

1 A bill to be entitled

2 An act relating to the motor vehicle insurance online  
3 verification system; creating s. 324.252, F.S.;  
4 requiring the Department of Highway Safety and Motor  
5 Vehicles to establish a system for the online  
6 verification of motor vehicle insurance; providing  
7 system requirements; requiring insurers to cooperate  
8 with the department in establishing and maintaining  
9 the system; providing applicability; authorizing the  
10 department to adopt rules; amending s. 320.02, F.S.;  
11 providing requirements relating to the registration of  
12 motor vehicles to conform to changes made by the act;  
13 amending s. 324.0221, F.S.; authorizing the department  
14 to verify certain information; requiring insurers to  
15 transmit certain information to the department;  
16 authorizing the department to implement a method of  
17 insurance verification; amending s. 316.646, F.S.;  
18 authorizing law enforcement officers to access  
19 insurance information at traffic stops and crash  
20 investigations for certain purposes; providing an  
21 effective date.

22  
23 Be It Enacted by the Legislature of the State of Florida:

24  
25 Section 1. Section 324.252, Florida Statutes, is created

26 to read:

27 324.252 Motor vehicle insurance online verification  
28 system.-

29 (1) The department shall establish an online verification  
30 system for motor vehicle insurance, subject to the following:

31 (a) The verification system shall be accessible through  
32 the Internet by authorized personnel of the department, the  
33 courts, law enforcement personnel, any other entities authorized  
34 by the department, and insurers authorized by the Office of  
35 Insurance Regulation to offer motor vehicle insurance.

36 (b) The verification system shall provide for direct  
37 access to insurers' records by personnel authorized by the  
38 department.

39 (c) The department shall conduct a pilot program to test  
40 the system before statewide use. However, the verification  
41 system must be installed and operational by July 1, 2020.

42 (d) The verification system shall be available 24 hours a  
43 day to verify the insurance status of any vehicle registered in  
44 this state through the vehicle's identification number, policy  
45 number, registered owner's name, or other identifying  
46 characteristic or marker as prescribed by the department.

47 (e) The department may contract with a private vendor to  
48 assist in establishing and maintaining the verification system.

49 (f) The verification system shall include appropriate  
50 provisions, consistent with industry standards, to secure its

51 data against unauthorized access and to maintain a record of all  
52 information requests. A historical record of the system data  
53 must be retained by insurers for 5 years after the policy  
54 termination date.

55 (g) A law enforcement officer, during a traffic stop or  
56 crash investigation, shall access information from the online  
57 verification system to establish compliance with this chapter  
58 and to verify the current validity of the policy described on  
59 any insurance identification card produced by the operator of a  
60 motor vehicle during the traffic stop or crash investigation.

61 (h) The verification system must include a disaster  
62 recovery plan designed to ensure service continuity in the event  
63 of a disaster.

64 (i) The verification system must include information that  
65 enables the department to make inquiries of evidence of  
66 insurance by using multiple data elements for greater matching  
67 accuracy, specifically: Insurer NAIC (National Association of  
68 Insurance Commissioners) company code; Vehicle Identification  
69 Number, policy number, levels and types of coverage, or other  
70 data elements as established by the department.

71 (j) An insurance company authorized to issue motor vehicle  
72 insurance policies in this state must comply with the  
73 verification requirements of motor vehicle insurance for every  
74 motor vehicle insured by that company in this state as required  
75 by department rule.

76        (k) This section does not apply to vehicles insured under  
77 commercial auto coverage. However, insurers of such vehicles may  
78 participate on a voluntary basis.

79        (2) Insurers must cooperate with the department in  
80 establishing and maintaining the insurance verification system  
81 and must provide access to motor vehicle insurance policy status  
82 information.

83        (3) The department may adopt rules to implement this  
84 section.

85        Section 2. Paragraph (f) is added to subsection (5) of  
86 section 320.02, Florida Statutes, to read:

87        320.02 Registration required; application for  
88 registration; forms.—

89        (5)

90        (f) Upon implementation of the online verification system  
91 in s. 324.252, the online verification shall replace the  
92 procedures in this subsection and the department and its  
93 authorized agents shall use the verification system unless such  
94 system is not online or the required information is not  
95 available. In such a case, the department and its authorized  
96 agent may accept proof of purchase as provided in this  
97 subsection to verify the purchase of the required insurance  
98 before processing any application for motor vehicle  
99 registration.

100        Section 3. Paragraphs (c) and (d) of subsection (1) and

101 subsection (4) are added to section 324.0221, Florida Statutes,  
 102 to read:

103 324.0221 Reports by insurers to the department; suspension  
 104 of driver license and vehicle registrations; reinstatement.—

105 (1)

106 (c) The department may verify information directly from an  
 107 insurance company's database. This paragraph does not relieve an  
 108 insurance company from the reporting requirement of this  
 109 section.

110 (d) An insurer must transmit weekly, in a format  
 111 prescribed by the department, the insurer's records of all  
 112 active insurance policies, commonly known as the "book of  
 113 business," to enable the department to identify uninsured  
 114 vehicles.

115 (4) The department may implement a method of insurance  
 116 verification, by rule.

117 Section 4. Subsection (6) is added to section 316.646,  
 118 Florida Statutes, to read:

119 316.646 Security required; proof of security and display  
 120 thereof.—

121 (6) A law enforcement officer, during a traffic stop or  
 122 crash investigation, may access information from the motor  
 123 vehicle insurance online verification system to establish  
 124 compliance with this chapter and chapter 324 and to verify the  
 125 current validity of the policy described on any insurance

CS/HB 913

2017

126 | identification card produced by the operator of a motor vehicle  
127 | during the traffic stop or crash investigation.

128 |       Section 5. This act shall take effect July 1, 2017.