

1 A bill to be entitled
 2 An act relating to certificates of destruction;
 3 amending s. 319.30, F.S.; revising the requirements
 4 for an owner or insurance company to obtain a
 5 certificate of destruction for certain motor vehicles
 6 or mobile homes; providing an effective date.

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 8 Be It Enacted by the Legislature of the State of Florida:
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10 Section 1. Paragraph (b) of subsection (3) of section
 11 319.30, Florida Statutes, is amended to read:

12 319.30 Definitions; dismantling, destruction, change of
 13 identity of motor vehicle or mobile home; salvage.—

14 (3)

15 (b) The owner, including persons who are self-insured, of
 16 a any motor vehicle or mobile home that ~~which~~ is considered to
 17 be salvage shall, within 72 hours after the motor vehicle or
 18 mobile home becomes salvage, forward the title to the motor
 19 vehicle or mobile home to the department for processing.
 20 However, an insurance company that ~~which~~ pays money as
 21 compensation for the total loss of a motor vehicle or mobile
 22 home shall obtain the certificate of title for the motor vehicle
 23 or mobile home, make the required notification to the National
 24 Motor Vehicle Title Information System, and, within 72 hours
 25 after receiving such certificate of title, ~~shall~~ forward such
 26 title to the department for processing. The owner or insurance

27 | company, as applicable ~~the case may be~~, may not dispose of a
 28 | vehicle or mobile home that is a total loss before it obtains
 29 | ~~has obtained~~ a salvage certificate of title or certificate of
 30 | destruction from the department. When applying for a salvage
 31 | certificate of title or certificate of destruction, the owner or
 32 | insurance company must provide the department with an estimate
 33 | of the costs of repairing the physical and mechanical damage
 34 | suffered by the vehicle for which a salvage certificate of title
 35 | or certificate of destruction is sought. If a motor vehicle or
 36 | mobile home is damaged, wrecked, or burned to the extent that
 37 | the only residual value of the motor vehicle or mobile home is
 38 | as a source of parts or scrap metal, or if the motor vehicle or
 39 | mobile home comes into this state under a title or other
 40 | ownership document that indicates that the motor vehicle or
 41 | mobile home is not repairable, is junked, or is for parts or
 42 | dismantling only, the owner or insurance company that pays money
 43 | as compensation for total loss of a motor vehicle or mobile home
 44 | shall obtain ~~the estimated costs of repairing the physical and~~
 45 | ~~mechanical damage to the vehicle are equal to 80 percent or more~~
 46 | ~~of the current retail cost of the vehicle, as established in any~~
 47 | ~~official used car or used mobile home guide, the department~~
 48 | ~~shall declare the vehicle unbuildable and print~~ a certificate
 49 | of destruction, which authorizes the dismantling or destruction
 50 | of the motor vehicle or mobile home ~~described therein~~. However,
 51 | if the damaged motor vehicle is equipped with custom-lowered
 52 | floors for wheelchair access or a wheelchair lift, the insurance

53 company may, upon determining that the vehicle is repairable to
 54 a condition that is safe for operation on public roads, submit
 55 the certificate of title to the department for reissuance as a
 56 salvage rebuildable title and the addition of a title brand of
 57 "insurance-declared total loss." The certificate of destruction
 58 shall be reassignable a maximum of two times before dismantling
 59 or destruction of the vehicle is ~~shall be~~ required, and shall
 60 accompany the motor vehicle or mobile home for which it is
 61 issued, when such motor vehicle or mobile home is sold for such
 62 purposes, in lieu of a certificate of title, ~~and, thereafter,~~
 63 The department may not issue a ~~shall refuse issuance of any~~
 64 certificate of title for that vehicle. ~~Nothing in~~ This
 65 subsection is not ~~shall be~~ applicable if ~~when~~ a vehicle is worth
 66 less than \$1,500 retail in undamaged condition in any official
 67 used motor vehicle guide or used mobile home guide or when a
 68 stolen motor vehicle or mobile home is recovered in
 69 substantially intact condition and is readily resalable without
 70 extensive repairs to or replacement of the frame or engine. A
 71 ~~Any~~ person who knowingly violates this paragraph or falsifies
 72 documentation ~~any document~~ to avoid the requirements of this
 73 paragraph commits a misdemeanor of the first degree, punishable
 74 as provided in s. 775.082 or s. 775.083.

75 Section 2. This act shall take effect July 1, 2014.