

THE FLORIDA SENATE  
2021 SUMMARY OF LEGISLATION PASSED  
**Committee on Banking and Insurance**

**CS/SB 420 — Motor Vehicle Insurance Coverage Exclusions**

by Judiciary Committee and Senator Hooper

The bill creates s. 627.747, F.S., to authorize a private passenger motor vehicle policy to exclude specified coverages for claims resulting from the operation of a motor vehicle by an identified individual other than the named insured. The bill provides for exclusion of the following coverages under the policy:

- Personal injury protection (PIP) coverages applicable to the identified individual's injuries, lost wages, and death benefits;
- Property damage liability coverage;
- Bodily injury liability coverage, when required by law;
- Uninsured motor coverage for any damages sustained by the excluded individual; and
- Any coverage the named insured is not required by law to purchase.

The bill requires that a valid exclusion include the written consent of the named insured and that the identified individual is named on the declarations page of, of endorsement to, the policy. The bill prohibits a private passenger motor vehicle policy from excluding coverage when:

- The identified individual is injured while not operating a motor vehicle;
- The identified individual is solely excluded on the basis of race, color, religion, sex, national origin, age, handicap, pregnancy, or marital status; or
- The exclusion is inconsistent with the underwriting rules filed by the insurer.

The bill requires that an identified individual excluded from the named insured's policy must separately establish, maintain, and show proof of financial responsibility under ch. 324, F.S., for the purpose of responding to damages out of ownership, maintenance, or use of a motor vehicle, and maintain the required security under s. 627.733, F.S., for the purpose of payment of required benefits.

If approved by the Governor, these provisions take effect July 1, 2021.

*Vote: Senate 40-0; House 116-0*