

By Senator Bennett

21-00456-08

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1 A bill to be entitled

2 An act relating to driver financial responsibility;
3 amending ss. 324.022, 627.7275, and 627.7415, F.S.;
4 requiring certain motor vehicle owners or operators to
5 maintain, by insurance or other means, financial
6 responsibility for on-scene wrecker service charges
7 requested by law enforcement officers under certain
8 circumstances; providing an effective date.

9
10 Be It Enacted by the Legislature of the State of Florida:

11
12 Section 1. Section 324.022, Florida Statutes, is amended to
13 read:

14 324.022 Financial responsibility for property damage.--
15 Every owner or operator of a motor vehicle, which motor vehicle
16 is subject to the requirements of ss. 627.730-627.7405 and
17 required to be registered in this state, shall, by one of the
18 methods established in s. 324.031 or by having a policy that
19 complies with s. 627.7275, establish and maintain the ability to
20 respond in damages for liability on account of accidents arising
21 out of the use of the motor vehicle in the amount of \$10,000 and
22 for charges for on-scene wrecker services requested by a law
23 enforcement officer pursuant to s. 713.78, because of damage to,
24 or destruction of, property of others in any one crash. The
25 requirements of this section may also be met by having a policy
26 that ~~which~~ provides coverage in the amount of at least \$30,000
27 for combined property damage liability and bodily injury
28 liability and coverage for charges for on-scene wrecker services
29 requested by a law enforcement officer pursuant to s. 713.78, for

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30 | any one crash arising out of the use of the motor vehicle. No
31 | insurer shall have any duty to defend uncovered claims
32 | irrespective of their joinder with covered claims.

33 | Section 2. Subsection (1) of section 627.7275, Florida
34 | Statutes, is amended to read:

35 | 627.7275 Motor vehicle liability.--

36 | (1) A motor vehicle insurance policy providing personal
37 | injury protection as set forth in s. 627.736 may not be delivered
38 | or issued for delivery in this state with respect to any
39 | specifically insured or identified motor vehicle registered or
40 | principally garaged in this state unless the policy also provides
41 | coverage for property damage liability in the amount of at least
42 | \$10,000 and coverage for charges for on-scene wrecker services
43 | requested by a law enforcement officer pursuant to s. 713.78,
44 | because of damage to, or destruction of, property of others in
45 | any one accident arising out of the use of the motor vehicle or
46 | unless the policy provides coverage in the amount of at least
47 | \$30,000 for combined property damage liability and bodily injury
48 | liability in any one accident arising out of the use of the motor
49 | vehicle. The policy, as to coverage of property damage liability,
50 | must meet the applicable requirements of s. 324.151, subject to
51 | the usual policy exclusions that have been approved in policy
52 | forms by the office.

53 | Section 3. Section 627.7415, Florida Statutes, is amended
54 | to read:

55 | 627.7415 Commercial motor vehicles; additional liability
56 | insurance coverage.--Commercial motor vehicles, as defined in s.
57 | 207.002(2) or s. 320.01, operated upon the roads and highways of
58 | this state shall be insured with the following minimum levels of

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59 combined bodily liability insurance and property damage liability
60 insurance and coverage for charges for on-scene wrecker services
61 requested by a law enforcement officer pursuant to s. 713.78, in
62 addition to any other insurance requirements:

63 (1) Fifty thousand dollars per occurrence for a commercial
64 motor vehicle with a gross vehicle weight of 26,000 pounds or
65 more, but less than 35,000 pounds.

66 (2) One hundred thousand dollars per occurrence for a
67 commercial motor vehicle with a gross vehicle weight of 35,000
68 pounds or more, but less than 44,000 pounds.

69 (3) Three hundred thousand dollars per occurrence for a
70 commercial motor vehicle with a gross vehicle weight of 44,000
71 pounds or more.

72 (4) All commercial motor vehicles subject to regulations of
73 the United States Department of Transportation, Title 49 C.F.R.
74 part 387, subpart A, and as may be hereinafter amended, shall be
75 insured in an amount equivalent to the minimum levels of
76 financial responsibility as set forth in such regulations.

77
78 A violation of this section is a noncriminal traffic infraction,
79 punishable as a nonmoving violation as provided in chapter 318.

80 Section 4. This act shall take effect July 1, 2008.