

1                                   A bill to be entitled  
 2           An act relating to insurance; amending s. 627.421,  
 3           F.S.; authorizing the posting of specified types of  
 4           insurance policies and endorsements on an insurer's  
 5           Internet website in lieu of mailing or delivery to the  
 6           insured if the insurer complies with certain  
 7           conditions; providing an effective date.

8  
 9   Be It Enacted by the Legislature of the State of Florida:

10  
 11           Section 1.   Section 627.421, Florida Statutes, is amended  
 12   to read:

13           627.421   Delivery of policy.—

14           (1)   Subject to the insurer's requirement as to payment of  
 15   premium, every policy shall be mailed or delivered to the  
 16   insured or to the person entitled thereto not later than 60 days  
 17   after the effectuation of coverage.

18           (2)   In the event the original policy is delivered or is so  
 19   required to be delivered to or for deposit with any vendor,  
 20   mortgagee, or pledgee of any motor vehicle, and in which policy  
 21   any interest of the vendee, mortgagor, or pledgor in or with  
 22   reference to such vehicle is insured, a duplicate of such policy  
 23   setting forth the name and address of the insurer, insurance  
 24   classification of vehicle, type of coverage, limits of  
 25   liability, premiums for the respective coverages, and duration  
 26   of the policy, or memorandum thereof containing the same such  
 27   information, shall be delivered by the vendor, mortgagee, or  
 28   pledgee to each such vendee, mortgagor, or pledgor named in the

29 | policy or coming within the group of persons designated in the  
30 | policy to be so included. If the policy does not provide  
31 | coverage of legal liability for injury to persons or damage to  
32 | the property of third parties, a statement of such fact shall be  
33 | printed, written, or stamped conspicuously on the face of such  
34 | duplicate policy or memorandum. This subsection does not apply  
35 | to inland marine floater policies.

36 |       (3) Any automobile liability or physical damage policy  
37 | shall contain on the front page a summary of major coverages,  
38 | conditions, exclusions, and limitations contained in that  
39 | policy. Any such summary shall state that the issued policy  
40 | should be referred to for the actual contractual governing  
41 | provisions. The company may, in lieu of the summary, provide a  
42 | readable policy.

43 |       (4) Notwithstanding subsections (1) and (2), commercial  
44 | motor vehicle or personal lines property and casualty insurance  
45 | policies and endorsements that do not contain personally  
46 | identifiable information may be mailed, delivered, or posted on  
47 | the insurer's Internet website. If the insurer elects to post  
48 | insurance policies and endorsements on its Internet website in  
49 | lieu of mailing or delivery to insureds, the insurer must comply  
50 | with the following:

51 |       (a) Each policy and endorsement must be easily accessible  
52 | for as long as the policy and endorsement remains in force.

53 |       (b) The insurer must archive all of its expired policies  
54 | and endorsements and make any expired policy and endorsement  
55 | available upon an insured's request for at least 5 years after  
56 | expiration of the policy and endorsement.

HB 223

2013

57 (c) Each policy and endorsement must be posted in a manner  
58 that enables the insured to print and save the policy and  
59 endorsement using a program or application that is widely  
60 available on the Internet without charge.

61 (d) When the insurer issues an initial policy form or any  
62 renewal form, the insurer must notify the insured, in the manner  
63 the insurer customarily uses to communicate with insureds, that  
64 the insured has the right to request and obtain without charge a  
65 paper or electronic copy of the insured's policy and  
66 endorsements.

67 (e) On each declarations page issued to the insured, the  
68 insurer must clearly identify the exact policy form and  
69 endorsement form purchased by the insured.

70 (f) If the insurer changes any policy form or endorsement,  
71 the insurer must notify the insured, in the manner the insurer  
72 customarily uses to communicate with insureds, that the insured  
73 has the right to request and obtain without charge a paper or  
74 electronic copy of such form or endorsement.

75 Section 2. This act shall take effect July 1, 2013.