

CHAPTER 2011-230

Committee Substitute for House Bill No. 437

An act relating to motor vehicle licenses; amending s. 320.60, F.S.; redefining the term “line-make vehicles” to clarify circumstances under which vehicles sold or leased under multiple brand names or marks constitute a single line-make; amending s. 320.6992, F.S.; revising the application of provisions relating to franchise agreements; providing an effective date.

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

Section 1. Subsection (14) of section 320.60, Florida Statutes, is amended to read:

320.60 Definitions for ss. 320.61-320.70.—Whenever used in ss. 320.61-320.70, unless the context otherwise requires, the following words and terms have the following meanings:

(14) “Line-make vehicles” are those motor vehicles which are offered for sale, lease, or distribution under a common name, trademark, service mark, or brand name of the manufacturer of same. However, motor vehicles sold or leased under multiple brand names or marks shall constitute a single line-make when they are included in a single franchise agreement and every motor vehicle dealer in this state authorized to sell or lease any such vehicles has been offered the right to sell or lease all of the multiple brand names or marks covered by the single franchise agreement. Except, such multiple brand names or marks shall be considered individual franchises for purposes of s. 320.64(36).

Section 2. Section 320.6992, Florida Statutes, is amended to read:

320.6992 Application.—Sections 320.60-320.70, including amendments to ss. 320.60-320.70, This act shall apply to all presently existing or hereafter established systems of distribution of motor vehicles in this state, except to the extent that such application would impair valid contractual agreements in violation of the State Constitution or Federal Constitution. Sections 320.60-320.70 do ~~The provisions of this act shall not apply to any judicial or administrative proceeding pending as of October 1, 1988. All agreements renewed, amended, or entered into subsequent to October 1, 1988, shall be governed by ss. 320.60-320.70, including any amendments to ss. 320.60-320.70 which have been or may be from time to time adopted, unless the amendment specifically provides otherwise, and except to the extent that such application would impair valid contractual agreements in violation of the State Constitution or Federal Constitution hereby.~~

Section 3. This act shall take effect July 1, 2011.

Became a law without the Governor’s approval June 24, 2011.

Filed in Office Secretary of State June 24, 2011.