

IN THE DISTRICT COURT OF APPEAL OF THE STATE OF FLORIDA
FIFTH DISTRICT

JANUARY TERM 2009

JOSEPH "ROY" FRANCIS,

Appellant,

v.

Case No. 5D08-856

DOLLAR RENT A CAR SYSTEMS INC., ETC., ET AL.,

Appellee.

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Opinion filed February 6, 2009

Appeal from the Circuit Court
for Orange County,
Reginald Whitehead, Judge.

Roy D. Wasson, of Wasson & Assoc.,
Chartered, Miami, and Thomas K. Brown,
of The Nation Law Firm, Longwood, for
Appellant.

Lamar D. Oxford, and John D. Robinson,
of Dean, Ringers, Morgan & Lawton,
Orlando, for Appellee.

ON MOTION TO CERTIFY QUESTION

PER CURIAM.

The appellant, Joseph "Roy" Francis, has moved the court to certify in accordance with rule 9.030(a)(2)(A)(v), Florida Rules of Appellate Procedure, that its decision passes upon the following question of great public importance:

DOES THE GRAVES AMENDMENT, 49 U.S.C § 30106,
PREEMPT SECTION 324.021(9)(B)(2), FLORIDA
STATUTES (2007)?

As this is the same question certified by this court in *Karling v. Budget Rent A Car System*, --- So. 2d. ---, 33 Fla. L. Weekly D2777 (Fla. 5th DCA Dec. 5, 2008); and by the Second District Court of Appeal in *West v. Enterprise Leasing Co.*, --- So. 2d. ---, 33 Fla. L. Weekly D2875 (Fla. 2d DCA Dec. 19, 2008), and by the Fourth District in *Tocha v. Richardson*, 995 So. 2d 1100 (Fla. 4th DCA 2008), and *Vargas v. Enterprise Leasing Co.*, 993 So. 2d 614 (Fla. 4th DCA 2008), we grant the motion and certify the question to the Supreme Court of Florida.

QUESTION CERTIFIED.

MONACO, LAWSON and EVANDER, JJ., concur.