

Amendment No.

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	_____	(Y/N)
ADOPTED AS AMENDED	_____	(Y/N)
ADOPTED W/O OBJECTION	_____	(Y/N)
FAILED TO ADOPT	_____	(Y/N)
WITHDRAWN	_____	(Y/N)
OTHER		

1 Committee/Subcommittee hearing bill: Transportation &
2 Infrastructure Subcommittee
3 Representative Santiago offered the following:

Amendment (with title amendment)

Remove everything after the enacting clause and insert:

Section 1. Subsection (5) of section 316.646, Florida Statutes, is renumbered as subsection (6), and a new subsection (5) is added to that section, to read:

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

(5) Upon implementation of the motor vehicle insurance online verification system established in s. 324.252, a law enforcement officer, during a traffic stop or crash investigation, shall access information from the online verification system to establish compliance with this chapter

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17 and chapter 324 and to verify the current validity of the policy
18 described on any insurance identification card produced by the
19 operator of a motor vehicle during the traffic stop or crash
20 investigation.

21 Section 2. Paragraph (b) of subsection (3) of section
22 319.30, Florida Statutes, is amended, and paragraph (d) is added
23 to that subsection, to read:

24 319.30 Definitions; dismantling, destruction, change of
25 identity of motor vehicle or mobile home; salvage.—

26 (3)

27 (b) The owner, including persons who are self-insured, of
28 a motor vehicle or mobile home that is considered to be salvage
29 shall, within 72 hours after the motor vehicle or mobile home
30 becomes salvage, forward the title to the motor vehicle or
31 mobile home to the department for processing. However, an
32 insurance company that pays money as compensation for the total
33 loss of a motor vehicle or mobile home shall obtain the
34 certificate of title for the motor vehicle or mobile home, make
35 the required notification to the National Motor Vehicle Title
36 Information System, and, within 72 hours after receiving such
37 certificate of title, forward such title via electronic means or
38 the United States Postal Service to the department for
39 processing. The owner or insurance company, as applicable, may
40 not dispose of a vehicle or mobile home that is a total loss
41 before it obtains a salvage certificate of title or certificate

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42 of destruction from the department. Effective July 1, 2023:

43 1. Thirty days after payment of a claim for compensation
44 pursuant to this paragraph, the insurance company may receive a
45 salvage certificate of title or certificate of destruction from
46 the department if the insurance company is unable to obtain a
47 properly assigned certificate of title from the owner or
48 lienholder of the motor vehicle or mobile home, if the motor
49 vehicle or mobile home does not carry an electronic lien on the
50 title and the insurance company:

51 a. Has obtained the release of all liens on the motor
52 vehicle or mobile home;

53 b. Has provided proof of payment of the total loss claim;
54 and

55 c. Has provided an affidavit on letterhead signed by the
56 insurance company or its authorized agent stating the attempts
57 that have been made to obtain the title from the owner or
58 lienholder and further stating that all attempts are to no
59 avail. The affidavit must include a request that the salvage
60 certificate of title or certificate of destruction be issued in
61 the insurance company's name due to payment of a total loss
62 claim to the owner or lienholder. The attempts to contact the
63 owner may be by written request delivered in person or by first-
64 class mail with a certificate of mailing to the owner's or
65 lienholder's last known address.

66 2. If the owner or lienholder is notified of the request

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67 for title in person, the insurance company must provide an
68 affidavit attesting to the in-person request for a certificate
69 of title.

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

74 (d) An electronic signature that is consistent with
75 chapter 668 satisfies any signature required under this
76 subsection.

77 Section 3. Paragraph (f) is added to subsection (5) of
78 section 320.02, Florida Statutes, to read:

79 320.02 Registration required; application for
80 registration; forms.—

81 (5)

82 (f) Upon implementation of the motor vehicle insurance
83 online verification system established in s. 324.252, the online
84 verification may be used in lieu of the verification procedures
85 in this subsection.

86 Section 4. Paragraphs (c) and (d) are added to subsection
87 (1) of section 324.0221, Florida Statutes, and subsection (4) is
88 added to that section, to read:

89 324.0221 Reports by insurers to the department; suspension
90 of driver license and vehicle registrations; reinstatement.—

91 (1)

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92 (c) An insurer must transmit weekly, in a format
93 prescribed by the department, the insurer's records of all
94 active insurance policies, commonly known as the "book of
95 business," to enable the department to identify uninsured
96 vehicles.

97 (d) The department may verify information from an insurer
98 as provided in s. 324.252. This paragraph does not relieve an
99 insurer from the reporting requirements of this section.

100 (4) The department may implement by rule a method of
101 insurance verification.

102 Section 5. Paragraph (a) of subsection (1) of section
103 324.151, Florida Statutes, is amended to read:

104 324.151 Motor vehicle liability policies; required
105 provisions.—

106 (1) A motor vehicle liability policy to be proof of
107 financial responsibility under s. 324.031(1), shall be issued to
108 owners or operators under the following provisions:

109 (a) An owner's liability insurance policy must ~~shall~~
110 designate by explicit description or by appropriate reference
111 all motor vehicles with respect to which coverage is thereby
112 granted and must ~~shall~~ insure the owner named therein and,
113 except for a named driver excluded under s. 627.747, any other
114 person as operator using such motor vehicle or motor vehicles
115 with the express or implied permission of such owner against
116 loss from the liability imposed by law for damage arising out of

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117 the ownership, maintenance, or use of such motor vehicle or
118 motor vehicles within the United States or the Dominion of
119 Canada, subject to limits, exclusive of interest and costs with
120 respect to each such motor vehicle as is provided for under s.
121 324.021(7). Insurers may make available, with respect to
122 property damage liability coverage, a deductible amount not to
123 exceed \$500. In the event of a property damage loss covered by a
124 policy containing a property damage deductible provision, the
125 insurer shall pay to the third-party claimant the amount of any
126 property damage liability settlement or judgment, subject to
127 policy limits, as if no deductible existed.

128 Section 6. Section 324.252, Florida Statutes, is created
129 to read:

130 324.252 Insurance online verification system.—The
131 department shall establish an online verification system for
132 motor vehicle insurance. The goal of the system is to identify
133 uninsured motorists and aid the department in the enforcement of
134 financial responsibility law.

135 (1) The online verification system must:

136 (a) Be accessible through the Internet by authorized
137 personnel of the department, the courts, law enforcement
138 personnel, any other entities authorized by the department, and
139 insurers authorized by the Office of Insurance Regulation to
140 offer motor vehicle insurance.

141 (b) Send requests to insurers for verification of evidence

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142 of insurance for motor vehicles registered in this state via
143 online services established by the insurers in compliance with
144 the specifications and standards of the Insurance Industry
145 Committee on Motor Vehicle Administration (IICMVA), with
146 enhancements, additions, and modifications as required by the
147 department. However, the enhancements, additions, and
148 modifications may not conflict with, nullify, or add
149 requirements that are inconsistent with the specifications or
150 standards of the IICMVA.

151 (c) Be operational by July 1, 2022. The Motor Vehicle
152 Insurance Online Verification Task Force established in s.
153 324.255 must conduct a pilot program for at least 9 months to
154 test the system before statewide use. The system may not be used
155 in any enforcement action until successful completion of the
156 pilot program.

157 (d) Be available 24 hours a day, except for permitted
158 downtime for system maintenance and other work, as needed, to
159 verify the insurance status of any vehicle registered in this
160 state through the insurer's National Association of Insurance
161 Commissioners (NAIC) company code, in combination with other
162 identifiers such as vehicle identification number, policy
163 number, or other characteristics or markers as specified by the
164 Motor Vehicle Insurance Online Verification Task Force.

165 (e) Include appropriate provisions, consistent with
166 industry standards as specified by the Motor Vehicle Insurance

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167 Online Verification Task Force, to secure the system's data
168 against unauthorized access.

169 (f) Include a disaster recovery plan to ensure service
170 continuity in the event of a disaster.

171 (g) Include information that enables the department to
172 make inquiries of evidence of insurance by using multiple data
173 elements for greater matching accuracy, specifically the
174 insurer's NAIC company code, in combination with other
175 identifiers such as vehicle identification number, policy
176 number, or other characteristics or markers as specified by the
177 Motor Vehicle Insurance Online Verification Task Force.

178 (h) Include a self-reporting mechanism for insurers with
179 fewer than 2,000 vehicles insured within this state or for
180 individual entities that are self-insured.

181 (2) The department has the following powers and duties:

182 (a) Upon advance notice, the department shall allow online
183 services established by an insurer to have reasonable downtime
184 for system maintenance and other work, as needed. An insurer is
185 not subject to administrative penalties or disciplinary actions
186 when its online services are not available under such
187 circumstances or when an outage is unplanned by the insurer and
188 is reasonably outside its control.

189 (b) Upon recommendation of the Motor Vehicle Insurance
190 Online Verification Task Force, the department may contract with
191 a private vendor that has personnel with extensive operational

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192 and management experience in the development, deployment, and
193 operation of insurance online verification systems.

194 (c) The department and its private vendor, if any, shall
195 each maintain a contact person for the insurers during the
196 establishment, implementation, and operation of the system.

197 (d) The department shall maintain a historical record of
198 the system data for 6 months after the date of any verification
199 request and response.

200 (3) An insurance company authorized to issue insurance
201 policies for motor vehicles registered in this state:

202 (a) Shall comply with the verification requirements of
203 motor vehicle insurance for every motor vehicle insured by that
204 company in this state as required by department rule.

205 (b) Shall maintain policyholder records in order to
206 confirm insurance coverage for 6 months after the date of any
207 verification request and response.

208 (c) Shall cooperate with the department in establishing,
209 implementing, and maintaining the system.

210 (d) Is immune from civil liability for good faith efforts
211 to comply with this section. An online verification request or
212 response may not be used as the basis of a civil action against
213 an insurer.

214 (4) A law enforcement officer, during a traffic stop or
215 crash investigation, shall query information from the online
216 verification system to establish compliance with this chapter

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217 and to verify the current validity of the policy described on
218 any insurance identification card produced by the operator of a
219 motor vehicle during the traffic stop or crash investigation.

220 (5) This section does not apply to vehicles insured under
221 commercial motor vehicle coverage. As used in this paragraph,
222 the term "commercial motor vehicle coverage" means any coverage
223 provided to an insured under a commercial coverage form and
224 rated from a commercial manual approved by the Office of
225 Insurance Regulation. However, insurers of such vehicles may
226 participate in the online verification system on a voluntary
227 basis.

228 (6) The department may adopt rules to administer this
229 section.

230 Section 7. Section 324.255, Florida Statutes, is created
231 to read:

232 324.255 Motor Vehicle Insurance Online Verification Task
233 Force.—There is created the Motor Vehicle Insurance Online
234 Verification Task Force within the department.

235 (1) The task force shall:

236 (a) Facilitate the implementation of the motor vehicle
237 insurance online verification system established in s. 324.252,
238 including recommending data and cybersecurity processes and
239 protocols.

240 (b) Assist in the development of a detailed guide for
241 insurers by providing data fields and other information

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242 necessary for compliance with the online verification system.

243 (c) Coordinate a pilot program and conduct the program for
244 at least 9 months to test the online verification system and
245 identify necessary changes to be implemented before statewide
246 use.

247 (d) Issue recommendations based on periodic reviews of the
248 online verification system.

249 (2) The task force shall consist of nine voting members
250 and one nonvoting member.

251 (a) The nine voting members shall be appointed by July 31,
252 2019, in the following manner:

253 1. Three representatives of the department, representing
254 the Florida Highway Patrol, the Division of Motorist Services,
255 and the Information Systems Administration, appointed by the
256 executive director of the department.

257 2. One representative of the Office of Insurance
258 Regulation, appointed by the Commissioner of Insurance.

259 3. Three representatives of the motor vehicle insurance
260 industry, appointed by the Chief Financial Officer as follows:

261 a. One member must represent the motor vehicle insurer
262 with the largest national market share as of December 31, 2018.

263 b. One member must represent the motor vehicle insurer
264 with the largest Florida market share as of December 31, 2018.

265 c. One member must be selected from a list of
266 representatives recommended by the Insurance Industry Committee

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267 on Motor Vehicle Administration.

268 4. One representative of the Department of Financial
269 Services, appointed by the Chief Financial Officer.

270 5. One representative of the Agency for State Technology,
271 appointed by the executive director of the agency.

272 (b) The executive director of the department, who shall be
273 a nonvoting member, shall serve as chair of the task force.

274 (3) By September 30, 2019, the task force shall meet to
275 establish procedures for the conduct of its business, and the
276 voting members shall elect a vice chair at that meeting. The
277 task force shall meet at the call of the chair, who shall
278 prepare the agenda for each meeting with the consent of the task
279 force. A majority of the voting members of the task force
280 constitutes a quorum, and a quorum is necessary for the purpose
281 of voting on any action or recommendation of the task force. All
282 meetings shall be held in Tallahassee.

283 (4) The department shall provide the task force members
284 with administrative and technical support. Task force members
285 shall serve without compensation and are not entitled to
286 reimbursement for per diem or travel expenses.

287 (5) The task force shall issue a report to the department,
288 the President of the Senate, and the Speaker of the House of
289 Representatives no later than 6 months after the pilot program
290 concludes. The report must evaluate the online verification
291 system's effectiveness in identifying uninsured motorists. The

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292 task force may also make recommendations for system enhancements
293 in the report or at any time before the task force's completion
294 of its work.

295 (6) By July 1, 2022, the task force shall complete its
296 work and submit its final report evaluating the online
297 verification system's effectiveness and making recommendations
298 for system enhancements to the department, the President of the
299 Senate, and the Speaker of the House of Representatives. Upon
300 submission of the report, the task force shall expire.

301 Section 8. Subsection (7) of section 627.7295, Florida
302 Statutes, is amended to read:

303 627.7295 Motor vehicle insurance contracts.—

304 (7) A policy of private passenger motor vehicle insurance
305 or a binder for such a policy may be initially issued in this
306 state only if, before the effective date of such binder or
307 policy, the insurer or agent has collected from the insured an
308 amount equal to at least 1 2 months' premium. An insurer, agent,
309 or premium finance company may not, directly or indirectly, take
310 any action resulting in the insured having paid from the
311 insured's own funds an amount less than the 1 2 months' premium
312 required by this subsection. This subsection applies without
313 regard to whether the premium is financed by a premium finance
314 company or is paid pursuant to a periodic payment plan of an
315 insurer or an insurance agent. This subsection does not apply if
316 an insured or member of the insured's family is renewing or

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317 replacing a policy or a binder for such policy written by the
318 same insurer or a member of the same insurer group. This
319 subsection does not apply to an insurer that issues private
320 passenger motor vehicle coverage primarily to active duty or
321 former military personnel or their dependents. This subsection
322 does not apply if all policy payments are paid pursuant to a
323 payroll deduction plan, an automatic electronic funds transfer
324 payment plan from the policyholder, or a recurring credit card
325 or debit card agreement with the insurer. This subsection and
326 subsection (4) do not apply if all policy payments to an insurer
327 are paid pursuant to an automatic electronic funds transfer
328 payment plan from an agent, a managing general agent, or a
329 premium finance company and if the policy includes, at a
330 minimum, personal injury protection pursuant to ss. 627.730-
331 627.7405; motor vehicle property damage liability pursuant to s.
332 627.7275; and bodily injury liability in at least the amount of
333 \$10,000 because of bodily injury to, or death of, one person in
334 any one accident and in the amount of \$20,000 because of bodily
335 injury to, or death of, two or more persons in any one accident.
336 This subsection and subsection (4) do not apply if an insured
337 has had a policy in effect for at least 6 months, the insured's
338 agent is terminated by the insurer that issued the policy, and
339 the insured obtains coverage on the policy's renewal date with a
340 new company through the terminated agent.

341 Section 9. Subsection (1) of section 627.736, Florida

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342 Statutes, is amended to read:

343 627.736 Required personal injury protection benefits;
344 exclusions; priority; claims.—

345 (1) REQUIRED BENEFITS.—Except for a named driver who is
346 excluded from insurance policy coverage under s. 627.747, an
347 insurance policy complying with the security requirements of s.
348 627.733 must provide personal injury protection to the named
349 insured, relatives residing in the same household, persons
350 operating the insured motor vehicle, passengers in the motor
351 vehicle, and other persons struck by the motor vehicle and
352 suffering bodily injury while not an occupant of a self-
353 propelled vehicle, subject to subsection (2) and paragraph
354 (4) (e), to a limit of \$10,000 in medical and disability benefits
355 and \$5,000 in death benefits resulting from bodily injury,
356 sickness, disease, or death arising out of the ownership,
357 maintenance, or use of a motor vehicle as follows:

358 (a) Medical benefits.—Eighty percent of all reasonable
359 expenses for medically necessary medical, surgical, X-ray,
360 dental, and rehabilitative services, including prosthetic
361 devices and medically necessary ambulance, hospital, and nursing
362 services if the individual receives initial services and care
363 pursuant to subparagraph 1. within 14 days after the motor
364 vehicle accident. The medical benefits provide reimbursement
365 only for:

366 1. Initial services and care that are lawfully provided,

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367 supervised, ordered, or prescribed by a physician licensed under
368 chapter 458 or chapter 459, a dentist licensed under chapter
369 466, or a chiropractic physician licensed under chapter 460 or
370 that are provided in a hospital or in a facility that owns, or
371 is wholly owned by, a hospital. Initial services and care may
372 also be provided by a person or entity licensed under part III
373 of chapter 401 which provides emergency transportation and
374 treatment.

375 2. Upon referral by a provider described in subparagraph
376 1., followup services and care consistent with the underlying
377 medical diagnosis rendered pursuant to subparagraph 1. which may
378 be provided, supervised, ordered, or prescribed only by a
379 physician licensed under chapter 458 or chapter 459, a
380 chiropractic physician licensed under chapter 460, a dentist
381 licensed under chapter 466, or, to the extent permitted by
382 applicable law and under the supervision of such physician,
383 osteopathic physician, chiropractic physician, or dentist, by a
384 physician assistant licensed under chapter 458 or chapter 459 or
385 an advanced practice registered nurse licensed under chapter
386 464. Followup services and care may also be provided by the
387 following persons or entities:

388 a. A hospital or ambulatory surgical center licensed under
389 chapter 395.

390 b. An entity wholly owned by one or more physicians
391 licensed under chapter 458 or chapter 459, chiropractic

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392 physicians licensed under chapter 460, or dentists licensed
393 under chapter 466 or by such practitioners and the spouse,
394 parent, child, or sibling of such practitioners.

395 c. An entity that owns or is wholly owned, directly or
396 indirectly, by a hospital or hospitals.

397 d. A physical therapist licensed under chapter 486, based
398 upon a referral by a provider described in this subparagraph.

399 e. A health care clinic licensed under part X of chapter
400 400 which is accredited by an accrediting organization whose
401 standards incorporate comparable regulations required by this
402 state, or:

403 (I) Has a medical director licensed under chapter 458,
404 chapter 459, or chapter 460;

405 (II) Has been continuously licensed for more than 3 years
406 or is a publicly traded corporation that issues securities
407 traded on an exchange registered with the United States
408 Securities and Exchange Commission as a national securities
409 exchange; and

410 (III) Provides at least four of the following medical
411 specialties:

412 (A) General medicine.

413 (B) Radiography.

414 (C) Orthopedic medicine.

415 (D) Physical medicine.

416 (E) Physical therapy.

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417 (F) Physical rehabilitation.

418 (G) Prescribing or dispensing outpatient prescription
419 medication.

420 (H) Laboratory services.

421 3. ~~Reimbursement for~~ Services and care provided in
422 subparagraph 1. or subparagraph 2. up to \$10,000 if a physician
423 licensed under chapter 458 or chapter 459, a dentist licensed
424 under chapter 466, a physician assistant licensed under chapter
425 458 or chapter 459, or an advanced practice registered nurse
426 licensed under chapter 464 has determined that the injured
427 person had an emergency medical condition.

428 4. ~~Reimbursement for~~ Services and care provided in
429 subparagraph 1. or subparagraph 2. up is limited to \$2,500 if a
430 provider listed in subparagraph 1. or subparagraph 2. determines
431 that the injured person did not have an emergency medical
432 condition.

433

434 ~~5.~~ Medical benefits do not include massage as defined in s.
435 480.033 or acupuncture as defined in s. 457.102, regardless of
436 the person, entity, or licensee providing massage or
437 acupuncture, and a licensed massage therapist or licensed
438 acupuncturist may not be reimbursed for medical benefits under
439 this section.

440 ~~6.~~ The Financial Services Commission shall adopt by rule
441 the form that must be used by an insurer and a health care

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442 provider specified in sub-subparagraph 2.b., sub-subparagraph
443 2.c., or sub-subparagraph 2.e. to document that the health care
444 provider meets the criteria of this paragraph. Such rule must
445 include a requirement for a sworn statement or affidavit.

446 (b) Disability benefits.—Sixty percent of any loss of
447 gross income and loss of earning capacity per individual from
448 inability to work proximately caused by the injury sustained by
449 the injured person, plus all expenses reasonably incurred in
450 obtaining from others ordinary and necessary services in lieu of
451 those that, but for the injury, the injured person would have
452 performed without income for the benefit of his or her
453 household. All disability benefits payable under this paragraph
454 ~~provision~~ must be paid at least every 2 weeks.

455 (c) Death benefits.—Death benefits of \$5,000 per
456 individual. Death benefits are in addition to the medical and
457 disability benefits provided under the insurance policy. The
458 insurer may pay death benefits to the executor or administrator
459 of the deceased, to any of the deceased's relatives by blood,
460 legal adoption, or marriage, or to any person appearing to the
461 insurer to be equitably entitled to such benefits.

462
463 Only insurers writing motor vehicle liability insurance in this
464 state may provide the required benefits of this section, and
465 such insurer may not require the purchase of any other motor
466 vehicle coverage other than the purchase of property damage

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467 liability coverage as required by s. 627.7275 as a condition for
468 providing such benefits. Insurers may not require that property
469 damage liability insurance in an amount greater than \$10,000 be
470 purchased in conjunction with personal injury protection. Such
471 insurers shall make benefits and required property damage
472 liability insurance coverage available through normal marketing
473 channels. An insurer writing motor vehicle liability insurance
474 in this state who fails to comply with such availability
475 requirement as a general business practice violates part IX of
476 chapter 626, and such violation constitutes an unfair method of
477 competition or an unfair or deceptive act or practice involving
478 the business of insurance. An insurer committing such violation
479 is subject to the penalties provided under that part, as well as
480 those provided elsewhere in the insurance code.

481 Section 10. Subsection (5) of section 627.7407, Florida
482 Statutes, is amended, and subsection (1) of that section is
483 republished, to read:

484 627.7407 Application of the Florida Motor Vehicle No-Fault
485 Law.—

486 (1) Any person subject to the requirements of ss. 627.730-
487 627.7405, the Florida Motor Vehicle No-Fault Law, as revived and
488 amended by this act, must maintain security for personal injury
489 protection as required by the Florida Motor Vehicle No-Fault
490 Law, as revived and amended by this act, beginning on January 1,
491 2008.

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492 (5) ~~No later than November 15, 2007,~~ Each motor vehicle
493 insurer shall provide notice of the provisions of this section
494 to each motor vehicle insured who is subject to subsection (1).
495 The notice is not subject to approval by the Office of Insurance
496 Regulation. The notice must clearly inform the policyholder:

497 (a) That ~~beginning on January 1, 2008,~~ Florida law
498 requires the policyholder to maintain personal injury protection
499 ("PIP") insurance coverage and that this insurance pays covered
500 medical expenses for injuries sustained in a motor vehicle crash
501 by the policyholder, passengers, and relatives residing in the
502 policyholder's household unless excluded under s. 627.747.

503 (b) That if the policyholder does not maintain personal
504 injury protection coverage, the State of Florida may suspend the
505 policyholder's driver license and vehicle registration.

506 (c) That if the policyholder already has personal injury
507 protection coverage, ~~that~~ coverage will be amended ~~effective~~
508 ~~January 1, 2008,~~ to incorporate legally required changes without
509 any additional premium and ~~that~~ the policyholder is not required
510 to take any further action.

511 (d) That~~,~~ if the policyholder does not currently have
512 personal injury protection coverage, the current motor vehicle
513 policy will be amended to incorporate the required personal
514 injury protection coverage ~~effective January 1, 2008.~~

515 (e) The additional premium that is due, if any, and the
516 date that it is due, ~~which may be no earlier than January 1,~~

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517 ~~2008.~~

518 (f) That if the policyholder has any questions, the name
519 and phone number of whom they should contact.

520 Section 11. Section 627.747, Florida Statutes, is created
521 to read:

522 627.747 Named driver exclusion.-

523 (1) A private passenger motor vehicle policy may exclude
524 an identified individual from the following coverages while the
525 identified individual is operating a motor vehicle if the
526 identified individual is specifically excluded by name on the
527 declarations page or by endorsement and if a policyholder
528 consents in writing to such exclusion:

529 (a) Notwithstanding the Florida Motor Vehicle No-Fault
530 Law, the personal injury protection coverage specifically
531 applicable to the identified excluded individual's injuries,
532 lost wages, and death benefits.

533 (b) Property damage liability coverage.

534 (c) Bodily injury liability coverage.

535 (d) Uninsured motorist coverage for any damages sustained
536 by the identified excluded individual, if the policyholder has
537 purchased such coverage.

538 (e) Any coverage the policyholder is not required by law
539 to purchase.

540 (2) A private passenger motor vehicle policy may not
541 exclude coverage when:

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542 (a) The identified excluded individual is injured while
543 not operating a motor vehicle;

544 (b) The exclusion is unfairly discriminatory under the
545 Florida Insurance Code, as determined by the office; or

546 (c) The exclusion is inconsistent with the underwriting
547 rules filed by the insurer pursuant to s. 627.0651(13)(a).

548 Section 12. This act shall take effect July 1, 2019.

549

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551

552

T I T L E A M E N D M E N T

553

Remove everything before the enacting clause and insert:

554

An act relating to motor vehicle insurance; amending s. 316.646,

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F.S.; requiring law enforcement officers to access certain

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information during traffic stops or crash investigations for

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certain purposes; amending s. 319.30, F.S.; revising the manner

558

in which insurance companies must forward motor vehicle or

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mobile home titles to the Department of Highway Safety and Motor

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Vehicles under certain circumstances; authorizing electronic

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signatures for certain purposes; amending s. 320.02, F.S.;

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authorizing insurance online verification for motor vehicle

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registration; amending s. 324.0221, F.S.; requiring insurers to

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transmit certain information to the department; authorizing the

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department to verify certain information; authorizing the

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department to implement a method of insurance verification;

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Amendment No.

567 amending s. 324.151, F.S.; conforming provisions to changes made
568 by the act; creating s. 324.252, F.S.; requiring the department
569 to establish an online verification system for motor vehicle
570 insurance; providing system requirements; providing powers and
571 duties of the department; providing requirements for insurers
572 and law enforcement officers; providing immunity from liability;
573 prohibiting the use of an online verification request or
574 response for a civil action; providing applicability; providing
575 rulemaking authority; creating s. 324.255, F.S.; creating the
576 Motor Vehicle Insurance Online Verification Task Force;
577 providing duties of the task force; providing membership;
578 providing meeting requirements; requiring the department to
579 provide support; providing report requirements; providing the
580 date by which the task force must complete its work and submit
581 its final report; providing for expiration of the task force;
582 amending s. 627.7295, F.S.; reducing the amount that must be
583 collected from insureds before policies or binders are issued;
584 amending ss. 627.736 and 627.7407, F.S.; conforming provisions
585 to changes made by the act; deleting obsolete language; creating
586 s. 627.747, F.S.; authorizing motor vehicle policies to exclude
587 named individuals from coverage; providing exceptions; providing
588 an effective date.
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