

By Senator Jones

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A bill to be entitled

An act relating to motor vehicle insurance;
creating s. 324.023, F.S.; requiring proof of
increased financial responsibility for bodily
injury or death caused by owners or operators
of motor vehicles who previously have been
found guilty of the offense of DUI; amending
ss. 316.646 and 627.733, F.S., to conform;
providing an effective date.

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

Section 1. Section 324.023, Florida Statutes, is
created to read:

324.023 Financial responsibility for bodily injury or
death.--In addition to any other financial responsibility
required by law, every owner of a motor vehicle that is
required to be registered in this state and every operator of
any motor vehicle located within this state who has ever been
found guilty of DUI pursuant to s. 316.193, or who has ever
had a driver's license or driving privilege revoked pursuant
to s. 322.26, shall, by one of the methods established in s.
324.031(1), (2), or (3), establish and maintain the ability to
respond in damages for liability on account of accidents
arising out of the use of a motor vehicle in the amount of
\$100,000 because of bodily injury to, or death of, one person
in any one crash, and subject to those limits for one person,
in the amount of \$300,000 because of bodily injury to, or
death of, two or more persons in any one crash, and in the
amount of \$50,000 because of property damage in any one crash.
If the owner or operator chooses to establish and maintain

1 such ability by posting a bond or furnishing a certificate of
2 deposit pursuant to s. 324.031(2) or (3), such bond or
3 certificate of deposit must be in at least the amount of
4 \$350,000.

5 Section 2. Subsections (1) and (3) of section 316.646,
6 Florida Statutes, are amended to read:

7 316.646 Security required; proof of security and
8 display thereof; dismissal of cases.--

9 (1) Any person required by s. 627.733 to maintain
10 personal injury protection security on a motor vehicle or any
11 person required by s. 324.023 to maintain liability coverage
12 for bodily injury or death shall have in his or her immediate
13 possession at all times while operating such motor vehicle
14 proper proof of maintenance of the security required by ~~ss. s-~~
15 627.733 and 342.023. Such proof shall be either a uniform
16 proof-of-insurance card in a form prescribed by the
17 department, a valid insurance policy, an insurance policy
18 binder, a certificate of insurance, or such other proof as may
19 be prescribed by the department.

20 (3) Any person who violates this section is guilty of
21 a nonmoving traffic infraction subject to the penalty provided
22 in chapter 318 and shall be required to furnish proof of
23 security as provided in this section. If any person charged
24 with a violation of this section fails to furnish proof, at or
25 before the scheduled court appearance date, that security was
26 in effect at the time of the violation, the court may
27 immediately suspend the registration and driver's license of
28 such person. Such license and registration may only be
29 reinstated as provided in s. 627.733 or s. 324.023.

30 Section 3. Subsection (7) of section 627.733, Florida
31 Statutes, is amended to read:

1 627.733 Required security.--
2 (7) Any operator or owner whose driver's license or
3 registration has been suspended pursuant to this section or s.
4 316.646 may effect its reinstatement upon compliance with the
5 requirements of this section and upon payment to the
6 Department of Highway Safety and Motor Vehicles of a
7 nonrefundable reinstatement fee of \$150 for the first
8 reinstatement. Such reinstatement fee shall be \$250 for the
9 second reinstatement and \$500 for each subsequent
10 reinstatement during the 3 years following the first
11 reinstatement. Any person reinstating her or his insurance
12 under this subsection must also secure noncancelable coverage
13 as described in ss. ~~s.~~ 627.7275(2) and 324.021(8) and present
14 to the appropriate person proof that the coverage is in force
15 on a form promulgated by the Department of Highway Safety and
16 Motor Vehicles, such proof to be maintained for 2 years. If
17 the person does not have a second reinstatement within 3 years
18 after her or his initial reinstatement, the reinstatement fee
19 shall be \$150 for the first reinstatement after that 3-year
20 period. In the event that a person's license and registration
21 are suspended pursuant to this section or s. 316.646, only one
22 reinstatement fee shall be paid to reinstate the license and
23 the registration. All fees shall be collected by the
24 Department of Highway Safety and Motor Vehicles at the time of
25 reinstatement. The Department of Highway Safety and Motor
26 Vehicles shall issue proper receipts for such fees and shall
27 promptly deposit those fees in the Highway Safety Operating
28 Trust Fund. One-third of the fee collected under this
29 subsection shall be distributed from the Highway Safety
30 Operating Trust Fund to the local government entity or state
31 agency which employed the law enforcement officer who seizes a

1 license plate pursuant to s. 324.201. Such funds may be used
2 by the local government entity or state agency for any
3 authorized purpose.

4 Section 4. This act shall take effect upon becoming a
5 law.

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8 SENATE SUMMARY

9 Requires proof of increased financial responsibility for
10 bodily injury or death caused by owners or operators of
11 motor vehicles who previously have been found guilty of
12 DUI.
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