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FLORIDA HIGHWAY SAFETY AND MOTOR VEHICLES



**Annual Report  
2022**



# Automobile Dealers Industry Advisory Board

2900 Apalachee Parkway, Tallahassee, Florida 32399-0500

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# Automobile Dealers Industry Advisory Board

2900 Apalachee Parkway, Tallahassee, Florida 32399-0500



**Automobile Dealers Industry Advisory Board**  
2900 Apalachee Parkway, Tallahassee, Florida 32399-0500



March 27, 2023

Mr. Dave Kerner  
Executive Director  
Department of Highway Safety and Motor Vehicles  
2900 Apalachee Parkway  
Tallahassee, FL 32301

Dear Executive Director Kerner:

Section 320.275, Florida Statutes, created the Automobile Dealers Industry Advisory Board (Board) to: make recommendations on proposed legislation, rules and procedures; present motor vehicle industry issues to the Department of Highway Safety and Motor Vehicles (Department) for its consideration; consider any matters relating to the motor vehicle dealer industry presented to it by the Department and submit an annual report to the Executive Director of the Department and file copies with the Governor, the President of the Senate, and the Speaker of the House of Representatives.

The Board has met twice since its last Annual Report to consider matters put forth by the Board and the Department. The minutes of these meetings are part of this report and fully explain the discussions and recommendations of the Board.

The Board recommends that the Department seek legislation, or modify internal procedures, to curtail the misuse of transporter license plates and prevent the reentry of former licensed dealers who previously owned a majority interest in, or acted as a control person of, a motor vehicle dealer that within the past ten years has been the subject of any decision, finding, injunction, suspension, revocation, denial, judgment, or administrative order by any court of competent jurisdiction, administrative law judge, or any state agency that resulted in a finding of violation of any federal or state law relating to unlicensed activity, or fraud in connection with the sale of a motor vehicle.

If you have any questions regarding this report, please contact Brett Saunders at [brettsaunders@flhsmv.gov](mailto:brettsaunders@flhsmv.gov) or (850) 617-3171.

Sincerely,

Jonathan Chariff, Chairman  
Automobile Dealers Industry Advisory Board

JC/hnr

**BOARD:** Jonathan Chariff, Chair, FADA | Thomas "Dino" Mercurio, Vice Chair, FIADA | Richard Kimsey, DACS | Glenna Bishop, NAAA | Kevin O'Connor, FAIA | Robert Kynoch, FLHSMV | Ron Collier, DOR | Scott Lunsford, FTCA | Jason March, FIADA | Telis Assimenios, FADA | Ben Winkler, NAAA



# Automobile Dealers Industry Advisory Board

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## Automobile Dealers Industry Advisory Board Membership

### Member

#### **Jonathan Chariff, Chair**

South Motors/Vista Motors  
4401 W. Sample Road  
Coconut Creek, FL 33073

#### **Thomas “Dino” Mercurio, Vice Chair**

Prime Autos  
P.O. Box 16127  
West Palm Beach, FL 33416

#### **Ben Winkler**

Tallahassee Auto Auction  
5249 Capital Circle SW  
Tallahassee, FL 32305

#### **Robert Kynoch**

Department of Highway Safety &  
Motors Vehicles  
Deputy Executive Director  
2900 Apalachee Parkway  
Tallahassee, FL 32399

#### **Scott Lunsford**

Escambia County Tax Collector  
P.O. Box 1312  
Pensacola, FL 32591

#### **Jason March**

Marbais Enterprises, Inc.  
1207 North Lakewood Avenue  
Ocoee, FL 34761

### Member

#### **Kevin O’Connor**

Vehicle Dealer Insurance  
Division of ISCF  
2910 Maguire Road, Suite 2004  
Ocoee, FL 34761

#### **Ron Collier**

Department of Revenue  
2450 Shumard Oak Boulevard  
Room 1-2830  
Tallahassee, FL 32399

#### **Ted Serbousek, CPA**

Southeast Automotive Management  
Chief Operating Officer  
932 North Nova Road  
Daytona Beach, FL 32117

#### **Richard Kimsey**

Department of Agriculture & Consumer  
Services  
2005 Apalachee Parkway  
Tallahassee, FL 32399-6500

#### **Glenna Bishop**

Manheim Central Florida  
9800 Bachman Road  
Orlando, FL 32824-8005

#### **Telis Assimenios**

Tom Bush Volkswagen  
9850 Atlantic Blvd  
Jacksonville, FL 32225



# Automobile Dealers Industry Advisory Board

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## Introduction

### Statutory Authority and Brief Description of Board Duties and Responsibilities

320.275 Automobile Dealers Industry Advisory Board.—

(1) AUTOMOBILE DEALERS INDUSTRY ADVISORY BOARD.—The Automobile Dealers Industry Advisory Board is created within the Department of Highway Safety and Motor Vehicles. The board shall make recommendations on proposed legislation, make recommendations on proposed rules and procedures, present licensed motor vehicle dealer industry issues to the Department for its consideration, consider any matters relating to the motor vehicle dealer industry presented to it by the department and submit an annual report to the executive director of the department and file copies with the Governor, the President of the Senate, and the Speaker of the House of Representatives.

(2) MEMBERSHIP, TERMS, MEETINGS.—

(a) The board shall be composed of 12 members. The executive director of the Department of Highway Safety and Motor Vehicles shall appoint the members from names submitted by the entities for the designated categories the member will represent. The executive director shall appoint one representative of the Department of Highway Safety and Motor Vehicles; two representatives of the independent motor vehicle industry as recommended by the Florida Independent Automobile Dealers Association; two representatives of the franchise motor vehicle industry as recommended by the Florida Automobile Dealers Association; one representative of the auction motor vehicle industry who is from an auction chain and is recommended by a group affiliated with the National Auto Auction Association; one representative of the auction motor vehicle industry who is from an independent auction and is recommended by a group affiliated with the National Auto Auction Association; one representative from the Department of Revenue; a Florida tax collector representative recommended by the Florida Tax Collectors Association; one representative from the Better Business Bureau; one representative from the Department of Agriculture and Consumer Services, who must represent the Division of Consumer Services; and one representative of the insurance industry who writes motor vehicle dealer surety bonds.

(b)1. The executive director shall appoint the following initial members to 1-year terms: one representative from the motor vehicle auction industry who represents an auction chain, one representative from the independent motor vehicle industry, one representative from the franchise motor vehicle industry, one representative from the Department of Revenue, one Florida tax collector, and one representative from the Better Business Bureau.



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2. The executive director shall appoint the following initial members to 2-year terms: one representative from the motor vehicle auction industry who represents an independent auction, one representative from the independent motor vehicle industry, one representative from the franchise motor vehicle industry, one representative from the Division of Consumer Services, one representative from the insurance industry, and one representative from the department.
  3. As the initial terms expire, the executive director shall appoint successors from the same designated category for terms of 2 years. If renominated, a member may succeed himself or herself.
  4. The board shall appoint a chair and vice chair at its initial meeting and every 2 years thereafter.
- (c) The board shall meet at least two times per year. Meetings may be called by the chair of the board or by the executive director of the department. One meeting shall be held in the fall of the year to review legislative proposals. The board shall conduct all meetings in accordance with applicable Florida Statutes and shall keep minutes of all meetings. Meetings may be held in locations around the state in department facilities or in other appropriate locations.
- (3) PER DIEM, TRAVEL, AND STAFFING.—Members of the board from the private sector are not entitled to per diem or reimbursement for travel expenses. However, members of the board from the public sector are entitled to reimbursement, if any, from their respective agency. Members of the board may request assistance from the Department of Highway Safety and Motor Vehicles as necessary.

History.—s. 27, Ch. 2001-196; s. 19, Ch. 2011-66



# Automobile Dealers Industry Advisory Board

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## Board Meeting Agenda June 2, 2022 Virtual Meeting

Join from your PC, tablet, or smartphone:

<https://meet.goto.com/673525797>

Join from your phone: 1-877-309-2073

Access Code: 673-525-797

- Item 1:** Call to Order at 10:00 A.M.
- Item 2:** Roll Call
- Item 3:** Bureau of Dealer Services Reports  
Brett Saunders, Chief of Dealer Services
  - A. Curbstoning
  - B. Operational Workload
  - C. Rebuilt Inspection
  - D. New Licenses Issued - Manufacturers, Distributors and Importers
  - E. Transporter Plate Enforcement Activities
  - F. Office of General Counsel Report – Daniel Biggins, Chief Counsel
- Item 4:** PRVIP Status Report  
Brett Saunders, Chief of Dealer Services
- Item 5:** Discussion of Legislative Issues  
Robert Kynoch, Director of Motorist Services
- Item 6:** Board Requested Discussion Items
- Item 7:** Chairman Discussion  
Jonathan Chariff, Chairman
- Item 8:** General Issues from the Floor
- Item 9:** Next Meeting – Date, Time and Place



# Automobile Dealers Industry Advisory Board

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## Board Meeting Minutes June 2, 2022

### **Agenda Item 1: Call to Order**

The meeting was called to order by Jonathan Chariff at 10:00 AM.

### **Agenda Item 2: Roll Call**

Mr. Brett Saunders proceeded with the roll call.

Board members participating in the meeting were Robert Kynoch, Jonathan Chariff, Dino Mercurio, Kevin O'Connor, Jason March, Ron Collier, Glenna Bishop, Telis Assimenios, Ben Winkler, and Scott Lunsford. Other participants were Eyola Cook, Paul McNamara, Greg Scharlach, Jennifer Finlay, Luz Martinez, Bob Leggiero, Cheryl Turner, Beth Williams, Calvin Hill, Eric Day.

Department participants were Richie Frederick, Deputy Director of Program Operations; Brett Saunders, Chief, Bureau of Dealer Services; Sharon Watson, Program Manager, Palmer Brand, North District Program Manager, Bureau of Dealer Services; Kyle Cockcream, South District Program Manager, Bureau of Dealer Services; Sondra Howard, Operations Services Manager; Dan Biggins, Chief Legal Counsel; Luz Collins, South District Business Consultant, Bureau of Dealer Services; and Heather Robinson, Administrative Assistant, Bureau of Dealer Services.

### **Agenda Item 3: Bureau of Dealer Services Reports**

Brett Saunders presented an overview of the Bureau Reports to the members of the Board.

- A. Curbstoning – Mr. Saunders presented curbstoning numbers through the third quarter for fiscal year 2021-22. These numbers reflected a total of 80 curbstoning investigations, resulting in 8 vehicles towed. Mr. Saunders advised there was an increase in the number of investigations compared to the previous quarter. A lot of the investigations come from online marketplaces versus parking vehicles on the side of the road. Mr. Dino Mercurio asked if the investigations were mostly in the Tallahassee area and if they were going to be expanded to other Regions in the State. Mr. Saunders advised that the majority occurred in the Central Florida area, and a few in Tallahassee. Mr. Saunders further advised that all Regions, based on their staffing levels, conduct curbstoning investigations.





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He further talked about a curbstoning investigation conducted in the Panhandle area earlier in the year that turned into an odometer fraud investigation resulting in an arrest. Mr. Jonathan Chariff asked what the ramifications of the curbstoning investigations are if it is repetitive. Mr. Saunders explained that the first step is to contact the curbstoner and ask them to remove the vehicle. If it is not removed the vehicle is towed and the person would have to pay approximately \$700 to retrieve the vehicle, that includes the \$500 fee to obtain the release letter and the tow yard fees. If it is suspected that a person is selling more than three vehicles in a calendar year, it is presumed that they are engaging in a motor vehicle sales business and a cease-and-desist letter will be sent. Mr. Chariff explained to the Board that the Department has various tools to identify if there are unlicensed dealers doing business online and asked dealers should they have information of curbstoners in their areas to contact the local BDS Regional office so they can get involved with the cease-and-desist letter process. Mr. Saunders further advised the bureau continues to use Harmari software to assist as a search tool to identify names, telephone numbers, addresses, and vehicle identification numbers. There is a lot of information in this database.

Mr. Saunders talked about the unlicensed investigations, explaining that there was a significant increase in this type of investigation occurring in the Tampa and Orlando areas. Resulting in 72 cease-and-desist letters sent during the third quarter.

- B. Operational Workload – Mr. Saunders referred to the operational workload report advising that up to the third quarter the Department issued 8,626 renewal licenses for Independent, Salvage, Auction, Wholesale, Service and Franchise dealers, 322 Manufacturers, Importers and Distributors licenses, 1,544 Mobile Home, Recreational dealer licenses, for a total of 10,492 licenses issued up to the third quarter of FY 2021/22. There is a total of 15,649 licensed dealers statewide.

Mr. Chariff mentioned that there is a spike between 20/21 and 21/22 and asked if that is due to the two-year renewal licensing. Mr. Saunders confirmed that it is due to the bi-annual renewals and also advised that the data did not capture the late renewal period that extends 45 days from the date the license expires.

The Department conducted 1,722 dealer inspections. Out of that number, 572 or 33% failed consistent with the previous year's numbers. The number of dealer inspections has decreased primarily due to staffing shortages. The Department is operating with an average of 42 vacancies across the state. Mr. Saunders further advised that there have been some internal changes, and an increase in the salary for Compliance Examiners will attract more candidates to reduce the number of vacancies.



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Up to the third quarter of FY 21/22, the Department received 3,118 consumer complaints, completed 29 title fraud investigations and 12 odometer fraud investigations. As mentioned in the previous meeting the Motor Vehicle Title Fraud unit also conducts fraud investigations and has conducted 30 fraud investigations. The total of fraud investigations for the Department is 42. The title/odometer fraud investigations comprise a little over 1% of the total of complaint investigations we receive.

One of these investigations, that started as a curbside investigation, resulted in odometer fraud. The Florida Highway Patrol (FHP) got involved and the curbsider/unlicensed dealer was arrested. They are currently seeking an injunction for this individual.

The total of rebuilt, ASPT, VIN and odometer investigations up to the third quarter is 28,370.

- C. Rebuilt Inspections – Mr. Saunders advised the totals for the third quarter represents all the regional offices including PRVIP entities with a combined total of 74,203. He further advised the majority of rebuilt inspections are conducted at the PRVIP facilities. The regional office in Tampa also conducted a large number of rebuilt inspections compared to other regions with a total of 3,415. Mr. Chariff mentioned that he sees an increase compared to the previous year and asked what that is attributed to. Mr. Saunders advised that it could possibly be due to the lack of inventory that dealers are buying and rebuilding more vehicles. The Tampa area has been very busy with rebuilt vehicles as reflected in the report. Mr. Robert Kynoch added that over the years rebuilt vehicles seem to be a growing market. Mr. Chariff asked if the private rebuilt facilities will be expanded to other areas outside of the South Florida market. Mr. Kynoch advised that recent legislation passed expanding the private rebuilt program to other counties where the Department has a Regional Office.
- D. New Licenses Issued – Mr. Saunders presented the number of new licenses issued and advised that they were all motor vehicle manufacturer licenses. He further explains that Livewire EV, LLC is an electric motorcycle franchise that will be sold out of the Harley Davidson franchises. Ms. Sharon Watson added that this is a new electric motorcycle coming out of Harley Davison branded Livewire. They have met the requirement process to add Livewire as a new line make under a separate license and so far, they are being sold out of Harley Davidson dealerships.
- E. Transporter Plates – Mr. Saunders clarified that in the notice that was sent out the date was inadvertently not changed; the dates should be from July 2021 through April 2022. He further advised that the number of plates validated has increased significantly. Nearly 7% of the plates did



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not have valid insurance and these plates have been cancelled. There are some changes in the procedure that will be effective in the near future. Any new entity that requests more than five plates will be required to visit one of the BDS Regional Offices for the issuance of those plates. The regional office will inquire additional information as to why they need that many plates. Entities that currently have five or more plates, those can be renewed at the Tax Collector's offices. Across the state we have 274 entities that have more than five transporter plates, so the Department does not anticipate a big interference with other businesses at the Regional Offices.

- F. Office of General Counsel Report – Mr. Daniel Biggins, Chief Counsel, presented the numbers of final orders issued, administrative complaints and fines collected. He advised that these numbers have been consistent compared to last year's stats. The office is in the process of hiring for vacant positions and a new attorney will be coming on board soon. Mr. Mercurio asked if there was any indication of any trends. It was advised that the two predominant issues are late title complaints and dealer abandoned locations.

## **Agenda Item 4: PRVIP Status Report**

Mr. Saunders presented an overview of the Private Rebuilt Vehicle Inspection Program (PRVIP). As shown in the report, the private facilities continue to serve the majority of this market in the State. The 14 private facilities approved in Dade County performed 62,623 or 84%, while the regional offices performed 11,580 or 16% of number of rebuilt inspections conducted statewide totaling 74,203. Legislation was approved to expand this program to Broward, Palm Beach, Manatee, Hillsborough, Orange, Volusia, Marion, Duval, Leon, Bay, and Escambia counties where the Department has a Regional Office, and it is pending to be signed into law.

## **Agenda Item 5: Discussion of Legislative Issues**

Mr. Kynoch advised that the legislative session recently ended and highlighted the topics in the Department's Bill that would impact motor vehicle dealers. There was clarification to notifications to the Department when there are changes to the dealer's GLI policy and the expansion of the PRVIP Program.

For the next session the Department does not anticipate moving forward with any legislation affecting dealers. There was legislation introduced and conversations to extend the 30 days



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requirement for dealers to file an application after delivering the vehicle and also related issues to include temp tags. The Department was not supportive of these changes. The most common complaints from consumers are related to late title transfer and temporary tags issues. It is important for the Department to have a balance concerning these issues and is open for future conversations to extend the 30-day requirement. Since last summer the Department has seen an improvement in the number of dealers applying for titles within 30 days.

There was an open discussion among board members and participants regarding financial institutions being required to release the liens within a period of time after the pay off. The Department will take a look at the current language in Statute to see if it gives the Department jurisdiction to try to resolve these issues on behalf of both, the consumers and the dealers. The regional offices are instructed to encourage the dealers to engage with the Department and present those mitigating factors that are causing late title transfers to be taken into consideration.

Mr. Kynoch brought up to the Board an issue that had been discussed previously in this meeting regarding a dealership's control person. There have been instances when action has been taken against the dealer's license and this person incorporates under a new corporation and applies for another license. He advised that the Department found some language in Chapter 320 that would potentially give us the ability to act against an individual that takes that kind of action. The Department will seek legislation regarding this control person and will update the Board in the next meeting.

Mr. Kynoch also talked about another issue that has been discussed before regarding toll stops on registrations and wanted to add it to the agenda for open discussion. Mr. Mercurio expressed to the Board that he would like to see a minimum threshold in place before putting a stop on an individual's registration as this would eliminate a lot of issues at the time of transferring the titles and securing liens. After further discussion it was agreed that both associations, FADA and FIADA, and the Department will coordinate to begin dialogue with the toll authorities to see if there is a way to establish a minimum threshold that would satisfy both Departments.

## **Agenda Item 6: Board Requested Discussion Items**

Mr. Chariff brought up an open item presented by FADA that was still pending for discussion related to dealer's fines paid by dealers when the title transfers go over 30 days. The question was more



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related to whether the dealer is responsible for paying the \$20 late fee if the dealer is not at fault for the late transfer. He inquired if the dollar amount collected for those fines during the last 12 to 24 months can be shared with the board to better understand the issue at hand. Mr. Kynoch explained that there are two separate issues related to dealer's fines. One is related to Administrative Complaints. The majority of these cases related to title not applied for within 30 days. Up to the third quarter of FY 21/22 the Department collected \$260,950 in Administrative Complaints fines. The other issue is a statutory fee. Regarding this fee, the Department does not have any discretion. The Statute requires dealers to pay a \$20 fee for late title transactions submitted over 30 days. The Department collects about \$5 million a year for these types of transactions. There are various scenarios that lead to late title transfers, including stops in registrations. However, dealers are not allowed to process title only. The Department will look into the policy or statute to determine if it can be allowed for dealers to do title only when there are unusual circumstances outside of their control.

Regarding the meeting with the toll authorities, Mr. Kynoch suggested exploring the option for consumers or dealers to pay the fines electronically clearing the registration stops in real time that would potentially resolve some of the issues related to late title transfers.

Frank Toms from Auto Data Direct advised the Board that he is willing to work with the toll authorities and the Department to develop integration to clear these stops electronically.

## **Agenda Item 7: Chairman Discussion**

Mr. Chariff advised the Board that if there is an open item or items that they feel are relevant to have in this meeting and would like to add it to the agenda, they can put it together and send it to him via email for further review with the Department. He further advised that he wants this Advisory Board to be as supportive and to be able to understand what is happening in the industry, the needs and the wants of the dealer body and the community as a whole.

## **Agenda Item 8: General Issues from the Floor**

Mr. Jason March, president of FIADA and owner of a dealership in Duval County, presented an issue related to catalytic converters. He expressed that over the last three months he has had over 10 catalytic converter thefts on vehicles on the lot. He was advised by his local exhaust shop that this is happening every day. Mr. March brought this issue to the Board to see if there has been any discussion about that. Mr. Kynoch responded that the Department has not touched on that issue internally and appreciated him bringing that to their attention. Frank from ADD advised the Board that there has been conversation at the Federal level to have this theft reported to NMVTIS the same way it is done for stolen vehicles. Mr. Mercurio added that there have also been talks at the Federal level about



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marking these converters with ID numbers so they can be tracked.

Mr. Telis Assimenios, going back to the licensing subject, inquired if Harley-Davidson (HD) is going to be able to sell the EV motorcycles direct or if it is going to be through franchised dealers only. Ms. Watson advised that they have obtained approval to sell the EV motorcycles through franchise dealers at this time.

Mr. Eric Day asked if the Board could discuss introducing or amending legislation in the future that would allow the Lemon Law Brochure requirement to be moved to a digital environment. In this way, the brochure would be provided electronically instead of the brochure that is physically delivered to the consumer.

Mr. Kynoch offered to do some research and contact the Attorney General's Office for additional information and put them in contact with FADA for clarification on Lemon Law requirements and the dissemination of their information.

Mr. Chariff asked what the Department's position is regarding off-site deliveries and paperwork to a customer by the dealer. Mr. Saunders responded that as long as the vehicle is in his inventory and leaves that licensed location, there should be no conflict with the rules.

Mr. Day asked what the Department's view was on service facilities that provide remote service at customers' homes or other locations outside of their authorized location. Mr. Kynoch responded that these facilities are under the jurisdiction of the Department of Agriculture and that he could contact them to try to get clarification on this matter.

## **Agenda Item 10: Next Meeting – Date, Time and Place:**

The Board agreed for the next meeting to be in person.

The meeting will be held on November 3<sup>rd</sup>, 2022, at the Manheim Auto Auction located in Orlando, FL.

The meeting was adjourned at 11:42 a.m.



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## AGENDA ITEM 3A Bureau of Dealer Services Curbstoning Enforcement & Unlicensed Activity

FY 21/22	1st Quarter	2nd Quarter	3rd Quarter	4th Quarter	Yearly Totals
Curbstoning Investigations	168	33	80		<b>281</b>
Unlicensed Dealer Investigations	9	2	72		<b>83</b>
Vehicles Towed	14	6	8		<b>28</b>

FY 20/21	1st Quarter	2nd Quarter	3rd Quarter	4th Quarter	Yearly Totals
Curbstoning Investigations	75	98	120	88	<b>381</b>
Unlicensed Dealer Investigations	30	46	17	24	<b>117</b>
Vehicles Towed	7	9	11	9	<b>36</b>

FY 19/20	1st Quarter	2nd Quarter	3rd Quarter	4th Quarter	Yearly Totals
Curbstoning Investigations	64	78	11	32	<b>238</b>
Unlicensed Dealer Investigations	10	7	20	0	<b>37</b>
Vehicles Towed	13	9	10	3	<b>35</b>



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## AGENDA ITEM 3B Bureau of Dealer Services Operational Workload

	FY 19/20	FY 20/21	FY 21/22
<b>Number of Motor Vehicle Dealers (independent, salvage, auction, wholesale, service and franchise) Licenses Issued</b>	12,727	9,200	8,626
<b>Number of Manufacturers, Importers &amp; Distributors Licenses Issued</b>	399	182	322
<b>Number of Mobile Home/Recreational Vehicle Dealers Licenses Issued</b>	1,741	1,531	1,544
<b>Total Licenses Issued</b>	14,469	10,913	10,492
<b>Number of Motor Vehicle Dealer Inspections</b>	3,752	2,929	1,722
<b>Number of Failed Motor Vehicle Dealer Inspections</b>	1,370	952	572
<b>Percentage of Failed MV Dealer Records Inspections to Total Inspections</b>	36.51%	32.50%	33.22%
<b>MV Failed Inspections % Change From Previous Year</b>	+4.93%	-4.01%	+0.72%
<b>Number of Consumer Complaints Received</b>	5,222	4,024	3,118
<b>Number of Title Fraud Investigations</b>	63	11	29
<b>Number of Odometer Fraud Investigations</b>	41	28	12
<b>Total Number of Title and Odometer Fraud Investigations</b>	104	39	41
<b>Title/Odometer Fraud Investigations As % Of All Complaint Investigations</b>	1.99%	0.97%	1.31%
<b>Total Rebuilt, ASPT, VIN and Odometer Inspections</b>	48,555	31,068	28,370

\* FY21/22 reports July 2021 through April 2022





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## AGENDA ITEM 3C Bureau of Dealer Services Rebuilt Inspections

<b>FY 21/22 (Up to 3rd Qtr)</b>	<b>1st Quarter</b>	<b>2nd Quarter</b>	<b>3rd Quarter</b>	<b>4th Quarter</b>	<b>Total</b>
1-Margate	136	102	110		348
2-Ocala	246	319	283		848
3-Jacksonville	246	258	337		841
4-Orange City	374	336	349		1,059
5-Orlando	315	265	387		967
6-Tampa	1,152	1,033	1,230		3,415
7-Tallahassee	635	655	697		1,987
8-Palmetto	385	391	434		1,210
9-W. Palm Beach	209	161	158		528
10-Miami	126	120	131		377
PRVIP	20,212	19,455	22,956		62,623
<b>Total</b>	<b>24,036</b>	<b>23,095</b>	<b>27,072</b>	<b>-</b>	<b>74,203</b>
<b>FY 20/21</b>	<b>1st Quarter</b>	<b>2nd Quarter</b>	<b>3rd Quarter</b>	<b>4th Quarter</b>	<b>Total</b>
1-Margate	251	178	171	168	768
2-Ocala	218	183	238	262	901
3-Jacksonville	394	196	243	308	1,141
4-Orange City	358	362	358	360	1,438
5-Orlando	380	364	344	346	1,434
6-Tampa	1,149	981	1,140	1,119	4,389
7-Tallahassee	665	808	719	737	2,929
8-Palmetto	477	437	456	432	1,802
9-W. Palm Beach	304	201	149	173	827
10-Miami	343	230	170	118	861
PRVIP	15,943	16,179	17,116	20,023	69,261
<b>Total</b>	<b>20,482</b>	<b>20,119</b>	<b>21,104</b>	<b>24,046</b>	<b>85,751</b>



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**AGENDA ITEM 3C**  
**Bureau of Dealer Services**  
**Rebuilt Inspections**  
**(continued)**

<b>FY 19/20</b>	<b>1st Quarter</b>	<b>2nd Quarter</b>	<b>3rd Quarter</b>	<b>4th Quarter</b>	<b>Total</b>
<b>1-Margate</b>	2,124	1,534	789	18	<b>4,465</b>
<b>2-Ocala</b>	243	246	190	202	<b>881</b>
<b>3-Jacksonville</b>	474	475	347	298	<b>1,594</b>
<b>4-Orange City</b>	440	432	346	230	<b>1,448</b>
<b>5-Orlando</b>	600	695	599	145	<b>2,039</b>
<b>6-Tampa</b>	1,297	658	1,221	704	<b>3,880</b>
<b>7-Tallahassee</b>	896	690	898	460	<b>2,944</b>
<b>8-Palmetto</b>	546	437	347	489	<b>1,819</b>
<b>9-W. Palm Beach</b>	481	471	408	129	<b>1,489</b>
<b>10-Miami</b>	10,258	5,496	1,926	127	<b>17,807</b>
<b>PRVIP</b>	*	2,601	10,723	14,763	<b>28,087</b>
<b>Total</b>	<b>17,359</b>	<b>13,735</b>	<b>17,794</b>	<b>17,565</b>	<b>66,453</b>



# Automobile Dealers Industry Advisory Board

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## AGENDA ITEM 3D

### Motor Vehicle and Recreational Vehicle Manufacturers, Distributors, and Importers NEW LICENSES ISSUED 10/22/2021 – 4/30/2022.

LICENSE TYPE CODE	LICENSE NUMBER	LICENSE SUFFIX	INITIAL ISSUE DATE	FULL NAME	MAILING STREET ADDRESS	CITY	STATE CODE	ZIP CODE	PHYSICAL LOCATION STREET ADDRESS	LOCATION N CITY	LOCATION STATE	LOCATION ZIP CODE
MV	1140971	1	2/7/2022	AMERICA EV, INC	518 PINE TERRACE # 1	WEST PALM BEACH	FL	33405	518 PINE TERRACE # 1	WEST PALM BEACH	FL	33405
MV	1141036	1	4/8/2022	CAPACITY OF TEXAS, INC.	401 CAPACITY DRIVE	LONGVIEW	TX	75604	401 CAPACITY DRIVE	LONGVIEW	TX	75604
MV	1141858	1	4/4/2022	EBR MOTORCYCLES, LLC	461 RIVERCREST COURT	MUKWONAGO	WI	53149	2700 PATTERSON AVE SE	GRAND RAPIDS	MI	49546
MV	1141526	1	3/31/2022	FIREX LLC	501 SOUTH 8TH STREET	FERNANDINA BEACH	FL	32034	501 SOUTH 8TH STREET	FERNANDINA BEACH	FL	32034
MV	1140929	1	2/1/2022	FOREST RIVER BUS, LLC - DIVISION 05	P.O. BOX 3030	ELKHART	IN	46515	2367 CENTURY DR	GOSHEN	IN	46528
MV	1140932	1	2/2/2022	FOREST RIVER BUS, LLC - DIVISION 82	CHASITY KING P.O. BOX 3030	ELKHART	IN	46515	12813 HIGHWAY 64 WEST	TYLER	TX	75704
MV	1140931	1	2/2/2022	FOREST RIVER BUSS, LLC - DIVISION 35	P.O. BOX 3030	ELKHART	IN	46515	2412 CENTURY DR	GOSHEN	IN	46528
MV	1140916	1	2/1/2022	FOREST RIVER, LLC - DIVISION 42	P.O. BOX 3030	ELKHART	IN	46515	914 C.R. 1	ELKHART	IN	46514
MV	1142026	1	4/15/2022	LIVEWIRE EV, LLC	3700 W JUNEAU AVE	MILWAUKEE	WI	53208	3700 W JUNEAU AVE	MILWAUKEE	WI	53208
MV	1141764	1	3/31/2022	RIVIAN AUTOMOTIVE LLC	13250 N HAGGERTY RD	PLYMOUTH	MI	48170	100 N RIVIAN MTWY	NORMAL	IL	61761
MV	1140147	1	12/3/2021	SILVERLIGHT ELECTRIC VEHICLE INC	4710 MAINSAIL DRIVE	BRADENTON	FL	34208	3025 LAKEWOOD RANCH BLVD BUILDING 7, SUITE 104	BRADENTON	FL	34211
MV	1140279	1	12/16/2021	TEXAS UNDERGROUND, INC	PO BOX 2729	PEARLAND	TX	77588	5119 SE 102ND PLACE, UNIT 201	BELLEVIEW	FL	34420
MV	1141056	1	2/24/2022	TROJAN EV, LLC	P. O. BOX 19370	HOUSTON	TX	77224	1309 COFFEEN AVE STE 2253	SHRIDAN	WY	82801

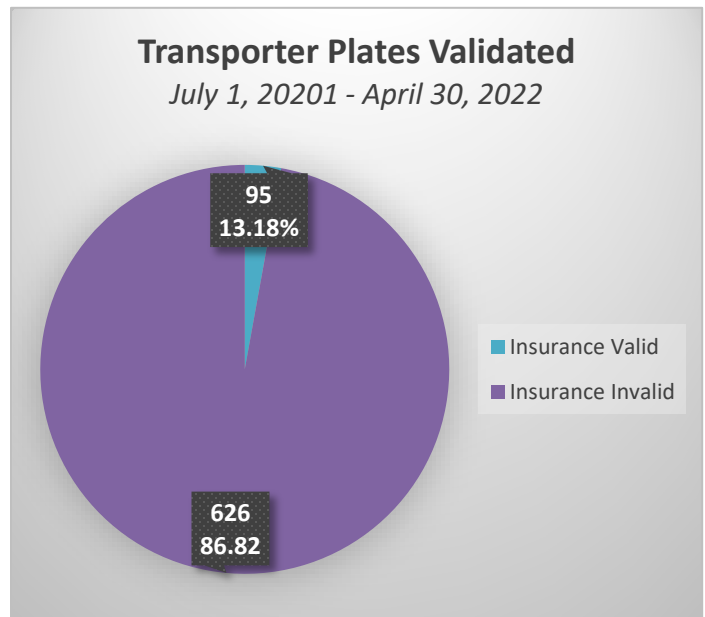
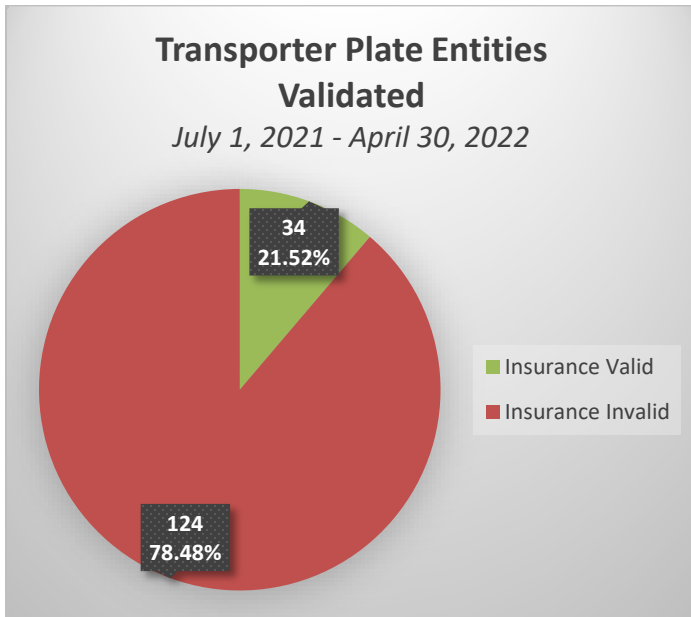
MV: Motor Vehicle Manufacturer  
 MD: Motor Vehicle Distributor  
 MI: Motor Vehicle Importer  
 MR: Recreational Vehicle Manufacturer



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## AGENDA ITEM 3E Bureau of Dealer Services Transporter Plate Enforcement





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## AGENDA ITEM 3F

### Bureau of Dealer Services Office of General Counsel

	FY 19/20	FY 20/21	FY 21/22
Final Orders which Resulted in Revocation	77	17	37
Administrative Complaints	771	194	172
Fines Collected	\$386,125	\$226,850	\$260,950
GLI Complaints	-		

\*FY 21/22 report July 2021 – April 2022



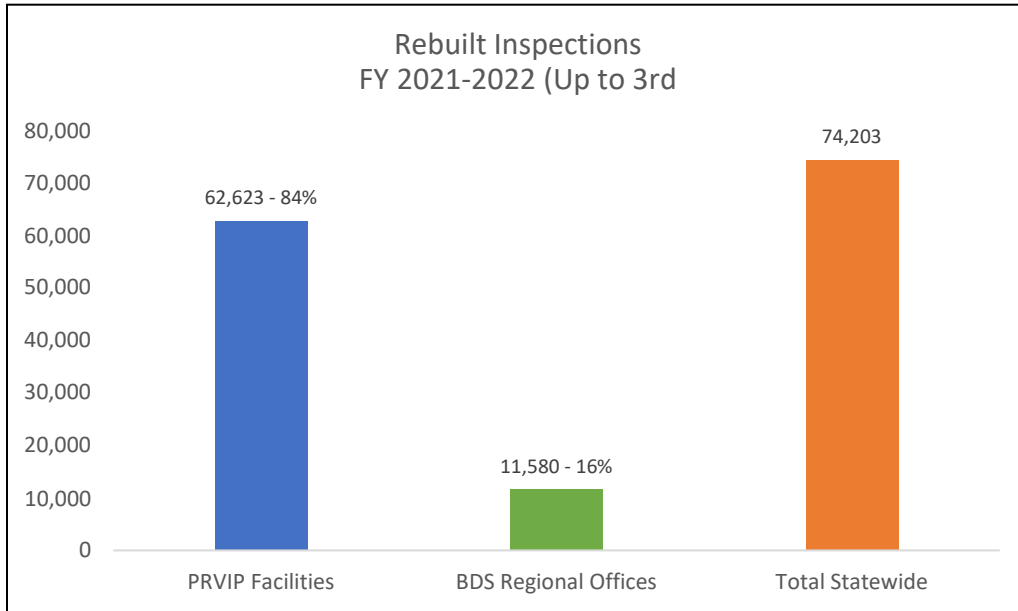
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## Private Rebuilt Vehicle Inspection Program (PRVIP) Update FY 2021-2022 (Up to 3<sup>rd</sup> Quarter)

### Rebuilt Inspections

Through the third quarter of fiscal year 2021-2022, there have been 74,203 rebuilt vehicles inspections in the state of Florida. Of the 74,203 rebuilt vehicle inspections, PRVIP facilities performed 62,623 or 84%, while FLHSMV regional offices performed 11,580 or 16% of the total number statewide.



### PRVIP Oversight

The Bureau of Dealer Services (BDS) Regional Office in Opa Locka continues to provide onsite support and oversight to the PRVIP participants. The BDS staff conducts Quality Assurance (QA) Audits every 60 days. Through the 3<sup>rd</sup> Quarter of this Fiscal Year, they have conducted 76 PRVIP QA Audits. The non-compliance findings have been related to incomplete paperwork. PRVIP participants have responded positively resolving the issues presented immediately resulting in 100% compliance during the follow up visits.

### PRVIP Expansion

During the 2022 Florida Legislative Session s. 319.141, F.S. was revised to expand the PRVIP Program to other counties by October 1, 2022. Private rebuilt vehicle inspection services will be expanded to the following counties where FLHSMV has a regional office: Broward, Palm Beach,



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Manatee, Hillsborough, Orange, Volusia, Marion, Duval, Leon, Bay, and Escambia. This would continue as a permanent program in authorized counties throughout the state as already established with previously defined statutory requirements, policies, procedures, and memorandum of understanding.



# Automobile Dealers Industry Advisory Board

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## Board Meeting Agenda November 3, 2022 Manheim Orlando, FL 11801 West Colonial Drive Ocoee, FL 34761

- Item 1:** Call to Order/ Roll Call at 10:00 A.M.
- Item 2:** Introductions – Brett Saunders
- Item 3:** Welcome – Director Kynoch
- Item 4:** Bureau of Dealer Services Reports – Brett Saunders
- a) License Trends
  - b) Tableau Dashboards – What are they? What can they do?
  - c) Temp Tag Update – Where are we now? Upcoming changes
  - d) Title Transfer Discussion. Title only?
  - e) Consumer Complaints. What’s trending? What can dealers do to avoid the most common issues?
  - f) Lemon Law Discussion
  - g) Bond/GLI Issues
- Item 5:** Regional Office Workload Discussion
- a) Staffing
  - b) Records Inspections
  - c) Curbstoning
  - d) Operational Workload





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- Item 6:** Rebuilt Inspections
  - a) What's the 5-year trend?
  - b) PRVIP Expansion. What does it mean?
  - c) What are the requirements for PRVIP Providers?
- Item 7:** Fraud Discussion – Steve Fellman
- Item 8:** Florida Smart ID – Elise Batchelor
- Item 9:** Toll Stop Discussion – Robert Kynoch
- Item 10:** Administrative Actions – Daniel Biggins
  - a) What's trending? Why?
- Item 11:** Hurricane Ian Update – Robert Kynoch
- Item 12:** Open Forum
- Item 14:** Q & A
- Item 15:** Closing Remarks; Schedule next meeting.



# **Automobile Dealers Industry Advisory Board**

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## **Board Meeting Minutes November 3, 2022**

### **Agenda Item 1: Call to Order/Roll Call**

The meeting was called to order at 10:15 by Brett Saunders, Chief, Bureau of Dealer Services.

After introducing himself and providing a brief background of his professional career, Mr. Saunders proceeded to make roll call.

Board members participating in the meeting were Robert Kynoch, Jonathan Chariff, Dino Mercurio, Kevin O'Connor, Ron Collier, Ben Winkler, Telis Assimenios, Glenna Bishop, and Scott Lunsford. Other participants were Kevin Park, Ted Smith, Jennifer Finlay, Eric Link, Ted Downey, and James Ward.

Department participants were Richie Frederick, Deputy Director of Program Operations; Brett Saunders, Chief, Bureau of Dealer Services; Sharon Watson, Program Manager, Bureau of Dealer Services; Palmer Brand, North District Program Manager, Bureau of Dealer Services; Kyle Cockream, South District Program Manager, Bureau of Dealer Services; Elise Batchelor, Office of Motorist Modernization; Chad Hutchinson, Chief Technology Officer; Steve Fellman, Senior Motor Vehicle Investigator, Bureau of Motorist Services Support; Luz Collins, South District Business Consultant, Bureau of Dealer Services; and Heather Robinson, Administrative Assistant, Bureau of Dealer Services.

### **Agenda Item 2: Introductions – Brett Saunders**

Mr. Saunders introduced other members of the Department participating in the meeting. Mr. Robert Kynoch, Division Director; Richie Frederick, Deputy Director replacing former incumbent, Rick White; Palmer Brand and Kyle Cockream, Program Managers, North and South Districts; Sharon Watson, Program Manager, Dealer Licensing and Mobile Home Construction Sections.

### **Agenda Item 3: Florida Smart ID – Elise Batchelor**

Ms. Elise Batchelor oversees Organizational Change Management for the Office of Motorist Modernization and also responsible for stakeholder outreach for the Florida Smart ID. Joining her was Chad Hutchinson, Chief Technology Officer. They provided an overview of the Florida Smart ID and explained how it works. The Florida Smart ID meets AAMVA and ISO 18013-5 standards. Florida Smart ID is an application-based version of the driver's license available for androids and iOS devices and can



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be downloaded from the App store and Google Play. It is important to know that it must be used with a verifier application.

The benefit of having a FL Smart ID is a convenient option; however, the physical driver's license card is still required by law when operating a motor vehicle. The FL Smart ID is verified by the Department and can't be faked or falsified.

The FL Smart ID communicates device to device using strong encryption and security behind its operation. At this time there are two main use cases, age verification and law enforcement use. For age verification it can be used offline as long as the two devices can communicate via Wi-Fi or Bluetooth. The user must provide consent to the verifier. For Law Enforcement use it will be necessary to be online as it will require downloading the most current information in the Department's database for that person.

The FL Smart ID will be opened up for additional use cases. With the stakeholder outreach program, we have been learning of the different attributes each industry needs for verification depending on the service they provide to customers.

There was discussion regarding the auto retailer industry if they would be able to have the option to maintain the data to add to CRM (their marketing tool). It was advised that the system is a closed system access that would only allow you to obtain enough information for the particular transaction based on the use case. If the retailer wraps it into a customized system under the different tiers there would be additional options for the business. Florida Statutes 322.032, regarding digital driver's license, explains what can be retained and it also has a provision that requires the retailer, if they were to retain information, to notify the customer of what information is being retained.

There is no charge for the holder app however, there is a monetary aspect to it and some fees associated if the verifier customizes their system.

## **Agenda Item 4: Bureau of Dealer Services Reports**

- a) License Trends – Mr. Saunders provided an overview of dealer licenses trends and went over some statistical information. The map shows the number of dealers throughout the state. Tampa is the largest market with the highest number of dealers, 3,210 total dealers; Tallahassee is the smallest market with 832 dealers' total. All types of licenses are still growing throughout the state.

The total number of active dealers is 16,162, franchise licenses total is 1,612. That number



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reflects an increase compared to last year. All other licenses are steady or had a slight increase. Independent dealers have the largest number of licenses in the State.

- b) Tableau Dashboard – Mr. Saunders provided an overview and discussed a couple of items that are monitored through this data analysis system. The designated staff within the Department build the dashboards items. One of the items is our customer satisfaction survey. We are currently at 84.51% customer satisfaction. For government agencies that is outstanding. We are trying to encourage our customers to help us get better by doing the survey. We have a QR code reader conveniently located in the lobby of all of our offices. Customers will just have to scan it with their phone and would take them right to the online survey.

Active transporter plates report is another dashboard item that the Department monitors constantly. Every month we cancel over 100 plates that do not have adequate insurance. After the plates are canceled, a notification letter is sent out to the companies affected. Effective July 2022, any entity that requests more than five transporter plates has to go to one of our regional offices to obtain that amount. This is going to help minimize the improper purchasing or acquiring transporter plates. There are also discussions about changing the color of the plate. Next week is the first meeting to discuss color selection. The current color inventory would have to be depleted before we can get to the new one. Other offices should be able to see in the system the total number of plates a company has in their name.

- c) Temp Tag Update – The Department generates a weekly report through the use of Tableau that provides dealers' temp tag to title ratio. The data is sent to the Regional Offices for further desk review. The Regional Office will analyze the data to determine if there are any discrepancies and will contact the dealer if further investigation is needed through a records inspection to determine the reason why the ratio is off. For example, in some cases, dealers that sell trailers issue temp tags, but no title is needed; therefore, their ratio is always off. Similar to dealers that sell vehicles to out of state customers.

There is another report that is generated through Tableau that shows any car that has had more than three temp tags assigned to the VIN. The report can also identify if the VIN has been altered to issue additional temp tags. This report provides the vehicle information, dealer's name and the person who issued the temp tag.



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There was a discussion about what to do when a dealer needs authorization for a third temporary tag. Dealers were advised to contact the Regional Office to provide basic information about the reason why the third temp tag is needed. The authorization will be sent to the dealer via email. If there are any issues in the future with this process, the Department can explore creating a specific email for third temp-tag authorization requests at each Regional Office.

Mr. Saunders continued explaining another weekly report from Tableau that provides information on the total number of temp tags issued by a dealer daily. There was a question regarding whether the department was still looking at the 75-day rule for late title transfers. Mr. Saunders explained that the Department currently focuses on the 90 days plus transactions for late title transfers. Additionally, Mr. Saunders provided an overview of the current high risk audits process.

- d) Title Transfer Discussion. Title Only? - There was a discussion regarding title only transactions. If a dealer needs authorization to issue title only, they will contact their regional office and provide a brief synopsis of the situation. After review, the regional office will provide a letter of authorization to the dealer to present to the Tax Collector for the title only transaction to be processed. The dealer will keep a copy of this letter in the deal jacket.
- e) Consumer Complaints - What's trending? What can dealers do to avoid the most common issues? Mr. Saunders provided an overview of consumer complaints and what the most common closing categories are. The first and second most common closing codes are title not applied for in 30 days and registration not applied for. The third highest is that no violation was found. There are usually cases where the dealer has done nothing wrong and is therefore not at fault.

After the complaint is investigated and closed a non-compliance letter is sent out to the dealer listing the violations, if any, and advising the dealer to refrain from such violations in the future. A consumer will also receive a closing letter. In some cases, bonding information is sent to the consumer if the dealer did not provide a resolution. An authorization to title and register a vehicle can be provided to the consumer if the dealer is out of business and the consumer can prove that the vehicle was paid in full.



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Mr. Saunders reviewed a few samples of consumer complaints received from the Attorney General's Office (AG). Mr. Ted Smith requested contact information for someone in the AG's office. Ms. Heather Roberson advised that we do not have a specific name as these complaints are filed through the AG's office online. Mr. Smith advised that the FTC is in the process of developing some more regulations that are going to impact every dealership in the country and it's all based on a very small sampling of consumers' claims that are being processed against dealers. He further explained that these regulations are going to take dealers' lots of compliance effort to be able to comply with the proposed regulations. He would like to get in contact with the AG's office to have a better understanding of their consumer complaints process.

- f) Lemon Law Discussion - Mr. Saunders provided some information related to the Lemon Law. This law is in statute and dealers should be familiar with it. Dealers are required to deliver a printed copy of the Lemon Law booklet to the consumers. It is unknown if there is an online version to be printed. It would require legislation to request changes to the statutory requirement.
- g) Bond/GLI Issues - There was a brief discussion about surety bonds. The Department received a surety bond from a dealer that appeared to be good; however, the bond was found to be invalid when the dealer closed, and customers received bonding information from this dealer to file their claims. The bond company was unable to identify the bond or the bond agent who issued the certificate. The question was raised as to how to determine if the Bond presented by a dealer is valid. Due to new technology and online resources, it is difficult to identify fraudulent surety bonds. In further discussion, there were suggestions made for the Department to consider, including requiring surety companies to provide the bond directly to the Department or to create a database where each dealer's bond is uploaded, and the Department would have access to retrieve it from there. This will be further discussed with stakeholders to determine what would be the best option to prevent the Department from receiving fraudulent documents. In the future, with Motorist Modernization, dealers will be able to renew their license online and upload the required documents online as well.

Surety Bond and GLI compliance were at 90% and 80% respectively. The Dealer Licensing section works diligently monitoring compliance to ensure dealers are meeting the requirements for GLI and Bond policies. The Department is constantly working on new ideas



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to make this process more efficient. The Department is unable to take action against a dealer's license until an administrative action process is completed.

## **Agenda Item 5: Regional Office Workload Discussion**

Mr. Saunders provided an overview of the Regional Offices workload and staffing issues.

- a) Staffing – We have 180 full-time positions and another 13 other personnel services (OPS) positions that are temporary. There are currently 28 openings in our Bureau Statewide. During COVID, we lost a lot of staff to other opportunities as the job market changed drastically. The Executive Director and the Director made some changes, we raised the salary and internal changes were made to attract more people in. In the South, employees make a little more money with the competitive area differential additive. The vacancies were up to 45 but with these changes we managed to drop it down to 28 vacancies in the Bureau.
- b) Records Inspections - Records inspections were down this year due to staffing issues. The staff is trying to do more desk audits as opposed to physical visits in an effort to be more efficient. We are hopeful of getting our staffing up for next year; however, it will take about six months to train new hires for field activities including records inspections.
- c) Curbstoning - For fiscal year 21/22 there were 316 curbstoning investigations. These investigations revealed that dealers are not curbstoning as much. Mr. Mercurio brought up to the Board that in Palm Beach County there are a lot of individuals working under somebody else's license selling cars off Craigslist, Facebook, and other online publications. There are also individuals selling cars on the corners with open titles that are harming the legitimate dealers that are doing it right. These individuals are also harming the consumers and the state as they are not transferring titles properly. The Department will schedule curbstoning activities throughout the State and will report back to the Board in the next meeting.
- d) Operational Workload – Mr. Saunders provided an overview of the Regional Offices workload, including licenses issued, record inspections, consumer complaints, title fraud, odometer fraud and rebuilt, assembled from parts vehicles (ASPT) inspections.

A representative from FIADA asked if additional information can be shared regarding the reasons



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for failed record inspections. She will be revamping the educational department and it will be helpful to add this topic as part of the educational material provided to dealers. Mr. Saunders advised that the data is not captured as a whole; however, it can be provided for a specific dealer if requested. Mr. Kynoch added that possibly the Department can look into it, gathering the top five reasons why dealers fail the records inspections. Another suggestion was presented recommending FIADA to reach out to the local regional office for additional information regarding the most common reasons for failed inspections.

## **Agenda Item 6: Rebuilt Inspections**

- a) What is the five-year trend? – Mr. Saunders discussed the number of rebuilt inspections for the past five years. The majority of rebuilt inspections are done in Miami. The second largest is the Tampa region. The number of rebuilt inspections has increased over the years due to the growth in the rebuilt vehicles market.
- b) PRVIP Expansion. What does it mean? – Section 319.141 was amended to expand the PRVIP Program statewide. Effective October 1, 2022, the program will be implemented in counties where the Department has a regional Office. The Department began offering the training to interested applicants and each Regional Office is prepared to offer the PRVIP training. The Department does not regulate how much these facilities charge. Their fees range from \$100-\$150 per inspection in addition to the statutory fee of \$40 for rebuilt inspection or \$20 for re-inspection.
- c) What are the requirements for PRVIP Providers? – They are required to have and maintain a \$100,000 Surety Bond and \$100,000 Garage Liability Insurance. They are required to have a proper facility, inspection area able to accommodate at least two vehicles during inclement weather and the only business to be conducted at their location is rebuilt inspection services. The inspection area must be visually obstructed from customers. There cannot be any conflict of interest; an applicant cannot be a motor vehicle dealer, vehicle repair facility, insurance company, tow company, auto auctions and other related businesses as outlined in section 319.141 Florida Statutes. Criminal background checks are also required. After the application process is completed, they will enter into a contract with the Department signing a Memorandum of Understanding. They are not licensed by the Department; however, they





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are required to maintain books and records. These facilities are audited at least once every quarter.

## **Agenda Item 7: Fraud Discussion – Steve Fellman**

Mr. Fellman, Tampa area Senior Motor Vehicle Investigator (SMVI), provided an overview of SMVI's work with respect to vehicle and title fraud. There are five SMVI positions throughout the state. SMVI's assist local, state, and out-of-state agencies in conducting preliminary investigations related to title and vehicle fraud, documentation, and other motor vehicle inconsistencies. Once they have conducted their investigation, if there is sufficient evidence for a criminal case, the cases are referred to law enforcement for further investigation. Mr. Fellman provided the Board with some indicators for dealers to look for when purchasing a used vehicle. Mr. Fellman also provided an overview on identity thefts. He provided valuable information to check for when selling a vehicle to prevent these scams.

## **Agenda Item 8: Toll Stops Discussion**

Mr. Robert Kynoch provided an update from the last meeting related to toll stops. He advised the vendor that provides the phone app service for consumers to renew their motor vehicle registration is interested in clearing toll stops through that app as well. They recently signed an agreement with Sun Pass to be able to do that. Consumers will make the payment through the app and Sun Pass will communicate with the Department database to clear the payment. Once this service launches, other vendors can join following the model that Sun Pass has created to be able to provide the same service to their customers to clear their payments.

## **Agenda Item 9: Hurricane Ian Update**

Mr. Kynoch advised the Board that the majority of the Tax Collectors and Tag Agencies in the counties that were affected by Hurricane Ian have reopened. The Department offices are assisting with the processing of salvage/rebuilt vehicles. Insurance companies are paying total loss claims and reporting to the Department. Once the paperwork is completed, the proper documents are provided to the auto auctions where these vehicles are being sold.



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One issue came to the Department’s attention from the State Fire Marshall’s Office in that area. They have seen a number of electric vehicles engaging in a thermal run away after being flooded by salt water. The Department is collecting and providing data to the State Fire Marshall’s office with the assistance of IAA and Copart in an effort to track these vehicles and see what is going to happen in the future.

## **Agenda Item 10: Open Forum**

The FADA will submit a bill to the legislature that will allow the association to submit administrative standings and wanted to know what the Department position will be handling those standings. The Department will take a look at the proposed language and will have future conversations with the Board about the topic.

The Board asked what the Department will be presenting in their bill for the next session. Mr. Kynoch advised that the Department is looking to increase the dealer’s bond to \$100,000. Mr. Mercurio expressed that he is in favor of increasing the bond as long as it is to protect the consumers only. If the intention is for consumer protection, dealer to dealer transactions must be removed from the claims. The Department and the Board will have more conversations regarding this topic to come up with the language to be included in the Department’s bill.

Mr. Kynoch wanted to make the Board aware that there have been conversations to require dealers to disclose vehicle safety recalls at the time of sale. This applies mainly to used vehicles.

Mr. Kynoch advised the Board to ensure that dealers are not updating the residential address as part of the motor vehicle transactions.

Mr. Chariff requested the Department to add Mr. Ted Smith to the distribution list.

## **Agenda Item 11: Next Meeting – Date, Time, and Place:**

The meeting will be held on June 2<sup>nd</sup>, 2023. The location will be announced at a later date. Possibly the FHP location at the Turkey Lake Service Plaza in Orlando, FL.



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The meeting was adjourned at 1:30 PM.

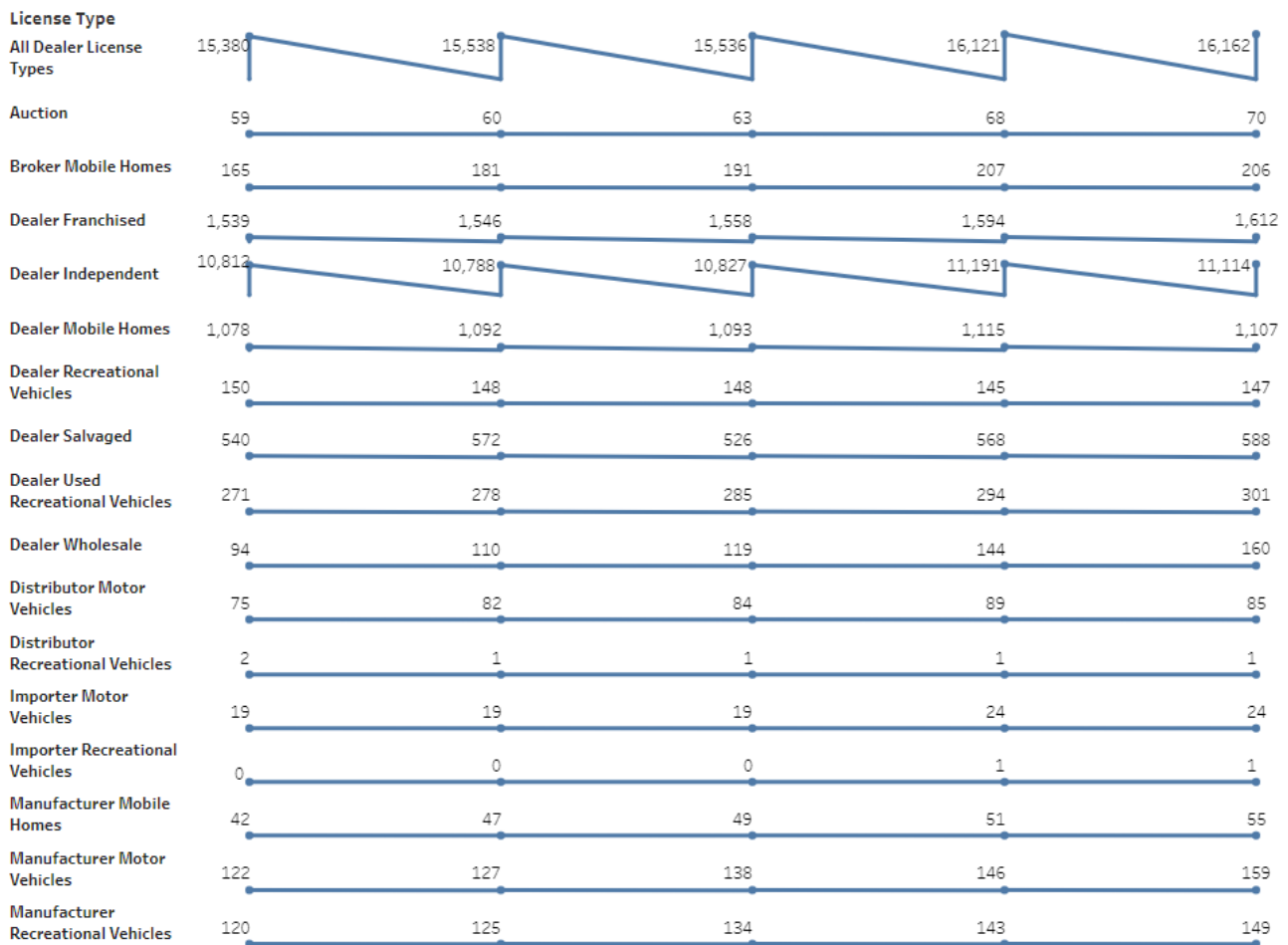


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## AGENDA ITEM 4A Bureau of Dealer Services License Trends

Dealer License Trends  
November 2018 through October 2022





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## AGENDA ITEM 4E Bureau of Dealer Services Consumer Complaints 5-Year Trend

<b>5-Year Trend</b>	<b>FY 17/18</b>	<b>FY 18/19</b>	<b>FY 19/20</b>	<b>FY 20/21</b>	<b>FY 21/22</b>	<b>FY 22/23*</b>
<b>Number of Consumer Complaints Received</b>	5,481	4,982	5,222	4,024	3,789	900
<b>Number of Title Transactions (All types; New, Used, Transfers, Miscellaneous)</b>	8,761,387	8,906,973	8,601,246	9,605,402	6,762,524	1,587,662
<b>Complaints Received as % of Title Transaction</b>	0.06%	0.06%	0.06%	0.04%	0.06%	0.06%

\*FY 22/23 reports only 1st Quarter results (July, August, and September)

## AGENDA ITEM 5B Bureau of Dealer Services Records Inspections

	<b>FY 19/20</b>	<b>FY 20/21</b>	<b>FY 21/22</b>
<b>Number of Motor Vehicle Dealers (independent, salvage, auction, franchise, manufactured housing, and RV) record inspections</b>	3,752	3,038	1,882



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## AGENDA ITEM 5C

### Bureau of Dealer Services

#### Curbstoning Enforcement & Unlicensed Activity

FY 21/22	1st Quarter	2nd Quarter	3rd Quarter	4th Quarter	Yearly Totals
Curbstoning Investigations	168	33	80	35	316
Unlicensed Dealer Investigations	9	2	72	6	89
Vehicles Towed	14	6	8	1	29

FY 20/21	1st Quarter	2nd Quarter	3rd Quarter	4th Quarter	Yearly Totals
Curbstoning Investigations	75	98	120	88	381
Unlicensed Dealer Investigations	30	46	17	24	117
Vehicles Towed	7	9	11	9	36

FY 19/20	1st Quarter	2nd Quarter	3rd Quarter	4th Quarter	Yearly Totals
Curbstoning Investigations	64	78	11	32	238
Unlicensed Dealer Investigations	10	7	20	0	37
Vehicles Towed	13	9	10	3	35



# Automobile Dealers Industry Advisory Board

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## AGENDA ITEM 5D Bureau of Dealer Services Operational Workload

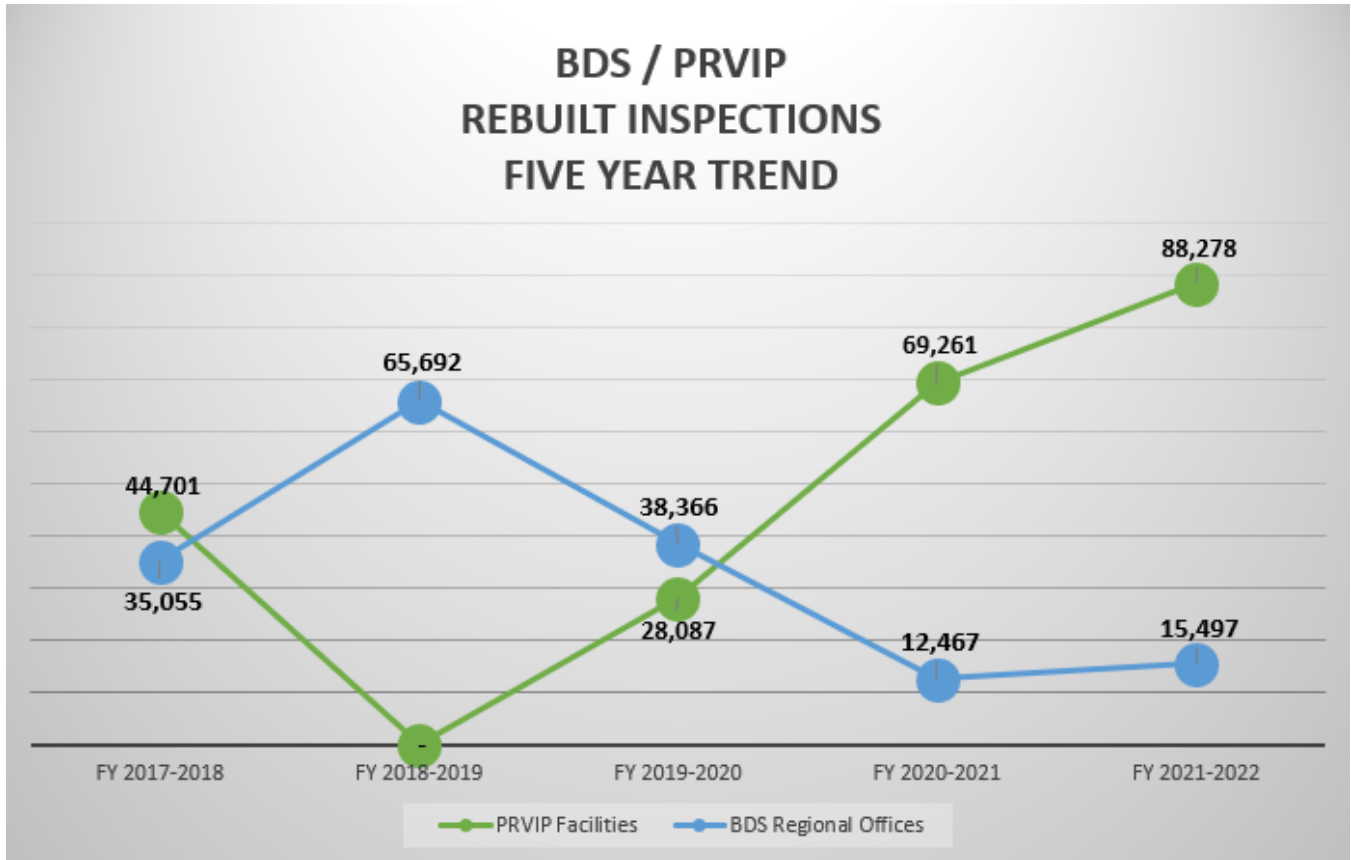
	FY 19/20	FY 20/21	FY 21/22
<b>Number of Motor Vehicle Dealers (independent, salvage, auction, wholesale, service and franchise) Licenses Issued</b>	12,727	9,200	10,169
<b>Number of Manufacturers, Importers &amp; Distributors Licenses Issued</b>	399	182	333
<b>Number of Mobile Home/Recreational Vehicle Dealers Licenses Issued</b>	1,741	1,531	1,568
<b>Total Licenses Issued</b>	14,469	10,913	12,070
<b>Number of Motor Vehicle Dealer Inspections</b>	3,752	2,929	1,884
<b>Number of Failed Motor Vehicle Dealer Inspections</b>	1,370	952	636
<b>Percentage of Failed MV Dealer Records Inspections to Total Inspections</b>	36.51%	32.50%	33.76%
<b>MV Failed Inspections % Change from Previous Year</b>	+4.93%	-4.01%	+1.26%
<b>Number of Consumer Complaints Received</b>	5,222	4,024	3,789
<b>Number of Title Fraud Investigations</b>	63	11	31
<b>Number of Odometer Fraud Investigations</b>	41	28	13
<b>Total Number of Title and Odometer Fraud Investigations</b>	104	39	44
<b>Title/Odometer Fraud Investigations As % Of All Complaint Investigations</b>	1.99%	0.97%	1.16%
<b>Total Rebuilt, ASPT, VIN and Odometer Inspections</b>	48,555	31,068	34,345



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## AGENDA ITEM 6A Bureau of Dealer Services Rebuilt Inspections 5-Year Trend







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## AGENDA ITEM 6A Bureau of Dealer Services Rebuilt Inspections 5-Year Trend Continue

BDS Regional Offices & PRVIP Facilities	FY 2017-2018	FY 2018-2019	FY 2019-2020	FY 2020-2021	FY 2021-2022	Totals - 5 Yrs
1 - Margate	6,249	7,612	4,465	600	435	19,361
2 - Ocala	1,549	988	881	639	1,065	5,122
3 - Jacksonville	2,873	2,485	1,594	833	1,153	8,938
4 - Orange City	1,725	1,849	1,448	1,078	1,441	7,541
5 - Orlando	2,560	2,710	2,039	1,088	1,331	9,728
6 - Tampa	5,229	5,652	3,880	3,270	4,574	22,605
7 - Tallahassee; Panama City; Pensacola	2,567	3,819	2,944	2,192	2,662	14,184
8 - Palmetto	2,106	2,110	1,819	1,370	1,644	9,049
9 - West Palm Beach	2,340	2,461	1,489	654	711	7,655
10 - Opa Locka	7,857	36,006	17,807	743	481	62,894
<b>BDS REGIONAL OFFICES - TOTALS</b>	<b>35,055</b>	<b>65,692</b>	<b>38,366</b>	<b>12,467</b>	<b>15,497</b>	<b>167,077</b>
<b>PRVIP Facilities</b>	<b>44,701</b>	<b>-</b>	<b>28,087</b>	<b>69,261</b>	<b>88,278</b>	<b>230,327</b>