

Bill No. CS for SB 780

Amendment No.

<u>Senate</u>	CHAMBER ACTION	<u>House</u>
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Senator Grant moved the following substitute for amendment (583046):

Senate Amendment (with title amendment)

On page 23, between lines 9 and 10,

and insert:

Section 22. Subsection (8) of section 316.614, Florida Statutes, is amended to read:

316.614 Safety belt usage.--

(8) Any person who violates the provisions of this section commits a nonmoving violation, punishable as provided in chapter 318. A law enforcement officer may not search or inspect a motor vehicle, its contents, the driver, or a passenger solely because of a violation of this section.

~~However, except for violations of s. 316.613, enforcement of this section by state or local law enforcement agencies must be accomplished only as a secondary action when a driver of a motor vehicle has been detained for a suspected violation of another section of this chapter, chapter 320, or chapter 322.~~

Section 23. (1) Notwithstanding anything in s.

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1 627.062, s. 627.0651, or the Florida Insurance Code to the
2 contrary, the Department of Insurance shall not approve a rate
3 to be charged in a motor vehicle insurance policy that is
4 issued or renewed on or after the effective date of this act
5 unless that rate includes a reduction based upon the projected
6 savings to the insurer as a result of the "primary
7 enforcement" of Florida's seat-belt law implemented by section
8 (22) of this act. The amount of the reduction shall be
9 separately stated in the rate filing made by the insurer with
10 the department and the reduction shall be documented and
11 supported by actuarial data and analysis. A rate which
12 includes a reduction less than 10 percent for personal injury
13 protection, medical payments, uninsured motorist, and bodily
14 injury liability coverages, shall be presumed to be an
15 excessive or unfairly discriminatory rate, unless the insurer
16 demonstrates by appropriate actuarial data as part of the rate
17 filing process in s. 627.062 or s. 627.0651 that a lower
18 reduction is warranted.

19 (2) This section shall take effect upon becoming law
20 and shall apply only to motor vehicle insurance policies
21 issued or renewed on or after the effective date of this act.

22
23 (Redesignate subsequent sections.)

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25
26 ===== T I T L E A M E N D M E N T =====

27 And the title is amended as follows:

28 On page 2, line 20, after the semicolon

29
30 insert

31 amending s. 316.614, F.S.; providing

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1 restrictions on authority to search a motor
2 vehicle, its contents, the driver, or a
3 passenger based on a safety belt violation;
4 deleting a provision that requires enforcement
5 of the act only as a secondary action;
6 requiring motor vehicle insurers to reduce
7 rates for certain motor vehicle insurance
8 coverages;
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