

By the Committees on Commerce and Tourism; and Banking and Insurance; and Senators Hukill, Young, and Hutson

577-02606-18

2018396c2

1 A bill to be entitled
2 An act relating to motor vehicle insurance coverage
3 for windshield glass; amending s. 559.920, F.S.;
4 prohibiting motor vehicle repair shops or their
5 employees from offering anything of value to a
6 customer in exchange for making an insurance claim for
7 motor vehicle glass replacement or repair, including
8 offers made through certain persons; providing an
9 effective date.

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11 Be It Enacted by the Legislature of the State of Florida:

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13 Section 1. Section 559.920, Florida Statutes, is amended to
14 read:

15 559.920 Unlawful acts and practices.—It shall be a
16 violation of this act for any motor vehicle repair shop or
17 employee thereof to:

18 (1) Engage or attempt to engage in repair work for
19 compensation of any type without first being registered with or
20 having submitted an affidavit of exemption to the department;

21 (2) Make or charge for repairs which have not been
22 expressly or impliedly authorized by the customer;

23 (3) Misrepresent that repairs have been made to a motor
24 vehicle;

25 (4) Misrepresent that certain parts and repairs are
26 necessary to repair a vehicle;

27 (5) Misrepresent that the vehicle being inspected or
28 diagnosed is in a dangerous condition or that the customer's
29 continued use of the vehicle may be harmful or cause great

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30 damage to the vehicle;

31 (6) Fraudulently alter any customer contract, estimate,
32 invoice, or other document;

33 (7) Fraudulently misuse any customer's credit card;

34 (8) Make or authorize in any manner or by any means
35 whatever any written or oral statement which is untrue,
36 deceptive or misleading, and which is known, or which by the
37 exercise of reasonable care should be known, to be untrue,
38 deceptive or misleading;

39 (9) Make false promises of a character likely to influence,
40 persuade, or induce a customer to authorize the repair, service,
41 or maintenance of a motor vehicle;

42 (10) Substitute used, rebuilt, salvaged, or straightened
43 parts for new replacement parts without notice to the motor
44 vehicle owner and to her or his insurer if the cost of repair is
45 to be paid pursuant to an insurance policy and the identity of
46 the insurer or its claims adjuster is disclosed to the motor
47 vehicle repair shop;

48 (11) Cause or allow a customer to sign any work order that
49 does not state the repairs requested by the customer or the
50 automobile's odometer reading at the time of repair;

51 (12) Fail or refuse to give to a customer a copy of any
52 document requiring the customer's signature upon completion or
53 cancellation of the repair work;

54 (13) Willfully depart from or disregard accepted practices
55 and professional standards;

56 (14) Have repair work subcontracted without the knowledge
57 or consent of the customer unless the motor vehicle repair shop
58 or employee thereof demonstrates that the customer could not

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59 reasonably have been notified;

60 (15) Conduct the business of motor vehicle repair in a
61 location other than that stated on the registration certificate;

62 (16) Rebuild or restore a rebuilt vehicle without the
63 knowledge of the owner in such a manner that it does not conform
64 to the original vehicle manufacturer's established repair
65 procedures or specifications and allowable tolerances for the
66 particular model and year; ~~or~~

67 (17) Offer to a customer a rebate, gift, gift card, cash,
68 coupon, or any other thing of value in exchange for making an
69 insurance claim for motor vehicle glass replacement or repair,
70 including an offer made through a nonemployee who is compensated
71 for the solicitation of insurance claims; or

72 (18)~~(17)~~ Perform any other act that is a violation of this
73 part or that constitutes fraud or misrepresentation.

74 Section 2. This act shall take effect July 1, 2018.