

1989

## Session Law 89-053

Florida Senate & House of Representatives

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**H 635 GENERAL BILL by Healey (Identical S 327, Compare CS/CS/1ST ENG/H 1229, CS/CS/1ST ENG/S 639)**  
**Mobile Homes & Motor Vehicles/Titles; extends time limits for filing an application for title to, & for transfer of title of, motor vehicle or mobile home upon its transfer. Amends 319.23. Effective Date: 06/16/89.**

03/09/89 HOUSE Prefiled  
03/14/89 HOUSE Referred to Highway Safety & Construction  
04/04/89 HOUSE Introduced, referred to Highway Safety & Construction -HJ 65; On subcommittee agenda—Highway Safety & Construction, 04/05/89, 4:30 pm, 24-HOB  
04/05/89 HOUSE Subcommittee Recommendation: Favorable  
04/07/89 HOUSE On Committee agenda—Highway Safety & Construction, 04/11/89, 8:00 am, 24-HOB  
04/11/89 HOUSE Preliminary Committee Action by Highway Safety & Construction: Favorable  
04/14/89 HOUSE Comm. Report: Favorable by Highway Safety & Construction, placed on Calendar -HJ 232  
04/19/89 HOUSE Placed on Special Order Calendar; Read second time -HJ 242  
04/25/89 HOUSE Read third time; Passed; YEAS 113 NAYS 0 -HJ 261  
04/27/89 SENATE In Messages  
05/05/89 SENATE Received, referred to Transportation; Finance, Taxation and Claims -SJ 270  
05/12/89 SENATE Extension of time granted Committee Transportation  
05/26/89 SENATE Extension of time granted Committee Transportation  
05/29/89 SENATE Withdrawn from Transportation; Finance, Taxation and Claims; Substituted for SB 327; Passed; YEAS 39 NAYS 0 -SJ 508  
05/29/89 Ordered enrolled  
06/13/89 Signed by Officers and presented to Governor  
06/16/89 Approved by Governor; Chapter No. 89-53; See also: CS/CS/HB 1229 (Ch. 89-333)

**NOTES:** Above bill history from Division of Legislative Information's *FINAL LEGISLATIVE BILL INFORMATION, 1989 SESSIONS*. Staff Analyses for bills amended beyond final committee action may not be in accordance with the enacted law. Journal page numbers (HJ & SJ) refer to daily Journals and may not be the same as final bound Journals.

STORAGE NAME: H0635-f.hsc

DATE: July 14, 1989

HOUSE OF REPRESENTATIVES  
HIGHWAY SAFETY & CONSTRUCTION  
FINAL STAFF ANALYSIS & ECONOMIC IMPACT STATEMENT

BILL #: HB 635

RELATING TO: Mobile Homes & Motor Vehicles/Titles

SPONSOR(S): Representative Healey

EFFECTIVE DATE: Upon Becoming Law

DATE BECAME LAW: June 16, 1989

CHAPTER #: 89-63, Laws of Florida [89-53]

COMPANION BILL(S): SB 327 (Identical)

OTHER COMMITTEES OF REFERENCE: (1) None  
(2) None

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I. SUMMARY:

Extends the time limit for filing an application for original certificate of title, corrected certificate, assignment, reassignment, or duplicate certificate, for a motor vehicle or mobile home, from 20 days after delivery to the purchaser to 30 days after delivery. The bill also extends the time limit for filing an application for transfer of title from 20 days after receipt of the original or duplicate certificate to 30 days after receipt.

A. PRESENT SITUATION:

Currently, s. 319.23, F.S., provides for the application for, and issuance of, certificates of title. In the sale of a motor vehicle or mobile home by a dealer to a purchaser, the certificate of title is obtained in the name of the purchaser by the dealer. In each other case the certificate is obtained by the purchaser.

In each case of transfer of a motor vehicle or mobile home, the application for certificate of title, or corrected certificate, or assignment or reassignment, is required to be filed within 20 days from the delivery. If the certificate of title is lost or unavailable an application for duplicate title is required to be made within 20 days of delivery of the motor vehicle or mobile home. The application for transfer of title is to be filed within 20 days of receipt of the original or duplicate certificate of title. An applicant is charged a fee of \$10 for failing to file such application within the specified time.

B. EFFECT OF PROPOSED CHANGES:

Extends the time for filing the application for certificate of title, or corrected certificate, or assignment or reassignment from 20 days to 30 days. The time limit for filing an application for transfer of title is extended from 20 days after receipt of the original or duplicate certificate of title to 30 days after receipt.

II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT:

A. FISCAL IMPACT ON STATE AGENCIES/STATE FUNDS:

1. Non-recurring or First Year Start-Up Effects:

None.

2. Recurring or Annualized Continuation Effects:

None.

3. Long Run Effects Other Than Normal Growth:

None.

4. Appropriations Consequences:

None.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS AS A WHOLE:

1. Non-recurring or First Year Start-Up Effects:

None.

2. Recurring or Annualized Continuation Effects:

None.

3. Long Run Effects Other Than Normal Growth:

None.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

1. Direct Private Sector Costs:

None.

2. Direct Private Sector Benefits:

None.

3. Effects on Competition, Private Enterprise, and Employment Markets:

None.

D. FISCAL COMMENTS:

None.

III. LONG RANGE CONSEQUENCES:

None.

IV. COMMENTS:

A. Current law requires a dealer or purchaser to file an application for title document within 20 days of delivery of the motor vehicle or mobile home. Failure to meet this time frame results in a \$10 penalty. This bill increases the 20 days to 30 days. This increase will result in a decrease in revenue of the \$10 penalty. The amount of decrease is undeterminable.

B. Legislative History:

1. Enacted Bill:

House Highway Safety and Construction Committee: HB 635 was reported favorably.

House Chamber: Passed.

Senate Chamber: Substituted for SB 327 and passed.

2. Companion Bill:

Senate Transportation Committee: SB 327 was reported favorably.

Senate Finance, Taxation and Claims Committee: Reported favorably.

Senate Chamber: Laid on table, HB 635 substituted and passed.

V. SIGNATURES:

SUBSTANTIVE COMMITTEE:

Prepared by:

  
Lois Watson

Staff Director:

  
Bill Ham

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## SENATE STAFF ANALYSIS AND ECONOMIC IMPACT STATEMENT

<u>ANALYST</u>	<u>STAFF DIRECTOR</u>	<u>REFERENCE</u>	<u>ACTION</u>
1. <u>Mohler</u>	<u>Gargiulo</u>	1. <u>TR</u>	<u>Fav</u>
2. <u>Keating <i>mk</i></u>	<u>Beggs</u>	2. <u>FTC</u>	<u>Favorable</u>
3. _____	_____	3. _____	_____
4. _____	_____	4. _____	_____

## SUBJECT:

Motor Vehicles and Mobile  
Homes/Transfers of Title

## BILL NO. AND SPONSOR:

SB 327 by  
Senator Jennings

I. SUMMARY:

## A. Present Situation:

Section 319.23(6), F.S., provides that in each case of a transfer of a motor vehicle or mobile home, the application for a certificate of title, or a corrected certificate, or an assignment, or a reassignment must be filed within 20 days from the delivery of the motor vehicle or mobile home to the purchaser. If the certificate of title is unavailable at the time of sale to a retail purchaser, an application for a duplicate title must be made within 20 days from the delivery of the motor vehicle or mobile home to the purchaser, and the application for transfer of title must be filed within 20 days of receipt of the original or duplicate title. Any person who fails to meet these time limits is assessed a delinquent fee of \$10, which is deposited into the General Revenue Fund.

## B. Effect of Proposed Changes:

The bill amends s. 319.23(6), F.S., to lengthen the time periods for filing certain documents. Upon the transfer of a motor vehicle or mobile home, an application for a certificate of title, a corrected certificate, an assignment, or a reassignment must be filed within 30 days of delivery of the motor vehicle or mobile home to the purchaser. If the certificate of title is unavailable at the time of sale to a retail purchaser, an application for a duplicate title would be required to be made within 30 days of the delivery of the motor vehicle or mobile home to the purchaser, and the application for transfer of title would be required to be filed within 30 days of the receipt of the original or duplicate title.

II. ECONOMIC IMPACT AND FISCAL NOTE:

## A. Public:

Because this bill extends the time limit for filing certain documents for which a delinquent fee of \$10 is assessed upon late filing, it may result in fewer individuals being assessed the delinquent fee.

## B. Government:

The provisions of this bill would result in fewer delinquent fees being assessed, but the amount of the reduction to the General Revenue Fund is indeterminable.

The Department of Highway Safety and Motor Vehicles does not keep a separate account of delinquent fees and can not determine the amount of delinquent fees collected in FY 1988-89 from the provision of s. 319.23(6), F.S.

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III. COMMENTS:

HB 635 is identical to SB 327 and has been referred to the Senate Committees on Transportation and Finance, Taxation, and Claims.

This bill will take effect upon becoming a law.

IV. AMENDMENTS:

None.