



668688

LEGISLATIVE ACTION

Senate

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House

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The Committee on Commerce and Tourism (Hukill) recommended the following:

**Senate Amendment (with title amendment)**

Delete everything after the enacting clause  
and insert:

Section 1. Section 559.920, Florida Statutes, is amended to  
read:

559.920 Unlawful acts and practices.—It shall be a  
violation of this act for any motor vehicle repair shop or  
employee thereof to:

(1) Engage or attempt to engage in repair work for



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11 compensation of any type without first being registered with or  
12 having submitted an affidavit of exemption to the department;  
13 (2) Make or charge for repairs which have not been  
14 expressly or impliedly authorized by the customer;  
15 (3) Misrepresent that repairs have been made to a motor  
16 vehicle;  
17 (4) Misrepresent that certain parts and repairs are  
18 necessary to repair a vehicle;  
19 (5) Misrepresent that the vehicle being inspected or  
20 diagnosed is in a dangerous condition or that the customer's  
21 continued use of the vehicle may be harmful or cause great  
22 damage to the vehicle;  
23 (6) Fraudulently alter any customer contract, estimate,  
24 invoice, or other document;  
25 (7) Fraudulently misuse any customer's credit card;  
26 (8) Make or authorize in any manner or by any means  
27 whatever any written or oral statement which is untrue,  
28 deceptive or misleading, and which is known, or which by the  
29 exercise of reasonable care should be known, to be untrue,  
30 deceptive or misleading;  
31 (9) Make false promises of a character likely to influence,  
32 persuade, or induce a customer to authorize the repair, service,  
33 or maintenance of a motor vehicle;  
34 (10) Substitute used, rebuilt, salvaged, or straightened  
35 parts for new replacement parts without notice to the motor  
36 vehicle owner and to her or his insurer if the cost of repair is  
37 to be paid pursuant to an insurance policy and the identity of  
38 the insurer or its claims adjuster is disclosed to the motor  
39 vehicle repair shop;



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40 (11) Cause or allow a customer to sign any work order that  
41 does not state the repairs requested by the customer or the  
42 automobile's odometer reading at the time of repair;

43 (12) Fail or refuse to give to a customer a copy of any  
44 document requiring the customer's signature upon completion or  
45 cancellation of the repair work;

46 (13) Willfully depart from or disregard accepted practices  
47 and professional standards;

48 (14) Have repair work subcontracted without the knowledge  
49 or consent of the customer unless the motor vehicle repair shop  
50 or employee thereof demonstrates that the customer could not  
51 reasonably have been notified;

52 (15) Conduct the business of motor vehicle repair in a  
53 location other than that stated on the registration certificate;

54 (16) Rebuild or restore a rebuilt vehicle without the  
55 knowledge of the owner in such a manner that it does not conform  
56 to the original vehicle manufacturer's established repair  
57 procedures or specifications and allowable tolerances for the  
58 particular model and year; ~~or~~

59 (17) Offer to a customer a rebate, gift, gift card, cash,  
60 coupon, or any other thing of value in exchange for making an  
61 insurance claim for motor vehicle glass replacement or repair,  
62 including an offer made through a nonemployee who is compensated  
63 for the solicitation of insurance claims; or

64 ~~(18)-(17)~~ Perform any other act that is a violation of this  
65 part or that constitutes fraud or misrepresentation.

66 Section 2. This act shall take effect July 1, 2018.

67  
68 ===== T I T L E A M E N D M E N T =====



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69 And the title is amended as follows:

70 Delete everything before the enacting clause  
71 and insert:

72 A bill to be entitled

73 An act relating to the repair of motor vehicles;  
74 amending s. 559.920, F.S.; prohibiting motor vehicle  
75 repair shops or their employees from offering anything  
76 of value to a customer in exchange for making an  
77 insurance claim for motor vehicle glass replacement or  
78 repair, including offers made through certain persons;  
79 providing an effective date.