



HB 1577

2003

1 A bill to be entitled

2 An act relating to required preinsurance inspection of
3 private passenger motor vehicles; amending s. 627.744,
4 F.S.; deleting a nonapplication provision relating to
5 policies issued in certain counties; revising inspection
6 requirements; clarifying department rulemaking
7 authorization; 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. Subsections (2), (5), and (7) of section
12 627.744, Florida Statutes, are amended to read:

13 627.744 Required preinsurance inspection of private
14 passenger motor vehicles.--

15 (2) This section does not apply:

16 (a) To a policy for a policyholder who has been insured
17 for 2 years or longer, without interruption, under a private
18 passenger motor vehicle policy which provides physical damage
19 coverage, if the agent of the insurer verifies the previous
20 coverage.

21 (b) To a new, unused motor vehicle purchased from a
22 licensed motor vehicle dealer or leasing company, if the insurer
23 is provided with:

24 1. A bill of sale or buyer's order which contains a full
25 description of the motor vehicle, including all options and
26 accessories; or

27 2. A copy of the title which establishes transfer of
28 ownership from the dealer or leasing company to the customer and
29 a copy of the window sticker or the dealer invoice showing the



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30 itemized options and equipment and the total retail price of the
31 vehicle.

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33 For the purposes of this paragraph, the physical damage coverage
34 on the motor vehicle may not be suspended during the term of the
35 policy due to the applicant's failure to provide the required
36 documents. However, payment of a claim is conditioned upon the
37 receipt by the insurer of the required documents, and no
38 physical damage loss occurring after the effective date of the
39 coverage is payable until the documents are provided to the
40 insurer.

41 (c) To a temporary substitute motor vehicle.

42 (d) To a motor vehicle which is leased for less than 6
43 months, if the insurer receives the lease or rental agreement
44 containing a description of the leased motor vehicle, including
45 its condition. Payment of a physical damage claim is conditioned
46 upon receipt of the lease or rental agreement.

47 (e) To a vehicle that is 10 years old or older, as
48 determined by reference to the model year.

49 (f) To any renewal policy.

50 ~~(g) To a motor vehicle policy issued in a county with a
51 1988 estimated population of less than 500,000.~~

52 (g)~~(h)~~ To any other vehicle or policy exempted by rule of
53 the department. The department may base a rule under this
54 paragraph only on a determination that the likelihood of a
55 fraudulent physical damage claim is remote or that the
56 inspection would cause a serious hardship to the insurer or the
57 applicant.

58 (h)~~(i)~~ When the insurer's authorized inspection service
59 has no inspection facility either in the municipality in which



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60 the automobile is principally garaged or within 10 miles of such
61 municipality.

62 ~~(i)(j)~~ When the insured vehicle is insured under a
63 commercially rated policy that insures five or more vehicles.

64 ~~(j)(k)~~ When an insurance producer is transferring a book
65 of business from one insurer to another.

66 ~~(k)(l)~~ When an individual insured's coverage is being
67 transferred and initiated by a producer to a new insurer.

68 (5) The inspection shall include at least the following:

69 ~~(a) Taking a physical imprint of the vehicle~~
70 ~~identification number of the vehicle or otherwise recording the~~
71 ~~vehicle identification number in a manner prescribed by the~~
72 ~~department.~~

73 ~~(a)(b)~~ Recording the presence of accessories required by
74 the department to be recorded.

75 ~~(b)(e)~~ Recording the locations of and a description of
76 existing damage to the vehicle.

77 (c) Recording two digital color images, which shall be
78 taken at oblique angles, clearly showing all four sides of the
79 vehicle and any observable prior damage, and one digital color
80 image of the vehicle's vehicle identification number. The term
81 "digital color image" means any acceptable technology producing
82 a clear visual image in color, including, but not limited to, a
83 photograph or other digital imaging process which may be
84 accessed, stored, and retrieved via the Internet.

85 (7) The department may, by rule, establish such procedures
86 and notice requirements that it finds necessary to implement the
87 preinsurance inspection of motor vehicles ~~this section.~~

88 Section 2. This act shall take effect July 1, 2003.