

By Representative Villalobos

1 A bill to be entitled
2 An act relating to personal injury protection;
3 amending s. 627.739, F.S.; authorizing insured
4 certain multiple deductible elections;
5 requiring certain premium reductions; providing
6 requirements for offers of certain limitations;
7 providing an effective date.

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9 Be It Enacted by the Legislature of the State of Florida:

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11 Section 1. Section 627.739, Florida Statutes, is
12 amended to read:

13 627.739 Personal injury protection; optional
14 limitations; deductibles.--

15 (1) The named insured may elect a deductible to apply
16 to the named insured alone or to the named insured and
17 dependent relatives residing in the same household, but may
18 not elect a deductible to apply to any other person covered
19 under the policy. Any person electing a deductible or modified
20 coverage, or any combination of deductible or modified
21 coverage, or subject to such deductible or modified coverage
22 as a result of the named insured's election, shall have no
23 right to claim or to recover any amount so deducted from any
24 owner, registrant, operator, or occupant of a vehicle or any
25 person or organization legally responsible for any such
26 person's acts or omissions who is made exempt from tort
27 liability by ss. 627.730-627.7405.

28 (2) Insurers shall offer to each applicant and to each
29 policyholder, upon the renewal of an existing policy,
30 deductibles, in amounts of \$250, \$500, \$1,000, and \$2,000,
31 such amount to be deducted from the benefits otherwise due

1 each person subject to the deduction. However, this
2 subsection shall not be applied to reduce the amount of any
3 benefits received in accordance with s. 627.736(1)(c).

4 (3) Insurers shall offer coverage wherein, at the
5 election of the named insured, all benefits payable under 42
6 U.S.C. s. 1395, the federal "Medicare" program, or to active
7 or retired military personnel and their dependent relatives
8 shall be deducted from those benefits otherwise payable
9 pursuant to s. 627.736(1).

10 (4) Insurers shall offer coverage wherein, at the
11 election of the named insured, the benefits for loss of gross
12 income and loss of earning capacity described in s.
13 627.736(1)(b) shall be excluded.

14 (5) Insureds shall not be prevented from electing two
15 or more such optional limitations. Each election made by the
16 named insured pursuant to this section shall result in an
17 appropriate reduction of premium associated with that
18 election.

19 (6) All such offers shall be made at the time the
20 initial application is taken and prior to each renewal and
21 shall indicate that a premium reduction will result from each
22 election.

23 Section 2. This act shall take effect October 1, 1999.

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26 HOUSE SUMMARY

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28 Requires insurers to allow insureds to elect more than a
29 single optional personal injury protection limitation and
30 requires a premium reduction for each election.
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