



612690

LEGISLATIVE ACTION

|            |   |       |
|------------|---|-------|
| Senate     | . | House |
| Comm: RCS  | . |       |
| 01/11/2022 | . |       |
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The Committee on Criminal Justice (Diaz) recommended the following:

**Senate Amendment (with title amendment)**

Delete everything after the enacting clause  
and insert:

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

627.7491 Official law enforcement vehicles; motor vehicle  
insurance requirements.—

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

(a) "Law enforcement officer" has the same meaning as in s.



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11 943.10(1).

12 (b) "Employing agency" means an agency that employs a law  
13 enforcement officer.

14 (2) If an employing agency authorizes a law enforcement  
15 officer to travel to his or her place of residence in an  
16 official law enforcement vehicle outside of the course and scope  
17 of the officer's employment or function, the employing agency  
18 shall maintain current and valid motor vehicle insurance,  
19 including bodily injury, death, and property damage liability  
20 coverage that covers the period in which a law enforcement  
21 officer travels to or from work in an official law enforcement  
22 vehicle and covers the time a law enforcement officer travels to  
23 and from any other employing agency assignment in an official  
24 law enforcement vehicle. However, such motor vehicle insurance  
25 is not required to provide for coverage if:

26 (a) The law enforcement officer makes a distinct deviation  
27 for a nonessential personal errand unless a collective  
28 bargaining agreement permits such deviation; or

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

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

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



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

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

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

45 And the title is amended as follows:

46           Delete everything before the enacting clause  
47 and insert:

48                                   A bill to be entitled  
49           An act relating to motor vehicle insurance; creating  
50           s. 627.7491, F.S.; providing definitions; requiring  
51           agencies that employ law enforcement officers to  
52           maintain motor vehicle insurance under certain  
53           circumstances; providing exceptions; providing  
54           liability limitations; providing methods in which the  
55           employing agency may meet the liability insurance  
56           requirements; providing a declaration of important  
57           state interest; providing an effective date.