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LEGISLATIVE ACTION

| Senate | . | House |
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| Comm: RCS | . | |
| 02/06/2024 | . | |
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The Committee on Transportation (Rodriguez) recommended the following:

Senate Amendment (with title amendment)

Delete lines 35 - 134

and insert:

American Families Everywhere (SAFE) Act."

Section 2. Present subsections (15) through (20) of section 320.02, Florida Statutes, are redesignated as subsections (16) through (21), respectively, and a new subsection (15) is added to that section, to read:

320.02 Registration required; application for registration;



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11 forms.-

12 (15) The application form for motor vehicle registration
13 must include language allowing an applicant to voluntarily
14 indicate that the applicant has been diagnosed with, or is the
15 parent or legal guardian of a child or ward who has been
16 diagnosed with, any of the following disabilities or disorders
17 by a physician licensed under chapter 458 or chapter 459:

18 (a) Autism.

19 (b) Attention deficit hyperactivity disorder.

20 (c) Down syndrome.

21 (d) Alzheimer's disease.

22 (e) Traumatic brain injury.

23 (f) Posttraumatic stress disorder.

24 (g) Diabetes.

25 (h) An autoimmune disorder.

26 (i) Deafness.

27 (j) Blindness.

28 (k) Any other mentally or physically limiting disorder.

29

30 If the applicant indicates one of the diagnoses listed above on
31 the application and provides proof acceptable to the department
32 of such diagnosis, the information from the application must be
33 included through the Driver and Vehicle Information Database and
34 available through the Florida Crime Information Center system.
35 The department must allow a motor vehicle owner or co-owner to
36 update a motor vehicle registration to include or remove
37 information regarding a diagnosis under this subsection at any
38 time.

39 Section 3. Paragraph (b) of subsection (9) of section



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40 320.27, Florida Statutes, is amended to read:

41 320.27 Motor vehicle dealers.—

42 (9) DENIAL, SUSPENSION, OR REVOCATION.—

43 (b) The department may deny, suspend, or revoke any license
44 issued hereunder or under the provisions of s. 320.77 or s.
45 320.771 upon proof that a licensee has committed, with
46 sufficient frequency so as to establish a pattern of wrongdoing
47 on the part of a licensee, violations of one or more of the
48 following activities:

49 1. Representation that a demonstrator is a new motor
50 vehicle, or the attempt to sell or the sale of a demonstrator as
51 a new motor vehicle without written notice to the purchaser that
52 the vehicle is a demonstrator. For the purposes of this section,
53 a "demonstrator," a "new motor vehicle," and a "used motor
54 vehicle" shall be defined as under s. 320.60.

55 2. Unjustifiable refusal to comply with a licensee's
56 responsibility under the terms of the new motor vehicle warranty
57 issued by its respective manufacturer, distributor, or importer.
58 However, if such refusal is at the direction of the
59 manufacturer, distributor, or importer, such refusal shall not
60 be a ground under this section.

61 3. Misrepresentation or false, deceptive, or misleading
62 statements with regard to the sale or financing of motor
63 vehicles which any motor vehicle dealer has, or causes to have,
64 advertised, printed, displayed, published, distributed,
65 broadcast, televised, or made in any manner with regard to the
66 sale or financing of motor vehicles.

67 4. Failure by any motor vehicle dealer to provide a
68 customer or purchaser with an odometer disclosure statement and



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69 a copy of any bona fide written, executed sales contract or
70 agreement of purchase connected with the purchase of the motor
71 vehicle purchased by the customer or purchaser.

72 5. Failure of any motor vehicle dealer to comply with the
73 terms of any bona fide written, executed agreement, pursuant to
74 the sale of a motor vehicle.

75 6. Failure to apply for transfer of a title as prescribed
76 in s. 319.23(6).

77 7. Use of the dealer license identification number by any
78 person other than the licensed dealer or his or her designee.

79 8. Failure to continually meet the requirements of the
80 licensure law.

81 9. Representation to a customer or any advertisement to the
82 public representing or suggesting that a motor vehicle is a new
83 motor vehicle if such vehicle lawfully cannot be titled in the
84 name of the customer or other member of the public by the seller
85 using a manufacturer's statement of origin as permitted in s.
86 319.23(1).

87 10. Requirement by any motor vehicle dealer that a customer
88 or purchaser accept equipment on his or her motor vehicle which
89 was not ordered by the customer or purchaser.

90 11. Requirement by any motor vehicle dealer that any
91 customer or purchaser finance a motor vehicle with a specific
92 financial institution or company.

93 12. Requirement by any motor vehicle dealer that the
94 purchaser of a motor vehicle contract with the dealer for
95 physical damage insurance.

96 13. Perpetration of a fraud upon any person as a result of
97 dealing in motor vehicles, including, without limitation, the



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98 misrepresentation to any person by the licensee of the
99 licensee's relationship to any manufacturer, importer, or
100 distributor.

101 14. Violation of any of the provisions of s. 319.35 by any
102 motor vehicle dealer.

103 15. Sale by a motor vehicle dealer of a vehicle offered in
104 trade by a customer prior to consummation of the sale, exchange,
105 or transfer of a newly acquired vehicle to the customer, unless
106 the customer provides written authorization for the sale of the
107 trade-in vehicle prior to delivery of the newly acquired
108 vehicle.

109 16. Willful failure to comply with any administrative rule
110 adopted by the department or the provisions of s. 320.131(8).

111 17. Violation of chapter 319, this chapter, or ss. 559.901-
112 559.9221, which has to do with dealing in or repairing motor
113 vehicles or mobile homes. Additionally, in the case of used
114 motor vehicles, the willful violation of the federal law and
115 rule in 15 U.S.C. s. 2304, 16 C.F.R. part 455, pertaining to the
116 consumer sales window form.

117 18. Failure to maintain evidence of notification to the
118 owner or co-owner of a vehicle regarding registration or titling
119 fees owed as required in s. 320.02(18) ~~s. 320.02(17)~~.

120 19. Failure to register a mobile home salesperson with the
121 department as required by this section.

122 Section 4. This act shall take effect October 1, 2024.

123
124 ===== T I T L E A M E N D M E N T =====

125 And the title is amended as follows:

126 Delete lines 4 - 11



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127 and insert:

128 title; amending s. 320.02, F.S.; requiring that
129 certain language on an application for motor vehicle
130 registration in order allow an applicant to indicate
131 that he or she has been diagnosed with, or is the
132 parent or legal guardian of a child or ward who has
133 been diagnosed with, specified disabilities or
134 disorders; requiring that certain information be
135 included in a specified database and system if an
136 applicant indicates a certain diagnosis and provides
137 proof of such; requiring the Department of Highway
138 Safety and Motor Vehicles to allow specified persons
139 to update a motor vehicle registration to include or
140 remove information regarding a diagnosis at any time;
141 amending s. 320.27, F.S.;