

By Senator Hutson

7-00443C-24

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1 A bill to be entitled
2 An act relating to liability on optional equipment;
3 creating s. 768.0429, F.S.; defining the term "covered
4 motor vehicle"; providing that there is no obligation
5 or duty to retrofit a covered motor vehicle with
6 component parts or equipment in certain circumstances;
7 providing that certain evidence is inadmissible in
8 civil litigation; providing applicability; providing
9 an effective date.

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

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13 Section 1. Section 768.0429, Florida Statutes, is created
14 to read:

15 768.0429 Duty of care and admissibility of evidence in
16 certain motor vehicle accidents.-

17 (1) For purposes of this section, the term "covered motor
18 vehicle" means a motor vehicle for which the owner's liability
19 for an accident is governed by 49 U.S.C. s. 30106 (2005).

20 (2) In any civil action where a covered motor vehicle is
21 involved in an accident, there is no obligation or duty of care
22 for an owner, lessor, or operator of the covered motor vehicle,
23 or for a person renting the covered motor vehicle to another
24 person, to retrofit the vehicle with component parts or optional
25 equipment, or to have selected component parts or optional
26 equipment to be included on the vehicle, if such parts or
27 equipment were not required by the Federal Motor Vehicle Safety
28 Standards under 49 C.F.R. part 571 applicable when the vehicle
29 was manufactured or sold. Evidence related to such an alleged

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30 obligation or duty is inadmissible.

31 (3) This section does not apply if the owner, lessor, or
32 operator of the covered motor vehicle, or the person renting the
33 covered motor vehicle to another person, fails to comply with a
34 law or regulation issued after the vehicle was manufactured or
35 sold requiring a mandatory recall or retrofit of the vehicle.

36 Section 2. This act shall take effect July 1, 2024.