be issued a license plate or validation sticker
 28 for any motor vehicle pursuant to s. 320.03 (8) when such
 29 independent motor vehicle dealer demonstrates all of the
 30 following to the satisfaction of the department:

31 1. The purchaser of such vehicle has violated the

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1 contracted payment schedule and is in default as shown by a
2 copy of the unfulfilled contract;

3 2. The purchaser of such vehicle has not contacted the
4 independent dealer for a period of 45 days, and the
5 independent dealer has made a good faith effort to contact the
6 purchaser of the vehicle at least twice by regular mail and
7 once by certified mail during that 45 day period to the
8 address indicated on the department's database.

9 (b) If the vehicle is owned jointly by more than one
10 person the name of each registered owner shall be placed on
11 the list.

12 (c) A person who has his or her name on the list of
13 those persons who may not be issued a license plate or
14 validation sticker for any motor vehicle under this
15 subsection, may have his or her name removed from such list
16 upon demonstrating to the department there are no liens on the
17 vehicle purchased or the liens have been discharged; or upon
18 providing a release from the independent motor vehicle dealer
19 stating the person has satisfied the requirements of the
20 contract.

21 ~~(15)(14)~~ EXEMPTION.--The provisions of this section do
22 not apply to persons who sell or deliver motorized disability
23 access vehicles as defined in s. 320.01.

24
25 (Redesignate subsequent sections.)

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27
28 ===== T I T L E A M E N D M E N T =====

29 And the title is amended as follows:

30 On page 1, line 2, after the semicolon

31

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1 insert:

2 amending ss. 320.03 and 320.27, F.S.; providing
3 an independent motor vehicle dealer may request
4 the department to register persons who violate
5 the contracted payment schedule and have made
6 no attempt to contact such dealer for 45 days;

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