

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 and their
 5 employees, and other specified persons, from offering
 6 anything of value to a customer in exchange for making
 7 an insurance claim for motor vehicle windshield glass
 8 replacement or repair; providing an effective date.

9
 10 Be It Enacted by the Legislature of the State of Florida:

11
 12 Section 1. Section 559.920, Florida Statutes, is amended
 13 to read:

14 559.920 Unlawful acts and practices.—It shall be a
 15 violation of this act for any motor vehicle repair shop or
 16 employee thereof to:

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

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

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

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

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

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

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

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

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

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

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

50 (12) Fail or refuse to give to a customer a copy of any

51 document requiring the customer's signature upon completion or
 52 cancellation of the repair work;

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

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

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

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

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

71 ~~(18)-(17)~~ Perform any other act that is a violation of this
 72 part or that constitutes fraud or misrepresentation; ~~or~~

73 ~~(19)-(18)~~ Violate any provision of s. 713.585.

74 Section 2. This act shall take effect July 1, 2020.