

By Representative Fields

1                                   A bill to be entitled  
2           An act relating to motor vehicle service  
3           agreements; amending s. 634.011, F.S.; revising  
4           a definition to include payment of vehicle  
5           protection expenses in connection with vehicle  
6           protection products; providing an effective  
7           date.

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

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11           Section 1. Subsection (8) of section 634.011, Florida  
12   Statutes, is amended to read:

13           634.011 Definitions.--As used in this part, the term:

14           (8) "Motor vehicle service agreement" or "service  
15   agreement" means any contract or agreement indemnifying the  
16   service agreement holder for the motor vehicle listed on the  
17   service agreement and arising out of the ownership, operation,  
18   and use of the motor vehicle against loss caused by failure of  
19   any mechanical or other component part, or any mechanical or  
20   other component part that does not function as it was  
21   originally intended; however, nothing in this part shall  
22   prohibit or affect the giving, free of charge, of the usual  
23   performance guarantees by manufacturers or dealers in  
24   connection with the sale of motor vehicles; and provided  
25   further, however, transactions exempt under s. 624.125 shall  
26   be expressly excluded from this definition and are exempt from  
27   the provisions of this part. The term "motor vehicle service  
28   agreement" includes any contract or agreement which provides:

29           (a) The coverage or protection defined in this  
30   subsection and is issued or provided in conjunction with an

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1 additive product applied to the motor vehicle which is the  
2 subject of such contract or agreement; or  
3 (b) For payment of vehicle protection expenses and is  
4 provided in connection with a vehicle protection product. For  
5 purposes of this paragraph:  
6 1. "Vehicle protection expenses" means payments to the  
7 holder of a service agreement in the event of the failure of a  
8 vehicle protection product to prevent the theft of a motor  
9 vehicle. Such payments may include unreimbursed incidental  
10 expenses that may be incurred by the holder of the service  
11 agreement only for:  
12 a. Loss or damage to the vehicle as a result of the  
13 failure of the vehicle protection product to prevent the theft  
14 of the motor vehicle or to not result in the return of the  
15 stolen motor vehicle.  
16 b. Incidental expenses that may be incurred by the  
17 holder of a service agreement, including expenses for a  
18 replacement vehicle, temporary vehicle rental expenses, and  
19 registration expenses for a replacement vehicle.  
20 2. "Vehicle protection product" means a product or  
21 system that is installed or applied to a motor vehicle or  
22 designed to prevent the theft of the motor vehicle.

23 Section 2. This act shall take effect upon becoming a  
24 law.

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27 HOUSE SUMMARY

28 Revises the definition of motor vehicle service agreement  
29 to include payment of vehicle protection expenses in  
30 connection with a vehicle protection product.

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