

THE FLORIDA SENATE
2013 SUMMARY OF LEGISLATION PASSED
Committee on Banking and Insurance

CS/HB 341 — Uninsured Motorist Insurance Coverage

by Regulatory Affairs Committee and Rep. Ingram and others (SB 706 by Senator Montford)

The bill deals with the rejection of stackable Uninsured Motorist (UM) motor vehicle insurance benefits. Current law states that when the named insured, applicant, or lessee signs a form rejecting UM coverage, a conclusive presumption arises that “there was an informed knowing acceptance of such limitations” of coverage. The bill specifies that the signed form gives rise to a conclusive presumption that the rejection of stackable coverage benefits was made “on behalf of all insureds.” The bill addresses the decision of the Florida First District Court of Appeal in *Travelers Commercial Insurance Company v. Harrington*, 86 So.3d 1274 (Fla. 1st DCA 1012). In *Harrington*, the Court determined that stackable UM coverage benefits are available to an insured claimant under an insurance policy where the purchaser executed a signed waiver of stacking benefits, but the insured claimant did not waive such benefits.

If approved by the Governor, these provisions take effect upon becoming law.

Vote: Senate 38-0; House 117-0