

By Senator Peaden

2-1032-04

1 A bill to be entitled
2 An act relating to required preinsurance
3 inspections of private passenger motor
4 vehicles; amending s. 627.744, F.S.; deleting
5 an exception to the inspection requirement;
6 deleting a requirement to take an imprint of
7 the vehicle identification number; requiring
8 that certain digital images of the vehicle be
9 made; providing an effective date.

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

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13 Section 1. Subsections (2), (5), and (7) of section
14 627.744, Florida Statutes, are amended to read:

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16 627.744 Required preinsurance inspection of private
17 passenger motor vehicles.--

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(2) This section does not apply:

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

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

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

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

1 the itemized options and equipment and the total retail price
2 of the vehicle.

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4 For the purposes of this paragraph, the physical damage
5 coverage on the motor vehicle may not be suspended during the
6 term of the policy due to the applicant's failure to provide
7 the required documents. However, payment of a claim is
8 conditioned upon the receipt by the insurer of the required
9 documents, and no physical damage loss occurring after the
10 effective date of the coverage is payable until the documents
11 are provided to the insurer.

12 (c) To a temporary substitute motor vehicle.

13 (d) To a motor vehicle which is leased for less than 6
14 months, if the insurer receives the lease or rental agreement
15 containing a description of the leased motor vehicle,
16 including its condition. Payment of a physical damage claim
17 is conditioned upon receipt of the lease or rental agreement.

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

20 (f) To any renewal policy.

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

23 (g)~~(h)~~ To any other vehicle or policy exempted by rule
24 of the commission. The commission may base a rule under this
25 paragraph only on a determination that the likelihood of a
26 fraudulent physical damage claim is remote or that the
27 inspection would cause a serious hardship to the insurer or
28 the applicant.

29 (h)~~(i)~~ When the insurer's authorized inspection
30 service has no inspection facility either in the municipality
31

1 in which the automobile is principally garaged or within 10
2 miles of such municipality.

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

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

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

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

11 ~~(a) Taking a physical imprint of the vehicle~~
12 ~~identification number of the vehicle or otherwise recording~~
13 ~~the vehicle identification number in a manner prescribed by~~
14 ~~the commission.~~

15 (a)~~(b)~~ Recording the presence of accessories required
16 by the commission to be recorded.

17 (b)~~(c)~~ Recording the locations of and a description of
18 existing damage to the vehicle.

19 (c) Taking two digital color images at oblique angles,
20 clearly showing all four sides of the vehicle and any
21 observable prior damage, and taking one digital color image of
22 the vehicle identification number. The term "digital color
23 image" means any acceptable technology producing a clear
24 visual image in color, including, but not limited to, a
25 photograph or other digital imaging process that may be
26 accessed, stored, and retrieved via the Internet.

27 (7) The commission may, by rule, establish such
28 procedures and notice requirements that it finds necessary to
29 administer the preinsurance inspection of motor vehicles
30 implement this section.

31 Section 2. This act shall take effect July 1, 2004.

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SENATE SUMMARY

Revises provisions related to required preinsurance inspections of private passenger motor vehicles. Deletes an imprint requirement and adds provisions requiring that digital images be made of such vehicles.