

Committee on Criminal Justice

CS/SB 266 — Motor Vehicle Insurance

by Criminal Justice Committee and Senator Diaz

The bill creates s. 627.7491, F.S., which provides that if an employing agency authorizes a law enforcement officer to travel to his or her place of residence in an official law enforcement vehicle, the employing agency shall maintain current and valid motor vehicle insurance coverage, including bodily injury, death, and property damage liability coverage that covers the period in which an officer travels to or from work in an official law enforcement vehicle and covers the time an officer travels to and from any other employing agency assignment in such vehicle.

Such motor vehicle insurance is not required to provide coverage if:

- The law enforcement officer makes a distinct deviation for a nonessential personal errand unless a collective bargaining agreement permits such deviation; or
- The officer acts in bad faith or with malicious purpose or in a manner exhibiting wanton and willful disregard of human rights, safety, or property.

The bill also provides that any suit or action brought or maintained against an employing agency for damages arising out of tort pursuant to this statute, including, without limitation, any claim arising upon account of an act causing loss of property, personal injury, or death, is subject to the limitations on tort claims or judgments against the state and its agencies and subdivisions provided in s. 768.28(5), F.S.

The bill also provides that the requirements of this statute may be met by any method authorized by s. 768.28(16), F.S., which authorizes the state and its agencies and subdivisions to be self-insured, to enter into risk management programs, or purchase whatever coverage they may choose, or any combination thereof.

The bill also defines the terms “employing agency” and “law enforcement officer” and provides a legislative finding and declaration that the bill fulfills an important state interest.

If approved by the Governor, these provisions take effect July 1, 2022.

Vote: Senate 37-0; House 117-0