

By Senator Detert

28-00501-13

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

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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.

57 (c) Each policy and endorsement must be posted in a manner
58 that enables the insured to print and save the policy and

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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.