

1                                   A bill to be entitled  
 2           An act relating to motor vehicle insurance; creating  
 3           s. 627.7491, F.S.; providing definitions; requiring  
 4           agencies that employ law enforcement officers to  
 5           maintain motor vehicle insurance under certain  
 6           circumstances; providing exceptions; providing  
 7           liability limitations; providing methods in which the  
 8           employing agency may meet the liability insurance  
 9           requirements; providing a declaration of important  
 10          state interest; providing an effective date.

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

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 14           Section 1. Section 627.7491, Florida Statutes, is created  
 15 to read:

16           627.7491 Official law enforcement vehicles; motor vehicle  
 17 insurance requirements.-

18           (1) For purposes of this section, the term:

19           (a) "Law enforcement officer" has the same meaning as in  
 20 s. 943.10(1).

21           (b) "Employing agency" means an agency that employs a law  
 22 enforcement officer.

23           (2) If an employing agency authorizes a law enforcement  
 24 officer to travel to his or her place of residence in an  
 25 official law enforcement vehicle outside of the course and scope

26 of the officer's employment or function, the employing agency  
27 shall maintain current and valid motor vehicle insurance,  
28 including bodily injury, death, and property damage liability  
29 coverage that covers the period in which a law enforcement  
30 officer travels to or from work in an official law enforcement  
31 vehicle and covers the time a law enforcement officer travels to  
32 and from any other employing agency assignment in an official  
33 law enforcement vehicle. However, such motor vehicle insurance  
34 is not required to provide for coverage if:

35 (a) The law enforcement officer makes a distinct deviation  
36 for a nonessential personal errand unless a collective  
37 bargaining agreement permits such deviation; or

38 (b) The law enforcement officer acts in bad faith or with  
39 malicious purpose or in a manner exhibiting wanton and willful  
40 disregard of human rights, safety, or property.

41 (3) Any suit or action brought or maintained against an  
42 employing agency for damages arising out of tort pursuant to  
43 this section, including, without limitation, any claim arising  
44 upon account of an act causing loss of property, personal  
45 injury, or death, shall be subject to the limitations provided  
46 in s. 768.28(5).

47 (4) The requirements of this section may be met by any  
48 method authorized by s. 768.28(16).

49 Section 2. The Legislature finds and declares that this  
50 act fulfills an important state interest.

CS/HB 139

2022

51 |       Section 3.   This act shall take effect July 1, 2022.       |