

By Senator Stewart

13-00073-22

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1                                   A bill to be entitled  
2           An act relating to motor vehicle glass; amending s.  
3           559.920, F.S.; prohibiting motor vehicle repair shops  
4           or their employees from offering anything of value to  
5           a customer in exchange for making an insurance claim  
6           for motor vehicle glass replacement or repair,  
7           including offers made through certain persons;  
8           providing an effective date.

9  
10   Be It Enacted by the Legislature of the State of Florida:

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

14           559.920 Unlawful acts and practices.—It is ~~shall be~~ a  
15   violation of this act for any motor vehicle repair shop or  
16   employee thereof to do any of the following:

17           (1) Engage or attempt to engage in repair work for  
18   compensation of any type without first being registered with or  
19   having submitted an affidavit of exemption to the department.†

20           (2) Make or charge for repairs which have not been  
21   expressly or impliedly authorized by the customer.†

22           (3) Misrepresent that repairs have been made to a motor  
23   vehicle.†

24           (4) Misrepresent that certain parts and repairs are  
25   necessary to repair a vehicle.†

26           (5) Misrepresent that the vehicle being inspected or  
27   diagnosed is in a dangerous condition or that the customer's  
28   continued use of the vehicle may be harmful or cause great  
29   damage to the vehicle.†

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30 (6) Fraudulently alter any customer contract, estimate,  
31 invoice, or other document.†

32 (7) Fraudulently misuse any customer's credit card.†

33 (8) Make or authorize in any manner or by any means  
34 whatever any written or oral statement which is untrue,  
35 deceptive or misleading, and which is known, or which by the  
36 exercise of reasonable care should be known, to be untrue,  
37 deceptive or misleading.†

38 (9) Make false promises of a character likely to influence,  
39 persuade, or induce a customer to authorize the repair, service,  
40 or maintenance of a motor vehicle.†

41 (10) Substitute used, rebuilt, salvaged, or straightened  
42 parts for new replacement parts without notice to the motor  
43 vehicle owner and to her or his insurer if the cost of repair is  
44 to be paid pursuant to an insurance policy and the identity of  
45 the insurer or its claims adjuster is disclosed to the motor  
46 vehicle repair shop.†

47 (11) Cause or allow a customer to sign any work order that  
48 does not state the repairs requested by the customer or the  
49 automobile's odometer reading at the time of repair.†

50 (12) Fail or refuse to give to a customer a copy of any  
51 document requiring the customer's signature upon completion or  
52 cancellation of the repair work.†

53 (13) Willfully depart from or disregard accepted practices  
54 and professional standards.†

55 (14) Have repair work subcontracted without the knowledge  
56 or consent of the customer unless the motor vehicle repair shop  
57 or employee thereof demonstrates that the customer could not  
58 reasonably have been notified.†

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59 (15) Conduct the business of motor vehicle repair in a  
60 location other than that stated on the registration  
61 certificate.~~†~~

62 (16) Rebuild or restore a rebuilt vehicle without the  
63 knowledge of the owner in such a manner that it does not conform  
64 to the original vehicle manufacturer's established repair  
65 procedures or specifications and allowable tolerances for the  
66 particular model and year.~~†~~~~or~~

67 (17) Offer to a customer a rebate, gift, gift card, cash,  
68 coupon, or any other thing of value in exchange for making an  
69 insurance claim for motor vehicle glass replacement or repair,  
70 including an offer made through a nonemployee who is compensated  
71 for the solicitation of insurance claims.

72 (19)~~(17)~~ Perform any other act that is a violation of this  
73 part or that constitutes fraud or misrepresentation.

74 (18) Violate any provision of s. 713.585.

75 Section 2. This act shall take effect July 1, 2022.