

HB 0165

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A bill to be entitled

An act relating to motor vehicle liability insurance; amending s. 320.055, F.S.; providing for a 6-month vehicle registration for persons reinstating a driver's license that has been suspended for driving under the influence; requiring the Department of Highway Safety and Motor Vehicles to issue 6-month vehicle registration certificates and validation stickers; specifying the amount of taxes and charges which must be paid; amending s. 324.131, F.S.; requiring persons whose license or registration has been suspended or revoked due to a violation of driving under the influence to maintain, for 3 years, noncancelable liability coverage as described in s. 627.7275(2), F.S.; authorizing the Department of Highway Safety and Motor Vehicles to adopt a form for proof of such coverage; amending s. 627.7275, F.S.; requiring insurers to make available bodily injury, death, and property damage liability coverage, to certain applicants seeking coverage for reinstatement of driving privileges revoked or suspended for driving under the influence, that is noncancelable for a certain period; providing an effective date.

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

Section 1. Subsection (1) of section 320.055, Florida Statutes, is amended to read:

320.055 Registration periods; renewal periods.--The following registration periods and renewal periods are established:

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31           (1)(a) For a motor vehicle subject to registration under  
32 s. 320.08(1), (2), (3), (5)(b), (c), (d), or (f), (6)(a), (7),  
33 (8), (9), or (10) and owned by a natural person, the  
34 registration period begins the first day of the birth month of  
35 the owner and ends the last day of the month immediately  
36 preceding the owner's birth month in the succeeding year. If  
37 such vehicle is registered in the name of more than one person,  
38 the birth month of the person whose name first appears on the  
39 registration shall be used to determine the registration period.  
40 For a vehicle subject to this registration period, the renewal  
41 period is the 30-day period ending at midnight on the vehicle  
42 owner's date of birth.

43           (b) Notwithstanding the requirements of paragraph (a), the  
44 owner of a motor vehicle subject to paragraph (a) who has had  
45 his or her driver's license suspended pursuant to a violation of  
46 s. 316.193 or pursuant to s. 322.26(2) for driving under the  
47 influence must obtain a 6-month registration as a condition of  
48 reinstating the license, subject to renewal during the 3-year  
49 period that financial responsibility requirements apply. The  
50 registration period begins the first day of the birth month of  
51 the owner and ends the last day of the fifth month immediately  
52 following the owner's birth month. For such vehicles, the  
53 department shall issue a vehicle registration certificate that  
54 is valid for 6 months and shall issue a validation sticker that  
55 displays an expiration date of 6 months after the date of  
56 issuance. The license tax required by s. 320.08 and all other  
57 applicable license taxes shall be one-half of the amount  
58 otherwise required, except the service charge required by s.  
59 320.04 shall be paid in full for each 6-month registration.

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60 Section 2. Section 324.131, Florida Statutes, is amended  
 61 to read:

62 324.131 Period of suspension.--Such license, registration  
 63 and nonresident's operating privilege shall remain so suspended  
 64 and shall not be renewed, nor shall any such license or  
 65 registration be thereafter issued in the name of such person,  
 66 including any such person not previously licensed, unless and  
 67 until every such judgment is stayed, satisfied in full or to the  
 68 extent of the limits stated in s. 324.021(7) and until the said  
 69 person gives proof of financial responsibility as provided in s.  
 70 324.031, such proof to be maintained for 3 years. In addition,  
 71 if the person's license or registration has been suspended or  
 72 revoked due to a violation of s. 316.193 or pursuant to s.  
 73 322.26(2), that person shall maintain noncancelable liability  
 74 coverage for each motor vehicle registered in his or her name,  
 75 as described in s. 627.7275(2), and must present proof that  
 76 coverage is in force on a form adopted by the Department of  
 77 Highway Safety and Motor Vehicles, such proof to be maintained  
 78 for 3 years.

79 Section 3. Section 627.7275, Florida Statutes, is amended  
 80 to read:

81 627.7275 Motor vehicle ~~property damage~~ liability.--  
 82 (1) A ~~No~~ motor vehicle insurance policy providing personal  
 83 injury protection as set forth in s. 627.736 may not ~~shall~~ be  
 84 delivered or issued for delivery in this state with respect to  
 85 any specifically insured or identified motor vehicle registered  
 86 or principally garaged in this state unless the policy also  
 87 provides coverage for property damage liability in the amount of  
 88 at least \$10,000 because of damage to, or destruction of,  
 89 property of others in any one accident arising out of the use of

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90 the motor vehicle or unless the policy provides coverage in the  
 91 amount of at least \$30,000 for combined property damage  
 92 liability and bodily injury liability in any one accident  
 93 arising out of the use of the motor vehicle. The policy, as to  
 94 coverage of property damage liability, must ~~shall~~ meet the  
 95 applicable requirements of s. 324.151, subject to the usual  
 96 policy exclusions that ~~such~~ as have been approved in policy  
 97 forms by the office.

98 (2)(a) Insurers writing motor vehicle insurance in this  
 99 state shall make available, subject to the insurers' usual  
 100 underwriting restrictions:—

101 1. Coverage under policies as described in subsection (1)  
 102 ~~of this section~~ to any applicant for private passenger motor  
 103 vehicle insurance coverage who is seeking the coverage in order  
 104 to reinstate the applicant's driving privileges in this state  
 105 when the driving privileges were revoked or suspended pursuant  
 106 to s. 316.646 or s. 627.733 due to the failure of the applicant  
 107 to maintain required security.

108 2. Coverage under policies as described in subsection (1),  
 109 which also provides liability coverage for bodily injury, death,  
 110 and property damage arising out of the ownership, maintenance,  
 111 or use of the motor vehicle in an amount not less than the  
 112 limits described in s. 324.021(7) and conforms to the  
 113 requirements of s. 324.151, to any applicant for private  
 114 passenger motor vehicle insurance coverage who is seeking the  
 115 coverage in order to reinstate the applicant's driving  
 116 privileges in this state after such privileges were revoked or  
 117 suspended under s. 316.193 or s. 322.26(2) for driving under the  
 118 influence.

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119        (b) The policies described in paragraph (a) ~~policy~~ shall  
 120 be issued for a period of at least 6 months and as to the  
 121 minimum coverages required under this section shall not be  
 122 cancelable by the insured for any reason or by the insurer after  
 123 a period not to exceed 30 days during which the insurer must  
 124 complete underwriting of the policy. After the insurer has  
 125 completed underwriting the policy within the 30-day period, the  
 126 insurer shall notify the Department of Highway Safety and Motor  
 127 Vehicles that the policy is in full force and effect and the  
 128 policy shall not be cancelable for the remainder of the policy  
 129 period. A premium shall be collected and coverage shall be in  
 130 effect for the 30-day period during which the insurer is  
 131 completing the underwriting of the policy whether or not the  
 132 person's driver license, motor vehicle tag, and motor vehicle  
 133 registration are in effect. Once the noncancelable provisions of  
 134 the policy become effective, the coverage or risk shall not be  
 135 changed during the policy period and the premium shall be  
 136 nonrefundable. If, during the pendency of the 2-year proof of  
 137 insurance period required under s. 627.733(7) or during the 3-  
 138 year proof of financial responsibility required under s.  
 139 324.131, whichever is applicable, the insured obtains additional  
 140 coverage or coverage for an additional risk or changes  
 141 territories, the insured must obtain a new 6-month noncancelable  
 142 policy in accordance with the provisions of this section.  
 143 However, if the insured must obtain a new 6-month policy and  
 144 obtains the policy from the same insurer, the policyholder shall  
 145 receive credit on the new policy for any premium paid on the  
 146 previously issued policy.

147        (c)~~(b)~~ ~~The provisions of~~ This subsection controls ~~shall~~  
 148 ~~control~~ to the extent of any conflict with any other section.

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Section 4. This act shall take effect October 1, 2004.