

Amendment No. 10b

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	<u> </u>	(Y/N)
ADOPTED AS AMENDED	<u> </u>	(Y/N)
ADOPTED W/O OBJECTION	<u> </u>	(Y/N)
FAILED TO ADOPT	<u> </u>	(Y/N)
WITHDRAWN	<u> </u>	(Y/N)
OTHER	<u> </u>	

1 Committee/Subcommittee hearing PCB: Transportation & Highway
2 Safety Subcommittee

3 Representative Raburn offered the following:

4
5 **Amendment to Amendment (PCB THSS 13-01 a10) by**
6 **Representative Raburn (with title amendment)**

7 Remove lines 238-277 of the amendment and insert:
8 require the lienholder to reimburse them only for their purchase
9 price of the derelict vehicle and shall not include any towing
10 costs, storage fees, administrative fees, or other costs.

11 3. Any person who knowingly violates this paragraph by
12 selling, transporting, delivering, purchasing, or receiving a
13 derelict motor vehicle without obtaining a certificate of title,
14 salvage certificate of title, certificate of destruction, or
15 derelict motor vehicle certificate application; enters false or
16 fictitious information on a derelict motor vehicle certificate
17 application; does not complete the derelict motor vehicle
18 certificate application as required; does not obtain a legible
19 copy of the seller's or owner's valid driver's license or

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20 identification card when required; does not make the required
21 notification to the department; or destroys or dismantles a
22 derelict motor vehicle without waiting the required time as set
23 forth in subparagraph 2. commits a felony of the third degree,
24 punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

25 (3)(a)1. As used in this section, a motor vehicle or
26 mobile home is a "total loss":

27 a. When an insurance company pays the vehicle owner to
28 replace the wrecked or damaged vehicle with one of like kind and
29 quality or when an insurance company pays the owner upon the
30 theft of the motor vehicle or mobile home; or

31 b. When an uninsured or self-insured motor vehicle or
32 mobile home is wrecked or damaged and the cost, at the time of
33 loss, of repairing or rebuilding the vehicle is 80 percent or
34 more of the cost to the owner of replacing the wrecked or
35 damaged motor vehicle or mobile home with one of like kind and
36 quality.

37 2. A motor vehicle or mobile home shall not be considered
38 a "total loss" if the insurance company and owner of a motor
39 vehicle or mobile home agree to repair, rather than to replace,
40 the motor vehicle or mobile home. ~~However, if the actual cost to~~
41 ~~repair the motor vehicle or mobile home to the insurance company~~
42 ~~exceeds 100 percent of the cost of replacing the wrecked or~~
43 ~~damaged motor vehicle or mobile home with one of like kind and~~
44 ~~quality, the owner shall forward to the department, within 72~~
45 ~~hours after the agreement, a request to brand the certificate of~~
46 ~~title with the words "Total Loss Vehicle." Such a brand shall~~
47 ~~become a part of the vehicle's title history.~~

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Published On: 3/12/2013 11:06:42 AM

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T I T L E A M E N D M E N T

Remove line 214 of the amendment and insert:
provisions to changes made by the act; amending s. 319.30, F.S.;
permitting a licensed salvage motor vehicle dealer to seek
reimbursement for the purchase price of the derelict vehicle
from lienholder and prohibiting the recovery of any other costs;
removing a provision that requires the owner of a wrecked or
damaged motor vehicle or mobile home to forward a request to the
department to brand the certificate of title with the words
"Total Loss Vehicle" when the actual cost to repair the wrecked
or damaged motor vehicle or mobile to the insurance company
exceeds 100 percent of the cost of replacing the wrecked or
damaged motor vehicle or mobile home with one of like kind and
quality; providing an