

By the Committee on Commerce and Tourism; and Senator Detert

577-04365-13

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

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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 within ~~not later than~~
17 60 days after the effectuation of coverage.

18 (2) ~~If In the event~~ the original policy is delivered or is
19 ~~so~~ required to be delivered to or for deposit with a ~~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 the ~~such~~
23 policy setting forth the name and address of the insurer,
24 insurance 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 that ~~such~~ fact
33 shall be printed, written, or stamped conspicuously on the face
34 of the ~~such~~ duplicate policy or memorandum. This subsection does
35 not apply to inland marine floater policies.

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

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

50 (a) Each policy and endorsement must be easily accessible
51 on the insurer's website for as long as the policy and
52 endorsement remain in force.

53 (b) The insurer must archive and make all of its expired
54 policies and endorsements available to an insured on its website
55 for at least 5 years after expiration of the policy and
56 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 or upon
62 renewal, the insurer must notify the insured, in the manner the
63 insurer customarily uses to communicate with the insured, 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 a policy form or endorsement,
71 the insurer must notify the insured, in the manner the insurer
72 customarily uses to communicate with the insured, that the
73 insured has the right to request and obtain without charge a
74 paper or electronic copy of such form or endorsement.

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