

MEMORANDUM

Agenda Item No. 11(A)(25)

TO: Honorable Chairman Oliver G. Gilbert, III
and Members, Board of County Commissioners

DATE: December 12, 2023

FROM: Geri Bonzon-Keenan
County Attorney

SUBJECT: Resolution urging the Florida Legislature to adopt Senate Bill 194 or similar legislation that would (1) require motor vehicle repair shops to request written crash reports from customers or to prepare repair work transaction forms detailing collision damage to a customer's vehicle prior to providing other services; (2) transmit such repair work transaction forms to law enforcement; and (3) provide a criminal penalty for violations

Resolution No. R-1172-23

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Vice Chairman Anthony Rodríguez.



Geri Bonzon-Keenan
County Attorney

GBK/gh



MEMORANDUM

(Revised)

TO: Honorable Chairman Oliver G. Gilbert, III
and Members, Board of County Commissioners

DATE: December 12, 2023

FROM: 
Gen Bonzon-Keenan
County Attorney

SUBJECT: Agenda Item No. 11(A)(25)

Please note any items checked.

- ☐ "3-Day Rule" for committees applicable if raised
- ☐ 6 weeks required between first reading and public hearing
- ☐ 4 weeks notification to municipal officials required prior to public hearing
- ☐ Decreases revenues or increases expenditures without balancing budget
- ☐ Budget required
- ☐ Statement of fiscal impact required
- ☐ Statement of social equity required
- ☐ Ordinance creating a new board requires detailed County Mayor's report for public hearing
- ☒ No committee review
- ☐ Applicable legislation requires more than a majority vote (i.e., 2/3's present ____, 2/3 membership ____, 3/5's ____, unanimous ____, CDMP 7 vote requirement per 2-116.1(3)(h) or (4)(c) ____, CDMP 2/3 vote requirement per 2-116.1(3)(h) or (4)(c) ____, or CDMP 9 vote requirement per 2-116.1(4)(c)(2) ____ to approve
- ☐ Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 11(A)(25)
12-12-23

RESOLUTION NO. _____ R-1172-23

RESOLUTION URGING THE FLORIDA LEGISLATURE TO ADOPT SENATE BILL 194 OR SIMILAR LEGISLATION THAT WOULD (1) REQUIRE MOTOR VEHICLE REPAIR SHOPS TO REQUEST WRITTEN CRASH REPORTS FROM CUSTOMERS OR TO PREPARE REPAIR WORK TRANSACTION FORMS DETAILING COLLISION DAMAGE TO A CUSTOMER'S VEHICLE PRIOR TO PROVIDING OTHER SERVICES; (2) TRANSMIT SUCH REPAIR WORK TRANSACTION FORMS TO LAW ENFORCEMENT; AND (3) PROVIDE A CRIMINAL PENALTY FOR VIOLATIONS

WHEREAS, on October 12, 2023, Senator Joe Gruters (R – Sarasota) introduced Senate Bill (“SB”) 194, entitled the “Lilly Glaubach Act,” in honor of Lilly Glaubach, a 13-year-old who was killed in a hit-and-run car accident while riding her bicycle in 2022, for consideration during the 2024 session of the Florida Legislature; and

WHEREAS, SB 194 would require motor vehicle repair shops to request written crash reports from customers when a customer seeks the repair shop's services to restore a motor vehicle's damages from an accident or collision or, in the alternative and when a customer fails to provide a crash report, require motor vehicle repair shops to prepare an accident or collision “repair work transaction form” detailing the condition of the customer's vehicle if the vehicle was damaged in a collision or accident prior to providing other services such as preparing a written repair estimate; and

WHEREAS, SB 194 would also require motor vehicle repair shops to transmit such repair work transaction forms to law enforcement on a daily basis; and

WHEREAS, SB 194 provides that any person who violates the requirements of the bill commits a second-degree misdemeanor with up to 60 days imprisonment or a \$500.00 fine; and

WHEREAS, the Board supports legislation designed to increase transparency regarding the nature of a motor vehicle's condition prior to repair shops providing accident or collision damage restoration services,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that this Board:

Section 1. Urges the Florida Legislature to adopt Senate Bill 194 or similar legislation that would (1) require motor vehicle repair shops to request written crash reports from customers or to prepare repair work transaction forms detailing collision damage to a customer's vehicle prior to providing other services; (2) require motor vehicle repair shops to transmit such repair work transaction forms to law enforcement; and (3) provide a criminal penalty for violations.

Section 2. Directs the Clerk of the Board to transmit certified copies of the resolution to the Governor, Senate President, House Speaker, Senator Joe Gruters, and the Chair and Members of the Miami-Dade State Legislative Delegation.

Section 3. Directs the County's state lobbyists to advocate for the action set forth in section 1 above and authorizes and directs the Office of Intergovernmental Affairs to amend the 2024 State Legislative Package to include this item.

The Prime Sponsor of the foregoing resolution is Vice Chairman Anthony Rodríguez. It was offered by Commissioner **Anthony Rodriguez** , who moved its adoption. The motion was seconded by Commissioner **Raquel A. Regalado** and upon being put to a vote, the vote was as follows:

Oliver G. Gilbert, III, Chairman	aye	
Anthony Rodríguez, Vice Chairman	aye	
Marleine Bastien	absent	Juan Carlos Bermudez aye
Kevin Marino Cabrera	aye	Sen. René García aye
Roberto J. Gonzalez	aye	Keon Hardemon absent
Danielle Cohen Higgins	aye	Eileen Higgins aye
Kionne L. McGhee	aye	Raquel A. Regalado aye
Micky Steinberg	aye	

The Chairperson thereupon declared this resolution duly passed and adopted this 12th day of December, 2023. This resolution shall become effective upon the earlier of (1) 10 days after the date of its adoption unless vetoed by the County Mayor, and if vetoed, shall become effective only upon an override by this Board, or (2) approval by the County Mayor of this resolution and the filing of this approval with the Clerk of the Board.



MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF
COUNTY COMMISSIONERS

JUAN FERNANDEZ-BARQUIN, CLERK

Basia Pruna

By: _____
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

SMG

Sophia Guzzo