

By Senator Wise

5-230-04

1 A bill to be entitled
2 An act relating to motor vehicle liability
3 insurance; amending s. 320.055, F.S.; providing
4 for a 6-month vehicle registration for persons
5 reinstating a driver's license that has been
6 suspended for driving under the influence;
7 requiring the Department of Highway Safety and
8 Motor Vehicles to issue 6-month vehicle
9 registration certificates and validation
10 stickers; specifying the amount of taxes and
11 fees which must be paid; amending s. 324.131,
12 F.S.; requiring persons whose license or
13 registration has been suspended or revoked due
14 to a violation of driving under the influence
15 to maintain, for 3 years, noncancelable
16 liability coverage as described in s.
17 627.7275(2), F.S.; authorizing the Department
18 of Highway Safety and Motor Vehicles to adopt a
19 form for proof of such coverage; amending s.
20 627.7275, F.S.; requiring insurers to make
21 available bodily injury and property damage
22 liability coverage that is noncancelable for a
23 certain period; providing an effective date.

24

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

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27 Section 1. Subsection (1) of section 320.055, Florida
28 Statutes, is amended to read:29 320.055 Registration periods; renewal periods.--The
30 following registration periods and renewal periods are
31 established:

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

13 **(b) Notwithstanding the requirements of paragraph (a),**
14 **the owner of a motor vehicle subject to paragraph (a) who has**
15 **had his or her driver's license suspended pursuant to a**
16 **violation of s. 316.193 or pursuant to s. 322.26(2) for**
17 **driving under the influence must obtain a 6-month registration**
18 **as a condition of reinstating the license, subject to renewal**
19 **during the 3-year period that financial responsibility**
20 **requirements apply. The registration period begins the first**
21 **day of the birth month of the owner and ends the last day of**
22 **the fifth month immediately following the owner's birth month.**
23 **For such vehicles, the department shall issue a vehicle**
24 **registration certificate that is valid for 6 months and shall**
25 **issue a validation sticker that displays an expiration date of**
26 **6 months after the date of issuance. The license tax required**
27 **by s. 320.08 and all other applicable license taxes shall be**
28 **one-half of the amount otherwise required, except that the**
29 **service fee required by s. 320.04 shall be paid in full for**
30 **each 6-month registration.**

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

3 324.131 Period of suspension.--Such license,
4 registration and nonresident's operating privilege shall
5 remain so suspended and shall not be renewed, nor shall any
6 such license or registration be thereafter issued in the name
7 of such person, including any such person not previously
8 licensed, unless and until every such judgment is stayed,
9 satisfied in full or to the extent of the limits stated in s.
10 324.021(7) and until the said person gives proof of financial
11 responsibility as provided in s. 324.031, such proof to be
12 maintained for 3 years. In addition, if the person's license
13 or registration has been suspended or revoked due to a
14 violation of s. 316.193 or pursuant to s. 322.26(2), that
15 person must maintain noncancelable liability coverage for each
16 motor vehicle registered in his or her name, as described in
17 s. 627.7275(2), and must present on a form adopted by the
18 Department of Highway Safety and Motor Vehicles proof that
19 coverage is in force, such proof to be maintained for 3 years.

20 Section 3. Section 627.7275, Florida Statutes, is
21 amended to read:

22 627.7275 Motor vehicle ~~property damage~~ liability.--

23 (1) A ~~No~~ motor vehicle insurance policy providing
24 personal injury protection as set forth in s. 627.736 may not
25 ~~shall~~ be delivered or issued for delivery in this state with
26 respect to any specifically insured or identified motor
27 vehicle registered or principally garaged in this state unless
28 the policy also provides coverage for property damage
29 liability in the amount of at least \$10,000 because of damage
30 to, or destruction of, property of others in any one accident
31 arising out of the use of the motor vehicle or unless the

1 policy provides coverage in the amount of at least \$30,000 for
2 combined property damage liability and bodily injury liability
3 in any one accident arising out of the use of the motor
4 vehicle. The policy, as to coverage of property damage
5 liability, must ~~shall~~ meet the applicable requirements of s.
6 324.151, subject to the usual policy exclusions that ~~such~~ as
7 have been approved in policy forms by the office.

8 (2)(a) Insurers writing motor vehicle insurance in
9 this state shall make available, subject to the insurers'
10 usual underwriting restrictions:7

11 1. Coverage under policies as described in subsection
12 (1) ~~of this section~~ to any applicant for private passenger
13 motor vehicle insurance coverage who is seeking the coverage
14 in order to reinstate the applicant's driving privileges in
15 this state when the driving privileges were revoked or
16 suspended pursuant to s. 316.646 or s. 627.733 due to the
17 failure of the applicant to maintain required security; ~~and~~.

18 2. Coverage under policies as described in subsection
19 (1) and which also provides liability coverage for bodily
20 injury, death, and property damage arising out of the
21 ownership, maintenance, or use of the motor vehicle in an
22 amount not less than the limits described in s. 324.021(7) and
23 which conforms to the requirements of s. 324.151, to any
24 applicant for private passenger motor vehicle insurance
25 coverage who is seeking the coverage in order to reinstate the
26 applicant's driving privileges in this state after such
27 privileges were revoked or suspended under s. 316.193 or s.
28 322.26(2) for driving under the influence.

29 (b) The policies described in paragraph (a) policy
30 shall be issued for a period of at least 6 months and as to
31 the minimum coverages required under this section shall not be

1 cancelable by the insured for any reason or by the insurer
2 after a period not to exceed 30 days during which the insurer
3 must complete underwriting of the policy. After the insurer
4 has completed underwriting the policy within the 30-day
5 period, the insurer shall notify the Department of Highway
6 Safety and Motor Vehicles that the policy is in full force and
7 effect and the policy shall not be cancelable for the
8 remainder of the policy period. A premium shall be collected
9 and coverage shall be in effect for the 30-day period during
10 which the insurer is completing the underwriting of the policy
11 whether or not the person's driver license, motor vehicle tag,
12 and motor vehicle registration are in effect. Once the
13 noncancelable provisions of the policy become effective, the
14 coverage or risk shall not be changed during the policy period
15 and the premium shall be nonrefundable. If, during the
16 pendency of the 2-year proof of insurance period required
17 under s. 627.733(7) or during the 3-year proof of financial
18 responsibility required under s. 324.131, which ever is
19 applicable, the insured obtains additional coverage or
20 coverage for an additional risk or changes territories, the
21 insured must obtain a new 6-month noncancelable policy in
22 accordance with the provisions of this section. However, if
23 the insured must obtain a new 6-month policy and obtains the
24 policy from the same insurer, the policyholder shall receive
25 credit on the new policy for any premium paid on the
26 previously issued policy.

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

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

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SENATE SUMMARY

Provides for 6-month registration of motor vehicles owned by persons whose driving privilege has been suspended for driving under the influence. Requires such persons to maintain liability coverage for bodily injury, death, and property damage which is noncancelable by the insured and requires insurers to make such coverage available.