Committee/Subcommittee hearing bill: Commerce Committee Representative Santiago offered the following:

Amendment (with title amendment)

Remove lines 159-162 and insert:

(b) The insurer maintains a procedure that allows an agent to independently determine whether the notice of lapse has been sent to the insured.

(c) The insurer has no record of the current agent of record.

(d) The agent is employed by the insurer or an affiliate of the insurer.

Section 6. Paragraph (b) is amended and paragraph (d) is added to subsection (3) of section 319.30, Florida Statutes, to read:

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319.30 Definitions; dismantling, destruction, change of identity of motor vehicle or mobile home; salvage.—

(3)

(b) The owner, including persons who are self-insured, of a motor vehicle or mobile home that is considered to be salvage shall, within 72 hours after the motor vehicle or mobile home becomes salvage, forward the title to the motor vehicle or mobile home to the department for processing. However, an insurance company that pays money as compensation for the total loss of a motor vehicle or mobile home shall obtain the certificate of title for the motor vehicle or mobile home, make the required notification to the National Motor Vehicle Title Information System, and, within 72 hours after receiving such certificate of title, forward such title via electronic means, the United States Postal Service, or another commercially available delivery service to the department for processing. The owner or insurance company, as applicable, may not dispose of a vehicle or mobile home that is a total loss before it obtains a salvage certificate of title or certificate of destruction from the department. Effective July 1, 2020: 2023:

1. Thirty days after payment of a claim for compensation pursuant to this paragraph, the insurance company may receive a salvage certificate of title or certificate of destruction from the department if the insurance company is unable to obtain a properly assigned certificate of title from the owner or
lienholder of the motor vehicle or mobile home, if the motor
vehicle or mobile home does not carry an electronic lien on the
title and the insurance company:
a. Has obtained the release of all liens on the motor
vehicle or mobile home;
b. Has provided proof of payment of the total loss claim;
and
c. Has provided an affidavit on letterhead signed by the
insurance company or its authorized agent stating the attempts
that have been made to obtain the title from the owner or
lienholder and further stating that all attempts are to no
avail. The affidavit must include a request that the salvage
certificate of title or certificate of destruction be issued in
the insurance company's name due to payment of a total loss
claim to the owner or lienholder. The attempts to contact the
owner may be by written request delivered in person or by first-
class mail with a certificate of mailing to the owner's or
lienholder's last known address.

2. If the owner or lienholder is notified of the request
for title in person, the insurance company must provide an
affidavit attesting to the in-person request for a certificate
of title.

3. The request to the owner or lienholder for the
certificate of title must include a complete description of the
motor vehicle or mobile home and the statement that a total loss
claim has been paid on the motor vehicle or mobile home.

(d) An electronic signature that is consistent with
chapter 668 satisfies any signature required under this

section.

Section 7. Subsection (2) of section 440.381, Florida
Statutes, is amended to read:

440.381 Application for coverage; reporting payroll;
payroll audit procedures; penalties.—

(2) Submission of an application that contains false,
misleading, or incomplete information provided with the purpose
of avoiding or reducing the amount of premiums for workers'
compensation coverage is a felony of the second degree,
punishable as provided in s. 775.082, s. 775.083, or s. 775.084.
The application must contain a statement that the filing of an
application containing false, misleading, or incomplete
information provided with the purpose of avoiding or reducing
the amount of premiums for workers' compensation coverage is a
felony of the third degree, punishable as provided in s.
775.082, s. 775.083, or s. 775.084. The application must contain
a sworn statement by the employer attesting to the accuracy of
the information submitted and acknowledging the provisions of
former s. 440.37(4). The application must contain a sworn
statement by the agent attesting that the agent explained to the
employer or officer the classification codes that are used for
premium calculations. The sworn statements by the employer and
the agent are not required to be notarized.

Remove line 22 and insert:
certain circumstances; amending s. 319.30, F.S.; revising the
manner in which insurance companies must forward motor vehicle
or mobile home titles to the Department of Highway Safety and
Motor Vehicles under certain circumstances; authorizing
electronic signatures for certain purposes; amending s. 440.381,
F.S.; specifying requirements for workers' compensation
insurance applications; amending s. 627.7015, F.S.;