

1 A bill to be entitled
 2 An act relating to motor vehicle insurance; creating s.
 3 627.7289, F.S.; authorizing certain insurance policies to
 4 provide coverage for towing and storage costs relating to
 5 recovery of stolen vehicles; requiring notice by the
 6 insurer if such coverage is not included; specifying a
 7 form; specifying absence of liability by insurers or
 8 policyholders for towing and storage costs in excess of
 9 certain amounts; specifying absence of liability by
 10 insurers or registered owners for certain storage costs if
 11 a wrecker fails to provide certain notice; providing an
 12 effective date.

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

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 16 Section 1. Section 627.7289, Florida Statutes, is created
 17 to read:

18 627.7289 Comprehensive coverage; towing and storage
 19 charges for recovered stolen vehicles.--

20 (1) Any insurer issuing insurance policies in this state
 21 covering motor vehicles may include in the comprehensive
 22 coverage provisions of such policies coverage for the costs of
 23 towing and storage in connection with the recovery of stolen
 24 motor vehicles covered under such policies.

25 (2) If the comprehensive coverage provision of such a
 26 policy does not include such coverage, the policy declaration
 27 page must contain the following disclosure in 12-point bold
 28 type:

29 YOUR POLICY DOES NOT INCLUDE COVERAGE FOR THE COSTS OF
30 TOWING AND STORAGE IN CONNECTION WITH THE RECOVERY OF
31 STOLEN MOTOR VEHICLES.

32 (3) Notwithstanding any other provision of law, when
33 coverage is provided under subsection (1), an insurer or
34 policyholder shall not be liable for any towing and storage
35 costs charged in connection with the recovery of a stolen motor
36 vehicle in excess of those rates charged to a law enforcement
37 agency as determined under s. 321.051(2).

38 (4) Notwithstanding any other provision of law, if the
39 owner or operator of a wrecker as defined in s. 713.78(1) fails
40 to provide notice as required under s. 713.78(4) to the
41 registered owner and insurance company insuring the recovered
42 vehicle, the registered owner and insurance company shall not be
43 liable for any storage costs for any time elapsed prior to
44 receipt of the required notice.

45 Section 2. This act shall take effect January 1, 2006.