

1 A bill to be entitled
2 An act relating to motor vehicle insurance; repealing
3 ss. 627.730, 627.731, 627.7311, 627.732, 627.733,
4 627.734, 627.736, 627.737, 627.739, 627.7401,
5 627.7403, and 627.7405, F.S., which make up the
6 Florida Motor Vehicle No-Fault Law; repealing s.
7 627.7407, F.S., relating to application of the Florida
8 Motor Vehicle No-Fault Law; amending s. 316.2122,
9 F.S.; conforming a provision to changes made by the
10 act; amending s. 316.646, F.S.; revising a requirement
11 for proof of security on a motor vehicle and the
12 applicability of the requirement; amending s. 318.18,
13 F.S.; conforming a provision to changes made by the
14 act; amending s. 320.02, F.S.; revising the motor
15 vehicle insurance coverages that an applicant must
16 show to register certain vehicles with the Department
17 of Highway Safety and Motor Vehicles; conforming a
18 provision to changes made by the act; revising
19 construction; amending s. 320.0609, F.S.; conforming a
20 provision to changes made by the act; amending s.
21 320.27, F.S.; defining the term "garage liability
22 insurance"; revising garage liability insurance
23 requirements for motor vehicle dealer license
24 applicants; conforming a provision to changes made by
25 the act; making technical changes; amending s.

26 | 320.771, F.S.; revising garage liability insurance
27 | requirements for recreational vehicle dealer license
28 | applicants; amending ss. 322.251 and 322.34, F.S.;
29 | conforming provisions to changes made by the act;
30 | amending s. 324.011, F.S.; revising legislative
31 | purpose and intent; amending s. 324.021, F.S.;
32 | revising definitions; revising minimum coverage
33 | requirements for proof of financial responsibility for
34 | specified motor vehicles; conforming provisions to
35 | changes made by the act; defining the term "for-hire
36 | passenger transportation vehicle"; amending s.
37 | 324.022, F.S.; revising minimum liability coverage
38 | requirements for motor vehicle owners or operators;
39 | revising authorized methods for meeting such
40 | requirements; deleting a provision relating to an
41 | insurer's duty to defend certain claims; revising the
42 | definition of the term "motor vehicle" to exclude some
43 | vehicles; providing security requirements for certain
44 | excluded vehicles; conforming provisions to changes
45 | made by the act; amending s. 324.0221, F.S.; revising
46 | coverages that subject a policy to certain insurer
47 | reporting and notice requirements; conforming
48 | provisions to changes made by the act; creating s.
49 | 324.0222, F.S.; providing that driver license or motor
50 | vehicle registration suspensions for failure to

51 maintain required security which are in effect before
52 a specified date remain in full force and effect;
53 providing that such suspended licenses or
54 registrations may be reinstated as provided in a
55 specified section; amending s. 324.023, F.S.;
56 conforming cross-references; amending s. 324.031,
57 F.S.; specifying a method of proving financial
58 responsibility by owners or operators of motor
59 vehicles other than for-hire passenger transportation
60 vehicles; revising the amount of a certificate of
61 deposit required to elect a certain method of proof of
62 financial responsibility; revising liability coverage
63 requirements for a person electing to use such method;
64 amending s. 324.032, F.S.; revising financial
65 responsibility requirements for owners or lessees of
66 for-hire passenger transportation vehicles; amending
67 s. 324.051, F.S.; making technical changes; specifying
68 that motor vehicles include motorcycles for purposes
69 of the section; amending ss. 324.071 and 324.091,
70 F.S.; making technical changes; amending s. 324.151,
71 F.S.; revising requirements for motor vehicle
72 liability insurance policies relating to coverage, and
73 exclusion from coverage, for certain drivers and
74 vehicles; conforming provisions to changes made by the
75 act; making technical changes; defining terms;

76 | amending s. 324.161, F.S.; revising requirements for a
 77 | certificate of deposit that is required if a person
 78 | elects a certain method of proving financial
 79 | responsibility; amending s. 324.171, F.S.; revising
 80 | the minimum net worth requirements to qualify certain
 81 | persons as self-insurers; conforming provisions to
 82 | changes made by the act; amending s. 324.242, F.S.;
 83 | conforming provisions to changes made by the act;
 84 | amending s. 324.251, F.S.; revising a short title and
 85 | an effective date; amending s. 400.9905, F.S.;
 86 | revising the definition of the term "clinic";
 87 | conforming provisions to changes made by the act;
 88 | amending ss. 400.991 and 400.9935, F.S.; conforming
 89 | provisions to changes made by the act; amending s.
 90 | 409.901, F.S.; revising the definition of the term
 91 | "third-party benefit"; amending s. 409.910, F.S.;
 92 | revising the definition of the term "medical
 93 | coverage"; amending s. 456.057, F.S.; conforming a
 94 | provision to changes made by the act; amending s.
 95 | 456.072, F.S.; revising specified grounds for
 96 | discipline for certain health professions; defining
 97 | the term "upcode"; conforming a provision to changes
 98 | made by the act; amending s. 626.9541, F.S.;
 99 | conforming a provision to changes made by the act;
 100 | revising certain prohibited acts related to specified

101 insurance coverage payment requirements; amending s.
102 626.989, F.S.; revising the definition of the term
103 "fraudulent insurance act"; amending s. 627.06501,
104 F.S.; revising coverages that may provide for a
105 reduction in motor vehicle insurance policy premium
106 charges under certain circumstances; amending s.
107 627.0651, F.S.; specifying requirements for rate
108 filings for motor vehicle liability policies that
109 implement requirements in effect on a specified date;
110 requiring that such filings be approved through a
111 certain process; amending s. 627.0652, F.S.; revising
112 coverages that must provide a premium charge reduction
113 under certain circumstances; amending s. 627.0653,
114 F.S.; revising coverages that are subject to premium
115 discounts for specified motor vehicle equipment;
116 amending s. 627.4132, F.S.; revising coverages that
117 are subject to a stacking prohibition; amending s.
118 627.4137, F.S.; requiring insurers to disclose certain
119 information at the request of a claimant's attorney;
120 authorizing a claimant to file an action under certain
121 circumstances; providing for the award of reasonable
122 attorney fees and costs under certain circumstances;
123 amending s. 627.7263, F.S.; revising coverages that
124 are deemed primary, except under certain
125 circumstances, for the lessor of a motor vehicle for

126 | lease or rent; revising a notice that is required if
127 | the lessee's coverage is to be primary; amending s.
128 | 627.727, F.S.; conforming provisions to changes made
129 | by the act; revising the legal liability of an
130 | uninsured motorist coverage insurer; amending s.
131 | 627.7275, F.S.; revising required coverages for a
132 | motor vehicle insurance policy; conforming provisions
133 | to changes made by the act; creating s. 627.7278,
134 | F.S.; defining the term "minimum security
135 | requirements"; providing a prohibition, requirements,
136 | and construction relating to motor vehicle insurance
137 | policies as of a certain date; requiring insurers to
138 | allow certain insureds to make certain coverage
139 | changes, subject to certain conditions; requiring an
140 | insurer to provide, by a specified date, a specified
141 | notice to policyholders relating to requirements under
142 | the act; amending s. 627.728, F.S.; conforming a
143 | provision to changes made by the act; amending s.
144 | 627.7295, F.S.; revising the definitions of the terms
145 | "policy" and "binder"; revising the coverages of a
146 | motor vehicle insurance policy for which a licensed
147 | general lines agent may charge a specified fee;
148 | conforming provisions to changes made by the act;
149 | amending s. 627.7415, F.S.; revising additional
150 | liability insurance requirements for commercial motor

151 vehicles; amending s. 627.747, F.S.; conforming
152 provisions to changes made by the act; amending s.
153 627.748, F.S.; revising insurance requirements for
154 transportation network company drivers; conforming
155 provisions to changes made by the act; conforming
156 cross-references; amending ss. 627.7483 and 627.749,
157 F.S.; conforming provisions to changes made by the
158 act; amending s. 627.8405, F.S.; revising coverages in
159 a policy sold in combination with an accidental death
160 and dismemberment policy which a premium finance
161 company may not finance; revising rulemaking authority
162 of the Financial Services Commission; amending ss.
163 627.915, 628.909, 705.184, and 713.78, F.S.;
164 conforming provisions to changes made by the act;
165 amending s. 817.234, F.S.; revising coverages that are
166 the basis of specified prohibited false and fraudulent
167 insurance claims; conforming provisions to changes
168 made by the act; deleting provisions relating to
169 prohibited changes in certain mental or physical
170 reports; providing an appropriation; providing
171 effective dates.

172
173 Be It Enacted by the Legislature of the State of Florida:
174

175 **Section 1.** Sections 627.730, 627.731, 627.7311, 627.732,

176 627.733, 627.734, 627.736, 627.737, 627.739, 627.7401, 627.7403,
 177 and 627.7405, Florida Statutes, are repealed.

178 **Section 2.** Section 627.7407, Florida Statutes, is
 179 repealed.

180 **Section 3. Paragraph (e) of subsection (2) of section**
 181 **316.2122, Florida Statutes, is amended to read:**

182 316.2122 Operation of a low-speed vehicle, mini truck, or
 183 low-speed autonomous delivery vehicle on certain roadways.—

184 (2) The operation of a low-speed autonomous delivery
 185 vehicle on any road is authorized with the following
 186 restrictions:

187 (e) A low-speed autonomous delivery vehicle must be
 188 covered by a policy of automobile insurance which provides the
 189 coverage required by s. 627.749(2) (a)1. and ~~2.~~ ~~and 3.~~ The
 190 coverage requirements of this paragraph may be satisfied by
 191 automobile insurance maintained by the owner of a low-speed
 192 autonomous delivery vehicle, the owner of the teleoperation
 193 system, the remote human operator, or a combination thereof.

194 **Section 4. Subsection (1) of section 316.646, Florida**
 195 **Statutes, is amended to read:**

196 316.646 Security required; proof of security and display
 197 thereof.—

198 (1) A ~~Any~~ person required by s. 324.022, s. 324.023, s.
 199 324.032, s. 627.7415, s. 627.742, s. 627.748, or s. 627.7483 to
 200 maintain liability security for property damage, liability

201 ~~security, required by s. 324.023 to maintain liability security~~
202 ~~for bodily injury, or death must, or required by s. 627.733 to~~
203 ~~maintain personal injury protection security on a motor vehicle~~
204 ~~shall~~ have in his or her immediate possession at all times while
205 operating a ~~such~~ motor vehicle proper proof of maintenance of
206 the required security.

207 (a) Such proof must ~~shall~~ be in a uniform paper or
208 electronic format, as prescribed by the department, a valid
209 insurance policy, an insurance policy binder, a certificate of
210 insurance, or such other proof as may be prescribed by the
211 department.

212 (b)1. The act of presenting to a law enforcement officer
213 an electronic device displaying proof of insurance in an
214 electronic format does not constitute consent for the officer to
215 access any information on the device other than the displayed
216 proof of insurance.

217 2. The person who presents the device to the officer
218 assumes the liability for any resulting damage to the device.

219 **Section 5. Paragraph (b) of subsection (2) of section**
220 **318.18, Florida Statutes, is amended to read:**

221 318.18 Amount of penalties.—The penalties required for a
222 noncriminal disposition pursuant to s. 318.14 or a criminal
223 offense listed in s. 318.17 are as follows:

224 (2) Thirty dollars for all nonmoving traffic violations
225 and:

226 (b) For all violations of ss. 320.0605, 320.07(1),
 227 322.065, and 322.15(1). A ~~Any person who is~~ cited for a
 228 violation of s. 320.07(1) must ~~shall~~ be charged a delinquent fee
 229 pursuant to s. 320.07(4).

230 1. If a person ~~who is~~ cited for a violation of s. 320.0605
 231 or s. 320.07 can show proof of having a valid registration at
 232 the time of arrest, the clerk of the court may dismiss the case
 233 and may assess a dismissal fee of up to \$10, from which the
 234 clerk shall remit \$2.50 to the Department of Revenue for deposit
 235 into the General Revenue Fund. A person who finds it impossible
 236 or impractical to obtain a valid registration certificate must
 237 submit an affidavit detailing the reasons for the impossibility
 238 or impracticality. The reasons may include, but are not limited
 239 to, the fact that the vehicle was sold, stolen, or destroyed;
 240 that the state in which the vehicle is registered does not issue
 241 a certificate of registration; or that the vehicle is owned by
 242 another person.

243 2. If a person ~~who is~~ cited for a violation of s. 322.03,
 244 s. 322.065, or s. 322.15 can show a driver license issued to him
 245 or her and valid at the time of arrest, the clerk of the court
 246 may dismiss the case and may assess a dismissal fee of up to
 247 \$10, from which the clerk shall remit \$2.50 to the Department of
 248 Revenue for deposit into the General Revenue Fund.

249 3. If a person ~~who is~~ cited for a violation of s. 316.646
 250 can show proof of security as required by s. 324.021(7) ~~s.~~

251 ~~627.733~~, issued to the person and valid at the time of arrest,
 252 the clerk of the court may dismiss the case and may assess a
 253 dismissal fee of up to \$10, from which the clerk shall remit
 254 \$2.50 to the Department of Revenue for deposit into the General
 255 Revenue Fund. A person who finds it impossible or impractical to
 256 obtain proof of security must submit an affidavit detailing the
 257 reasons for the impracticality. The reasons may include, but are
 258 not limited to, the fact that the vehicle has since been sold,
 259 stolen, or destroyed; ~~that the owner or registrant of the~~
 260 ~~vehicle is not required by s. 627.733 to maintain personal~~
 261 ~~injury protection insurance;~~ or that the vehicle is owned by
 262 another person.

263 **Section 6. Paragraphs (a) and (d) of subsection (5) of**
 264 **section 320.02, Florida Statutes, are amended to read:**

265 320.02 Registration required; application for
 266 registration; forms.—

267 (5) (a) Proof that bodily injury liability coverage and
 268 property damage liability coverage ~~personal injury protection~~
 269 ~~benefits~~ have been purchased if required under s. 324.022, s.
 270 324.032, or s. 627.742 ~~s. 627.733, that property damage~~
 271 ~~liability coverage has been purchased as required under s.~~
 272 ~~324.022, that bodily injury liability or death~~ coverage has been
 273 purchased if required under s. 324.023, and that combined bodily
 274 liability insurance and property damage liability insurance have
 275 been purchased if required under s. 627.7415 must ~~shall~~ be

276 provided in the manner prescribed by law by the applicant at the
277 time of application for registration of any motor vehicle that
278 is subject to such requirements. The issuing agent may not ~~shall~~
279 ~~refuse to~~ issue registration if such proof of purchase is not
280 provided. Insurers shall furnish uniform proof-of-purchase cards
281 in a paper or electronic format in a form prescribed by the
282 department and include the name of the insured's insurance
283 company, the coverage identification number, and the make, year,
284 and vehicle identification number of the vehicle insured. The
285 card must contain a statement notifying the applicant of the
286 penalty specified under s. 316.646(4). The card or insurance
287 policy, insurance policy binder, or certificate of insurance or
288 a photocopy of any of these; an affidavit containing the name of
289 the insured's insurance company, the insured's policy number,
290 and the make and year of the vehicle insured; or such other
291 proof as may be prescribed by the department constitutes ~~shall~~
292 ~~constitute~~ sufficient proof of purchase. If an affidavit is
293 provided as proof, it must be in substantially the following
294 form:

295
296 Under penalty of perjury, I ...(Name of insured)... do hereby
297 certify that I have ...(bodily injury liability and ~~Personal~~
298 ~~Injury Protection~~, property damage liability, ~~and, if required,~~
299 ~~Bodily Injury Liability~~)... insurance currently in effect with
300 ...(Name of insurance company)... under ...(policy number)...

301 covering ... (make, year, and vehicle identification number of
 302 vehicle).... (Signature of Insured)...

303

304 Such affidavit must include the following warning:

305

306 WARNING: GIVING FALSE INFORMATION IN ORDER TO OBTAIN A VEHICLE
 307 REGISTRATION CERTIFICATE IS A CRIMINAL OFFENSE UNDER FLORIDA
 308 LAW. ANYONE GIVING FALSE INFORMATION ON THIS AFFIDAVIT IS
 309 SUBJECT TO PROSECUTION.

310

311 If an application is made through a licensed motor vehicle
 312 dealer as required under s. 319.23, the original or a photocopy
 313 ~~photostatic copy~~ of such card, insurance policy, insurance
 314 policy binder, or certificate of insurance or the original
 315 affidavit from the insured must ~~shall~~ be forwarded by the dealer
 316 to the tax collector of the county or the Department of Highway
 317 Safety and Motor Vehicles for processing. By executing the
 318 ~~aforsaid~~ affidavit, a ~~ne~~ licensed motor vehicle dealer is not
 319 ~~will be~~ liable in damages for any inadequacy, insufficiency, or
 320 falsification of any statement contained therein. ~~A card must~~
 321 ~~also indicate the existence of any bodily injury liability~~
 322 ~~insurance voluntarily purchased.~~

323 (d) The verifying of ~~proof of personal injury protection~~
 324 ~~insurance, proof of property damage liability insurance, proof~~
 325 ~~of combined bodily liability insurance and property damage~~

326 ~~liability insurance, or~~ proof of financial responsibility
327 insurance and the issuance or failure to issue the motor vehicle
328 registration under ~~the provisions of~~ this chapter may not be
329 construed in any court as a warranty of the reliability or
330 accuracy of the evidence of such proof or as meaning that the
331 provisions of any insurance policy furnished as proof of
332 financial responsibility comply with state law. Neither the
333 department nor any tax collector is liable in damages for any
334 inadequacy, insufficiency, falsification, or unauthorized
335 modification of any item of ~~the proof of personal injury~~
336 ~~protection insurance, proof of property damage liability~~
337 ~~insurance, proof of combined bodily liability insurance and~~
338 ~~property damage liability insurance, or~~ proof of financial
339 responsibility before ~~insurance prior to~~, during, or subsequent
340 to the verification of the proof. The issuance of a motor
341 vehicle registration does not constitute prima facie evidence or
342 a presumption of insurance coverage.

343 **Section 7. Paragraph (b) of subsection (1) of section**
344 **320.0609, Florida Statutes, is amended to read:**

345 320.0609 Transfer and exchange of registration license
346 plates; transfer fee.—

347 (1)

348 (b) The transfer of a license plate from a vehicle
349 disposed of to a newly acquired vehicle does not constitute a
350 new registration. The application for transfer must ~~shall~~ be

351 accepted without requiring proof of ~~personal injury protection~~
352 ~~or~~ liability insurance.

353 **Section 8. Subsection (3) of section 320.27, Florida**
354 **Statutes, is amended, and paragraph (g) is added to subsection**
355 **(1) of that section, to read:**

356 320.27 Motor vehicle dealers.—

357 (1) DEFINITIONS.—The following words, terms, and phrases
358 when used in this section have the meanings respectively
359 ascribed to them in this subsection, except where the context
360 clearly indicates a different meaning:

361 (g) "Garage liability insurance" means, beginning July 1,
362 2026, combined single-limit liability coverage, including
363 property damage and bodily injury liability coverage, in the
364 amount of at least \$60,000.

365 (3) APPLICATION AND FEE.—The ~~application for the license~~
366 application must shall be in such form as may be prescribed by
367 the department and is shall be subject to such rules ~~with~~
368 ~~respect thereto~~ as may be so prescribed by the department it.
369 Such application must shall be verified by oath or affirmation
370 and must shall contain a full statement of the name and birth
371 date of the person or persons applying for the license therefor;
372 the name of the firm or copartnership, with the names and places
373 of residence of all members ~~thereof~~, if such applicant is a firm
374 or copartnership; the names and places of residence of the
375 principal officers, if the applicant is a body corporate or

376 other artificial body; the name of the state under whose laws
377 the corporation is organized; the present and former place or
378 places of residence of the applicant; and the prior business in
379 which the applicant has been engaged and its ~~the~~ location
380 ~~thereof~~. The ~~Such~~ application must ~~shall~~ describe the exact
381 location of the place of business and must ~~shall~~ state whether
382 the place of business is owned by the applicant and when
383 acquired, or, if leased, a true copy of the lease must ~~shall~~ be
384 attached to the application. The applicant shall certify that
385 the location provides an adequately equipped office and is not a
386 residence; that the location affords sufficient unoccupied space
387 upon and within which adequately to store all motor vehicles
388 offered and displayed for sale; and that the location is a
389 suitable place where the applicant can in good faith carry on
390 such business and keep and maintain books, records, and files
391 necessary to conduct such business, which must ~~shall~~ be
392 available at all reasonable hours to inspection by the
393 department or any of its inspectors or other employees. The
394 applicant shall certify that the business of a motor vehicle
395 dealer is the principal business that will ~~which shall~~ be
396 conducted at that location. The application must ~~shall~~ contain a
397 statement that the applicant is either franchised by a
398 manufacturer of motor vehicles, in which case the name of each
399 motor vehicle that the applicant is franchised to sell must
400 ~~shall~~ be included, or an independent (nonfranchised) motor

401 vehicle dealer. The application must ~~shall~~ contain other
402 relevant information as may be required by the department. The
403 applicant shall furnish, including evidence, in a form approved
404 by the department, that the applicant is insured under a garage
405 liability insurance policy or a general liability insurance
406 policy coupled with a business automobile policy having the
407 coverages and limits of garage liability insurance coverage in
408 accordance with paragraph (1)(g), which shall include, at a
409 minimum, \$25,000 combined single-limit liability coverage
410 including bodily injury and property damage protection and
411 \$10,000 personal injury protection. However, a salvage motor
412 vehicle dealer as defined in subparagraph (1)(c)5. is exempt
413 from the requirements for garage liability insurance ~~and~~
414 ~~personal injury protection insurance~~ on those vehicles that
415 cannot be legally operated on roads, highways, or streets in
416 this state. Franchise dealers must submit a garage liability
417 insurance policy, and all other dealers must submit a garage
418 liability insurance policy or a general liability insurance
419 policy coupled with a business automobile policy. Such policy
420 must ~~shall~~ be for the license period, and evidence of a new or
421 continued policy must ~~shall~~ be delivered to the department at
422 the beginning of each license period. A licensee shall deliver
423 to the department, in the manner prescribed by the department,
424 within 10 calendar days after any renewal or continuation of or
425 change in such policy or within 10 calendar days after any

426 issuance of a new policy, a copy of the renewed, continued,
427 changed, or new policy. Upon making an initial application, the
428 applicant shall pay to the department a fee of \$300 in addition
429 to any other fees required by law. Applicants may choose to
430 extend the licensure period for 1 additional year for a total of
431 2 years. An initial applicant shall pay to the department a fee
432 of \$300 for the first year and \$75 for the second year, in
433 addition to any other fees required by law. An applicant for
434 renewal shall pay to the department \$75 for a 1-year renewal or
435 \$150 for a 2-year renewal, in addition to any other fees
436 required by law. Upon making an application for a change of
437 location, the applicant ~~person~~ shall pay a fee of \$50 in
438 addition to any other fees now required by law. The department
439 shall, in the case of every application for initial licensure,
440 verify whether certain facts set forth in the application are
441 true. Each applicant, general partner in the case of a
442 partnership, or corporate officer and director in the case of a
443 corporate applicant shall, ~~must~~ file a set of fingerprints with
444 the department for the purpose of determining any prior criminal
445 record or any outstanding warrants. The department shall submit
446 the fingerprints to the Department of Law Enforcement for state
447 processing and forwarding to the Federal Bureau of Investigation
448 for federal processing. The actual cost of state and federal
449 processing must ~~shall~~ be borne by the applicant and is in
450 addition to the fee for licensure. The department may issue a

451 license to an applicant pending the results of the fingerprint
452 investigation, which license is fully revocable if the
453 department subsequently determines that any facts set forth in
454 the application are not true or correctly represented.

455 **Section 9. Paragraph (j) of subsection (3) of section**
456 **320.771, Florida Statutes, is amended to read:**

457 320.771 License required of recreational vehicle dealers.—

458 (3) APPLICATION.—The application for such license shall be
459 in the form prescribed by the department and subject to such
460 rules as may be prescribed by it. The application shall be
461 verified by oath or affirmation and shall contain:

462 (j) Evidence that the applicant is insured under a garage
463 liability insurance policy as defined in s. 320.27(1)(g), ~~which~~
464 ~~shall include, at a minimum, \$25,000 combined single-limit~~
465 ~~liability coverage, including bodily injury and property damage~~
466 ~~protection, and \$10,000 personal injury protection,~~ if the
467 applicant is to be licensed as a dealer in, or intends to sell,
468 recreational vehicles. Such policy must be for the license
469 period. Within 10 calendar days after any renewal or
470 continuation of or material change in such policy or issuance of
471 a new policy, the licensee shall deliver to the department, in a
472 manner prescribed by the department, a copy of such renewed,
473 continued, changed, or new policy. However, a garage liability
474 policy is not required for the licensure of a mobile home dealer
475 who sells only park trailers.

476
 477 The department shall, if it deems necessary, cause an
 478 investigation to be made to ascertain if the facts set forth in
 479 the application are true and shall not issue a license to the
 480 applicant until it is satisfied that the facts set forth in the
 481 application are true.

482 **Section 10. Subsections (1) and (2) of section 322.251,**
 483 **Florida Statutes, are amended to read:**

484 322.251 Notice of cancellation, suspension, revocation, or
 485 disqualification of license.—

486 (1) All orders of cancellation, suspension, revocation, or
 487 disqualification issued under ~~the provisions of~~ this chapter,
 488 chapter 318, or chapter 324 must, ~~or ss. 627.732-627.734 shall~~
 489 be given either by personal delivery ~~thereof~~ to the licensee
 490 whose license is being canceled, suspended, revoked, or
 491 disqualified or by deposit in the United States mail in an
 492 envelope, first class, postage prepaid, addressed to the
 493 licensee at his or her last known mailing address furnished to
 494 the department. Such mailing by the department constitutes
 495 notification, and any failure by the person to receive the
 496 mailed order will not affect or stay the effective date or term
 497 of the cancellation, suspension, revocation, or disqualification
 498 of the licensee's driving privilege.

499 (2) The giving of notice and an order of cancellation,
 500 suspension, revocation, or disqualification by mail is complete

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501 upon expiration of 20 days after deposit in the United States
502 mail for all notices except those issued under chapter 324 ~~or~~
503 ~~ss. 627.732-627.734~~, which are complete 15 days after deposit in
504 the United States mail. Proof of the giving of notice and an
505 order of cancellation, suspension, revocation, or
506 disqualification in either manner must ~~shall~~ be made by entry in
507 the records of the department that such notice was given. The
508 entry is admissible in the courts of this state and constitutes
509 sufficient proof that such notice was given.

510 **Section 11. Paragraph (a) of subsection (8) of section**
511 **322.34, Florida Statutes, is amended to read:**

512 322.34 Driving while license suspended, revoked, canceled,
513 or disqualified.—

514 (8) (a) Upon the arrest of a person for the offense of
515 driving while the person's driver license or driving privilege
516 is suspended or revoked, the arresting officer shall determine:

517 1. Whether the person's driver license is suspended or
518 revoked, or the person is under suspension or revocation
519 equivalent status.

520 2. Whether the person's driver license has remained
521 suspended or revoked, or the person has been under suspension or
522 revocation equivalent status, since a conviction for the offense
523 of driving with a suspended or revoked license.

524 3. Whether the suspension, revocation, or suspension or
525 revocation equivalent status was made under s. 316.646 ~~or s.~~

526 ~~627.733~~, relating to failure to maintain required security, or
527 under s. 322.264, relating to habitual traffic offenders.

528 4. Whether the driver is the registered owner or co-owner
529 of the vehicle.

530 **Section 12. Section 324.011, Florida Statutes, is amended**
531 **to read:**

532 324.011 Legislative intent; purpose of chapter.—

533 (1) It is the intent of the Legislature that this chapter:

534 (a) Ensure that the privilege of owning or operating a
535 motor vehicle in this state is exercised ~~to recognize the~~
536 ~~existing privilege to own or operate a motor vehicle on the~~
537 ~~public streets and highways of this state when such vehicles are~~
538 ~~used with due consideration for~~ the safety of others and their
539 ~~property.~~ and to

540 (b) Promote safety. ~~and~~

541 (c) Provide financial security requirements for such
542 owners and ~~or~~ operators whose responsibility it is to recompense
543 others for injury to person or property caused by the operation
544 of a motor vehicle.

545 (2) The purpose of this chapter is to require every owner
546 or operator of a motor vehicle that is required to be registered
547 in this state to establish, maintain, ~~Therefore, it is required~~
548 ~~herein that the operator of a motor vehicle involved in a crash~~
549 ~~or convicted of certain traffic offenses meeting the operative~~
550 ~~provisions of s. 324.051(2) shall respond for such damages and~~

551 show proof of financial ability to respond for damages arising
552 out of the ownership, maintenance, or use of a motor vehicle in
553 ~~future accidents~~ as a requisite to owning or operating a motor
554 vehicle in this state ~~his or her future exercise of such~~
555 ~~privileges.~~

556 **Section 13. Subsections (1) and (7) and paragraph (c) of**
557 **subsection (9) of section 324.021, Florida Statutes, are**
558 **amended, and subsection (12) is added to that section, to read:**

559 324.021 Definitions; minimum insurance required.—The
560 following words and phrases when used in this chapter shall, for
561 the purpose of this chapter, have the meanings respectively
562 ascribed to them in this section, except in those instances
563 where the context clearly indicates a different meaning:

564 (1) MOTOR VEHICLE.—Every self-propelled vehicle that is
565 designed and required to be licensed for use upon a highway,
566 including trailers and semitrailers designed for use with such
567 vehicles, except traction engines, road rollers, farm tractors,
568 power shovels, and well drillers, and every vehicle that is
569 propelled by electric power obtained from overhead wires but not
570 operated upon rails, but not including any personal delivery
571 device or mobile carrier as defined in s. 316.003, bicycle,
572 electric bicycle, or moped. ~~However, the term "motor vehicle"~~
573 ~~does not include a motor vehicle as defined in s. 627.732(3)~~
574 ~~when the owner of such vehicle has complied with the~~
575 ~~requirements of ss. 627.730–627.7405, inclusive, unless the~~

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576 ~~provisions of s. 324.051 apply; and, in such case, the~~
577 ~~applicable proof of insurance provisions of s. 320.02 apply.~~

578 (7) PROOF OF FINANCIAL RESPONSIBILITY.—Beginning July 1,
579 2026, ~~That~~ proof of ability to respond in damages for liability
580 on account of crashes arising out of the ownership, maintenance,
581 or use of a motor vehicle:

582 (a) With respect to a motor vehicle other than a
583 commercial motor vehicle, nonpublic sector bus, or for-hire
584 passenger transportation vehicle, in the amounts specified in s.
585 324.022(1). ~~in the amount of \$10,000 because of bodily injury~~
586 ~~to, or death of, one person in any one crash;~~

587 ~~(b) Subject to such limits for one person, in the amount~~
588 ~~of \$20,000 because of bodily injury to, or death of, two or more~~
589 ~~persons in any one crash;~~

590 ~~(c) In the amount of \$10,000 because of injury to, or~~
591 ~~destruction of, property of others in any one crash; and~~

592 ~~(b)(d)~~ With respect to commercial motor vehicles and
593 nonpublic sector buses, in the amounts specified in s. 627.7415
594 ss. 627.7415 and 627.742, respectively.

595 (c) With respect to nonpublic sector buses, in the amounts
596 specified in s. 627.742.

597 (d) With respect to for-hire passenger transportation
598 vehicles, in the amounts specified in s. 324.032.

599 (9) OWNER; OWNER/LESSOR; APPLICATION.—

600 (c) *Application.*—

601 1. The limits on liability in subparagraphs (b)2. and 3.
602 do not apply to an owner of motor vehicles that are used for
603 commercial activity in the owner's ordinary course of business,
604 other than a rental company that rents or leases motor vehicles.
605 For purposes of this paragraph, the term "rental company"
606 includes only an entity that is engaged in the business of
607 renting or leasing motor vehicles to the general public and that
608 rents or leases a majority of its motor vehicles to persons with
609 no direct or indirect affiliation with the rental company. The
610 term "rental company" also includes:

611 a. A related rental or leasing company that is a
612 subsidiary of the same parent company as that of the renting or
613 leasing company that rented or leased the vehicle.

614 b. The holder of a motor vehicle title or an equity
615 interest in a motor vehicle title if the title or equity
616 interest is held pursuant to or to facilitate an asset-backed
617 securitization of a fleet of motor vehicles used solely in the
618 business of renting or leasing motor vehicles to the general
619 public and under the dominion and control of a rental company,
620 as described in this subparagraph, in the operation of such
621 rental company's business.

622 2. Furthermore, with respect to commercial motor vehicles
623 as defined in s. 207.002 or s. 320.01(25) ~~s. 627.732~~, the limits
624 on liability in subparagraphs (b)2. and 3. do not apply if, at
625 the time of the incident, the commercial motor vehicle is being

626 used in the transportation of materials found to be hazardous
627 for the purposes of the Hazardous Materials Transportation
628 Authorization Act of 1994, as amended, 49 U.S.C. ss. 5101 et
629 seq., and that is required pursuant to such act to carry
630 placards warning others of the hazardous cargo, unless at the
631 time of lease or rental either:

632 a. The lessee indicates in writing that the vehicle will
633 not be used to transport materials found to be hazardous for the
634 purposes of the Hazardous Materials Transportation Authorization
635 Act of 1994, as amended, 49 U.S.C. ss. 5101 et seq.; or

636 b. The lessee or other operator of the commercial motor
637 vehicle has in effect insurance with limits of at least \$5
638 million ~~\$5,000,000~~ combined property damage and bodily injury
639 liability.

640 3.a. A motor vehicle dealer, or a motor vehicle dealer's
641 leasing or rental affiliate, that provides a temporary
642 replacement vehicle at no charge or at a reasonable daily charge
643 to a service customer whose vehicle is being held for repair,
644 service, or adjustment by the motor vehicle dealer is immune
645 from any cause of action and is not liable, vicariously or
646 directly, under general law solely by reason of being the owner
647 of the temporary replacement vehicle for harm to persons or
648 property that arises out of the use, or operation, of the
649 temporary replacement vehicle by any person during the period
650 the temporary replacement vehicle has been entrusted to the

651 motor vehicle dealer's service customer if there is no
652 negligence or criminal wrongdoing on the part of the motor
653 vehicle owner, or its leasing or rental affiliate.

654 b. For purposes of this section, and notwithstanding any
655 other ~~provision of general~~ law, a motor vehicle dealer, or a
656 motor vehicle dealer's leasing or rental affiliate, that gives
657 possession, control, or use of a temporary replacement vehicle
658 to a motor vehicle dealer's service customer may not be adjudged
659 liable in a civil proceeding absent negligence or criminal
660 wrongdoing on the part of the motor vehicle dealer, or the motor
661 vehicle dealer's leasing or rental affiliate, if the motor
662 vehicle dealer or the motor vehicle dealer's leasing or rental
663 affiliate executes a written rental or use agreement and obtains
664 from the person receiving the temporary replacement vehicle a
665 copy of the person's driver license and insurance information
666 reflecting at least the minimum motor vehicle insurance coverage
667 required in the state. Any subsequent determination that the
668 driver license or insurance information provided to the motor
669 vehicle dealer, or the motor vehicle dealer's leasing or rental
670 affiliate, was in any way false, fraudulent, misleading,
671 nonexistent, canceled, not in effect, or invalid does not alter
672 or diminish the protections provided by this section, unless the
673 motor vehicle dealer, or the motor vehicle dealer's leasing or
674 rental affiliate, had actual knowledge thereof at the time
675 possession of the temporary replacement vehicle was provided.

676 c. For purposes of this subparagraph, the term:

677 (I) "Control" means the power to direct the management and
678 policies of a person, whether through ownership of voting
679 securities or otherwise.

680 (II) "Motor vehicle dealer's leasing or rental affiliate"
681 means a person who directly or indirectly controls, is
682 controlled by, or is under common control with the motor vehicle
683 dealer.

684 d. For purposes of this subparagraph, the term "service
685 customer" does not include an agent or a principal of a motor
686 vehicle dealer or a motor vehicle dealer's leasing or rental
687 affiliate, and does not include an employee of a motor vehicle
688 dealer or a motor vehicle dealer's leasing or rental affiliate
689 unless the employee was provided a temporary replacement
690 vehicle:

691 (I) While the employee's personal vehicle was being held
692 for repair, service, or adjustment by the motor vehicle dealer;

693 (II) In the same manner as other customers who are
694 provided a temporary replacement vehicle while the customer's
695 vehicle is being held for repair, service, or adjustment; and

696 (III) The employee was not acting within the course and
697 scope of his or her employment.

698 (12) FOR-HIRE PASSENGER TRANSPORTATION VEHICLE.—Every for-
699 hire vehicle as defined in s. 320.01(15) which is offered or
700 used to provide transportation for persons, including taxicabs,

701 limousines, and jitneys.

702 **Section 14. Section 324.022, Florida Statutes, is amended**
703 **to read:**

704 324.022 Financial responsibility requirements ~~for property~~
705 ~~damage.~~

706 (1) (a) Beginning July 1, 2026, every owner or operator of
707 a motor vehicle required to be registered in this state shall
708 establish and continuously maintain the ability to respond in
709 damages for liability on account of accidents arising out of the
710 use of the motor vehicle in the amount of:

711 1. Twenty-five thousand dollars for bodily injury to, or
712 the death of, one person in any one crash and, subject to such
713 limits for one person, in the amount of \$50,000 for bodily
714 injury to, or the death of, two or more persons in any one
715 crash; and

716 2. Ten thousand dollars for ~~\$10,000 because of~~ damage to,
717 or destruction of, property of others in any one crash.

718 (b) The requirements of paragraph (a) ~~this section~~ may be
719 met by one of the methods established in s. 324.031; by self-
720 insuring as authorized by s. 768.28(16); or by maintaining a
721 motor vehicle liability insurance policy that ~~an insurance~~
722 ~~policy providing coverage for property damage liability in the~~
723 ~~amount of at least \$10,000 because of damage to, or destruction~~
724 ~~of, property of others in any one accident arising out of the~~
725 ~~use of the motor vehicle. The requirements of this section may~~

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726 ~~also be met by having a policy which~~ provides combined property
727 damage liability and bodily injury liability coverage for any
728 one crash arising out of the ownership, maintenance, or use of a
729 motor vehicle and that conforms to the requirements of s.
730 324.151 in the amount of at least \$60,000 for every owner or
731 operator subject to the financial responsibility required in
732 paragraph (a) \$30,000 for combined property damage liability and
733 bodily injury liability for any one crash arising out of the use
734 of the motor vehicle. The policy, with respect to coverage for
735 property damage liability, must meet the applicable requirements
736 of s. 324.151, subject to the usual policy exclusions that have
737 been approved in policy forms by the Office of Insurance
738 Regulation. No insurer shall have any duty to defend uncovered
739 claims irrespective of their joinder with covered claims.

740 (2) As used in this section, the term:

741 (a) "Motor vehicle" means any self-propelled vehicle that
742 has four or more wheels and that is of a type designed and
743 required to be licensed for use on the highways of this state,
744 and any trailer or semitrailer designed for use with such
745 vehicle. The term does not include the following:

746 1. A mobile home as defined in s. 320.01(2)(a).

747 2. A motor vehicle that is used in mass transit and
748 designed to transport more than five passengers, exclusive of
749 the operator of the motor vehicle, and that is owned by a
750 municipality, transit authority, or political subdivision of the

751 state.

752 3. A school bus as defined in s. 1006.25, which must
753 maintain security as required under s. 316.615.

754 4. A commercial motor vehicle as defined in s. 207.002 or
755 s. 320.01(25), which must maintain security as required under
756 ss. 324.031 and 627.7415.

757 5. A nonpublic sector bus, which must maintain security as
758 required under ss. 324.031 and 627.742.

759 6.4. A ~~vehicle providing~~ for-hire passenger transportation
760 vehicle, which must ~~that is subject to the provisions of s.~~
761 324.031. A ~~taxicab shall~~ maintain security as required under s.
762 324.032 ~~s. 324.032(1).~~

763 7.5. A personal delivery device as defined in s. 316.003,
764 which must maintain security as required under s. 316.2071(4).

765 (b) "Owner" means the person who holds legal title to a
766 motor vehicle or the debtor or lessee who has the right to
767 possession of a motor vehicle that is the subject of a security
768 agreement or lease with an option to purchase.

769 (3) Each nonresident owner or registrant of a motor
770 vehicle that, whether operated or not, has been physically
771 present within this state for more than 90 days during the
772 preceding 365 days shall maintain security as required by
773 subsection (1). The security must be ~~that is~~ in effect
774 continuously throughout the period the motor vehicle remains
775 within this state.

776 (4) An ~~The~~ owner or registrant of a motor vehicle who is
 777 ~~exempt from the requirements of this section if she or he is a~~
 778 member of the United States Armed Forces and is called to or on
 779 active duty outside the United States in an emergency situation
 780 is exempt from this section while he or she. ~~The exemption~~
 781 ~~provided by this subsection applies only as long as the member~~
 782 ~~of the Armed Forces~~ is on such active duty. This exemption
 783 ~~outside the United States and~~ applies only while the vehicle
 784 covered by the security is not operated by any person. Upon
 785 receipt of a written request by the insured to whom the
 786 exemption provided in this subsection applies, the insurer shall
 787 cancel the coverages and return any unearned premium or suspend
 788 the security required by this section. Notwithstanding s.
 789 324.0221(2) ~~s. 324.0221(3)~~, the department may not suspend the
 790 registration or operator's license of an ~~any~~ owner or registrant
 791 of a motor vehicle during the time she or he qualifies for the
 792 ~~an~~ exemption under this subsection. An ~~Any~~ owner or registrant
 793 of a motor vehicle who qualifies for the ~~an~~ exemption under this
 794 subsection shall immediately notify the department before ~~prior~~
 795 ~~to~~ and at the end of the expiration of the exemption.

796 **Section 15. Subsections (1) and (2) of section 324.0221,**
 797 **Florida Statutes, are amended to read:**

798 324.0221 Reports by insurers to the department; suspension
 799 of driver license and vehicle registrations; reinstatement.—

800 (1) (a) Each insurer that has issued a policy providing

801 ~~personal injury protection coverage or property damage~~ liability
802 coverage shall report the cancellation or nonrenewal thereof to
803 the department within 10 days after the processing date or
804 effective date of each cancellation or nonrenewal. Upon the
805 issuance of a policy providing ~~personal injury protection~~
806 ~~coverage or property damage~~ liability coverage to a named
807 insured not previously insured by the insurer during that
808 calendar year, the insurer shall report the issuance of the new
809 policy to the department within 10 days. The report must ~~shall~~
810 be in the form ~~and format~~ and contain any information required
811 by the department and must be provided in a format that is
812 compatible with the data processing capabilities of the
813 department. Failure by an insurer to file proper reports with
814 the department as required by this subsection constitutes a
815 violation of the Florida Insurance Code. These records may ~~shall~~
816 be used by the department only for enforcement and regulatory
817 purposes, including the generation by the department of data
818 regarding compliance by owners of motor vehicles with the
819 requirements for financial responsibility coverage.

820 (b) With respect to an insurance policy providing ~~personal~~
821 ~~injury protection coverage or property damage~~ liability
822 coverage, each insurer shall notify the named insured, or the
823 first-named insured in the case of a commercial fleet policy, in
824 writing that any cancellation or nonrenewal of the policy will
825 be reported by the insurer to the department. The notice must

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826 also inform the named insured that failure to maintain bodily
827 injury liability ~~personal injury protection~~ coverage and
828 property damage liability coverage on a motor vehicle when
829 required by law may result in the loss of registration and
830 driving privileges in this state and inform the named insured of
831 the amount of the reinstatement fees required by this section.
832 This notice is for informational purposes only, and an insurer
833 is not civilly liable for failing to provide this notice.

834 (2) The department shall suspend, after due notice and an
835 opportunity to be heard, the registration and driver license of
836 any owner or registrant of a motor vehicle for ~~with respect to~~
837 which security is required under s. 324.022, s. 324.023, s.
838 324.032, s. 627.7415, or s. 627.742 ~~ss. 324.022 and 627.733~~
839 upon:

840 (a) The department's records showing that the owner or
841 registrant of such motor vehicle does ~~did~~ not have the ~~in full~~
842 ~~force and effect when required security~~ in full force and effect
843 ~~that complies with the requirements of ss. 324.022 and 627.733;~~
844 or

845 (b) Notification by the insurer to the department, in a
846 form approved by the department, of cancellation or termination
847 of the required security.

848 **Section 16. Section 324.0222, Florida Statutes, is created**
849 **to read:**

850 324.0222 Application of driver license and registration

851 suspensions for failure to maintain security; reinstatement.—All
852 suspensions of driver licenses or motor vehicle registrations
853 for failure to maintain security as required by law in effect
854 before July 1, 2026, remain in full force and effect after July
855 1, 2026. A driver may reinstate a suspended driver license or
856 registration as provided under s. 324.0221.

857 **Section 17. Section 324.023, Florida Statutes, is amended**
858 **to read:**

859 324.023 Financial responsibility for bodily injury or
860 death.—In addition to any other financial responsibility
861 required by law, every owner or operator of a motor vehicle that
862 is required to be registered in this state, or that is located
863 within this state, and who, regardless of adjudication of guilt,
864 has been found guilty of or entered a plea of guilty or nolo
865 contendere to a charge of driving under the influence under s.
866 316.193 after October 1, 2007, shall, by one of the methods
867 established in s. 324.031(1)(a) or (b) ~~s. 324.031(1) or (2)~~,
868 establish and maintain the ability to respond in damages for
869 liability on account of accidents arising out of the use of a
870 motor vehicle in the amount of \$100,000 because of bodily injury
871 to, or death of, one person in any one crash and, subject to
872 such limits for one person, in the amount of \$300,000 because of
873 bodily injury to, or death of, two or more persons in any one
874 crash and in the amount of \$50,000 because of property damage in
875 any one crash. If the owner or operator chooses to establish and

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876 maintain such ability by furnishing a certificate of deposit
877 pursuant to s. 324.031(1)(b) ~~s. 324.031(2)~~, such certificate of
878 deposit must be at least \$350,000. Such higher limits must be
879 carried for a minimum period of 3 years. If the owner or
880 operator has not been convicted of driving under the influence
881 or a felony traffic offense for a period of 3 years from the
882 date of reinstatement of driving privileges for a violation of
883 s. 316.193, the owner or operator is ~~shall be~~ exempt from this
884 section.

885 **Section 18. Section 324.031, Florida Statutes, is amended**
886 **to read:**

887 324.031 Manner of proving financial responsibility.—

888 (1) ~~The owner or operator of a taxicab, limousine, jitney,~~
889 ~~or any other for-hire passenger transportation vehicle may prove~~
890 ~~financial responsibility by providing satisfactory evidence of~~
891 ~~holding a motor vehicle liability policy as defined in s.~~
892 ~~324.021(8) or s. 324.151, which policy is issued by an insurance~~
893 ~~carrier which is a member of the Florida Insurance Guaranty~~
894 ~~Association.~~ The operator or owner of a motor vehicle other than
895 a for-hire passenger transportation ~~any other~~ vehicle may prove
896 his or her financial responsibility by:

897 (a) (1) Furnishing satisfactory evidence of holding a motor
898 vehicle liability policy as defined in ss. 324.021(8) and
899 324.151 which provides liability coverage for the motor vehicle
900 being operated;

901 (b)(2) Furnishing a certificate of self-insurance showing
 902 a deposit of cash in accordance with s. 324.161; or

903 (c)(3) Furnishing a certificate of self-insurance issued
 904 by the department in accordance with s. 324.171.

905 (2) Beginning July 1, 2026, any person, ~~including any~~
 906 ~~firm, partnership, association, corporation, or other person,~~
 907 ~~other than a natural person,~~ electing to use the method of proof
 908 specified in paragraph (1)(b) subsection (2) shall do both of
 909 the following:

910 (a) Furnish a certificate of deposit equal to the number
 911 of vehicles owned times \$60,000 ~~\$30,000~~, up to a maximum of
 912 \$240,000. ~~\$120,000;~~

913 (b) ~~In addition, any such person, other than a natural~~
 914 ~~person, shall~~ Maintain insurance providing coverage that meets
 915 the requirements of s. 324.151 and has in excess of limits of:

916 1. At least \$125,000 for bodily injury to, or the death
 917 of, one person in any one crash and, subject to such limits for
 918 one person, in the amount of \$250,000 for bodily injury to, or
 919 the death of, two or more persons in any one crash; and \$50,000
 920 for damage to, or destruction of, property of others in any one
 921 crash; or

922 2. At least \$300,000 for combined bodily injury liability
 923 and property damage liability for any one crash
 924 ~~\$10,000/20,000/10,000 or \$30,000 combined single limits, and~~
 925 ~~such excess insurance shall provide minimum limits of~~

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926 ~~§125,000/250,000/50,000 or \$300,000 combined single limits.~~
927 ~~These increased limits shall not affect the requirements for~~
928 ~~proving financial responsibility under s. 324.032(1).~~

929 **Section 19. Section 324.032, Florida Statutes, is amended**
930 **to read:**

931 324.032 ~~Manner of proving~~ Financial responsibility for
932 ~~for-hire passenger transportation vehicles. Notwithstanding the~~
933 ~~provisions of s. 324.031:~~

934 (1) An owner or a lessee of a for-hire passenger
935 transportation vehicle that is required to be registered in this
936 state shall establish and continuously maintain the ability to
937 respond in damages for liability on account of accidents arising
938 out of the ownership, maintenance, or use of the for-hire
939 passenger transportation vehicle, in the amount of:

940 (a) One hundred twenty-five thousand dollars for bodily
941 injury to, or the death of, one person in any one crash and,
942 subject to such limits for one person, in the amount of \$250,000
943 for bodily injury to, or the death of, two or more persons in
944 any one crash; and ~~A person who is either the owner or a lessee~~
945 ~~required to maintain insurance under s. 627.733(1) (b) and who~~
946 ~~operates one or more taxicabs, limousines, jitneys, or any other~~
947 ~~for-hire passenger transportation vehicles may prove financial~~
948 ~~responsibility by furnishing satisfactory evidence of holding a~~
949 ~~motor vehicle liability policy, but with minimum limits of~~
950 ~~\$125,000/250,000/50,000.~~

951 (b) Fifty thousand dollars for damage to, or destruction
952 of, property of others in any one crash ~~A person who is either~~
953 ~~the owner or a lessee required to maintain insurance under s.~~
954 ~~324.021(9) (b) and who operates limousines, jitneys, or any other~~
955 ~~for-hire passenger vehicles, other than taxicabs, may prove~~
956 ~~financial responsibility by furnishing satisfactory evidence of~~
957 ~~holding a motor vehicle liability policy as defined in s.~~
958 ~~324.031.~~

959 (2) Except as provided in subsection (3), the requirements
960 of this section must be met by the owner or lessee providing
961 satisfactory evidence of holding a motor vehicle liability
962 policy conforming to the requirements of s. 324.151 which is
963 issued by an insurance carrier that is a member of the Florida
964 Insurance Guaranty Association.

965 (3) An owner or a lessee who is required to maintain
966 ~~insurance under s. 324.021(9) (b) and who operates at least 300~~
967 ~~taxicabs, limousines, jitneys, or any other for-hire passenger~~
968 ~~transportation vehicles may provide financial responsibility by~~
969 ~~complying with the provisions of s. 324.171, which must such~~
970 ~~compliance~~ to be demonstrated by maintaining at its principal
971 place of business an audited financial statement, prepared in
972 accordance with generally accepted accounting principles, and
973 providing to the department a certification issued by a
974 certified public accountant that the applicant's net worth is at
975 least equal to the requirements of s. 324.171 as determined by

976 the Office of Insurance Regulation of the Financial Services
977 Commission, including claims liabilities in an amount certified
978 as adequate by a Fellow of the Casualty Actuarial Society.

979

980 Upon request by the department, the applicant shall ~~must~~ provide
981 the department at the applicant's principal place of business in
982 this state access to the applicant's underlying financial
983 information and financial statements that provide the basis of
984 the certified public accountant's certification. The applicant
985 shall reimburse the requesting department for all reasonable
986 costs incurred by it in reviewing the supporting information.
987 The maximum amount of self-insurance permissible under this
988 subsection is \$300,000 and must be stated on a per-occurrence
989 basis, and the applicant shall maintain adequate excess
990 insurance issued by an authorized or eligible insurer licensed
991 or approved by the Office of Insurance Regulation. All risks
992 self-insured ~~shall~~ remain with the owner or lessee providing it,
993 and the risks are not transferable to any other person, unless a
994 policy complying with subsections (1) and (2) ~~subsection (1)~~ is
995 obtained.

996 **Section 20. Subsection (2) of section 324.051, Florida**
997 **Statutes, is amended, and subsection (4) is added to that**
998 **section, to read:**

999 324.051 Reports of crashes; suspensions of licenses and
1000 registrations.—

1001 (2) (a) Thirty days after receipt of notice of any accident
1002 described in paragraph (1) (a) involving a motor vehicle within
1003 this state, the department shall suspend, after due notice and
1004 opportunity to be heard, the license of each operator and all
1005 registrations of the owner of the vehicles operated by such
1006 operator whether or not involved in such crash and, in the case
1007 of a nonresident owner or operator, shall suspend such
1008 nonresident's operating privilege in this state, unless such
1009 operator or owner shall, prior to the expiration of such 30
1010 days, be found by the department to be exempt from the operation
1011 of this chapter, based upon evidence satisfactory to the
1012 department that:

1013 1. The motor vehicle was legally parked at the time of
1014 such crash.

1015 2. The motor vehicle was owned by the United States
1016 Government, this state, or any political subdivision of this
1017 state or any municipality therein.

1018 3. Such operator or owner has secured a duly acknowledged
1019 written agreement providing for release from liability by all
1020 parties injured as the result of said crash and has complied
1021 with one of the provisions of s. 324.031.

1022 4. Such operator or owner has deposited with the
1023 department security to conform with s. 324.061 when applicable
1024 and has complied with one of the provisions of s. 324.031.

1025 5. One year has elapsed since such owner or operator was

1026 | suspended pursuant to subsection (3), the owner or operator has
 1027 | complied with one of the provisions of s. 324.031, and no bill
 1028 | of complaint of which the department has notice has been filed
 1029 | in a court of competent jurisdiction.

1030 | (b) This subsection does ~~shall~~ not apply:

1031 | 1. To such operator or owner if such operator or owner had
 1032 | in effect at the time of such crash or traffic conviction a
 1033 | motor vehicle ~~an automobile~~ liability policy with respect to all
 1034 | of the registered motor vehicles owned by such operator or
 1035 | owner.

1036 | 2. To such operator, if not the owner of such motor
 1037 | vehicle, if there was in effect at the time of such crash or
 1038 | traffic conviction a motor vehicle ~~an automobile~~ liability
 1039 | policy or bond with respect to his or her operation of motor
 1040 | vehicles not owned by him or her.

1041 | 3. To such operator or owner if the liability of such
 1042 | operator or owner for damages resulting from such crash is, in
 1043 | the judgment of the department, covered by any other form of
 1044 | liability insurance or bond.

1045 | 4. To any person who has obtained from the department a
 1046 | certificate of self-insurance, in accordance with s. 324.171, or
 1047 | to any person operating a motor vehicle for such self-insurer.

1048 |
 1049 | A ~~No such~~ policy or bond is not ~~shall be~~ effective under this
 1050 | subsection unless it contains limits of not less than those

1051 specified in s. 324.021(7).

1052 (4) As used in this section, the term "motor vehicle"
 1053 includes a motorcycle as defined in s. 320.01(26).

1054 **Section 21. Section 324.071, Florida Statutes, is amended**
 1055 **to read:**

1056 324.071 Reinstatement; renewal of license; reinstatement
 1057 fee.—An ~~Any~~ operator or owner whose license or registration has
 1058 been suspended pursuant to s. 324.051(2), s. 324.072, s.
 1059 324.081, or s. 324.121 may effect its reinstatement upon
 1060 compliance with ~~the provisions of~~ s. 324.051(2)(a)3. or 4., or
 1061 s. 324.081(2) and (3), as the case may be, and with one of the
 1062 provisions of s. 324.031 and upon payment to the department of a
 1063 nonrefundable reinstatement fee of \$15. Only one such fee may
 1064 ~~shall~~ be paid by any one person regardless irrespective of the
 1065 number of licenses and registrations to be then reinstated or
 1066 issued to such person. ~~All~~ Such fees must ~~shall~~ be deposited in
 1067 ~~to~~ a department trust fund. If ~~When~~ the reinstatement of any
 1068 license or registration is effected by compliance with s.
 1069 324.051(2)(a)3. or 4., the department may ~~shall~~ not renew the
 1070 license or registration within ~~a period of~~ 3 years after ~~from~~
 1071 such reinstatement, and no ~~nor shall~~ any other license or
 1072 registration may be issued in the name of such person, unless
 1073 the operator continues ~~is continuing~~ to comply with ~~one of the~~
 1074 ~~provisions of~~ s. 324.031.

1075 **Section 22. Subsection (1) of section 324.091, Florida**

1076 **Statutes, is amended to read:**

1077 324.091 Notice to department; notice to insurer.—

1078 (1) Each owner and operator involved in a crash or
 1079 conviction case within the purview of this chapter shall furnish
 1080 evidence of ~~automobile liability insurance or~~ motor vehicle
 1081 liability insurance within 14 days after the date of the mailing
 1082 of notice of crash by the department in the form and manner as
 1083 it may designate. Upon receipt of evidence that a ~~an automobile~~
 1084 ~~liability policy or~~ motor vehicle liability policy was in effect
 1085 at the time of the crash or conviction case, the department
 1086 shall forward to the insurer such information for verification
 1087 in a method as determined by the department. The insurer shall
 1088 respond to the department within 20 days after the notice as to
 1089 ~~or not~~ such information is valid. If the department
 1090 determines that a ~~an automobile liability policy or~~ motor
 1091 vehicle liability policy was not in effect and did not provide
 1092 coverage for both the owner and the operator, it must ~~shall~~ take
 1093 action as it is authorized to do under this chapter.

1094 **Section 23. Section 324.151, Florida Statutes, is amended**
 1095 **to read:**

1096 324.151 Motor vehicle liability policies; required
 1097 provisions.—

1098 (1) A motor vehicle liability policy that serves as ~~to be~~
 1099 proof of financial responsibility under s. 324.031(1)(a) must ~~s.~~
 1100 ~~324.031(1) shall~~ be issued to owners or operators of motor

1101 vehicles under the following provisions:

1102 (a) A motor vehicle ~~An owner's~~ liability insurance policy
1103 issued to an owner of a motor vehicle required to be registered
1104 in this state must designate by explicit description or by
1105 appropriate reference all motor vehicles for ~~with respect to~~
1106 which coverage is thereby granted. The policy, ~~must insure the~~
1107 person or persons ~~owner~~ named therein, ~~and, unless except for a~~
1108 ~~named driver~~ excluded under s. 627.747, must insure any resident
1109 relative of a named insured ~~other person as operator using such~~
1110 ~~motor vehicle or motor vehicles with the express or implied~~
1111 ~~permission of such owner against loss from the liability imposed~~
1112 ~~by law for damage arising out of the ownership, maintenance, or~~
1113 ~~use of any such motor vehicle or motor vehicles within the~~
1114 ~~United States or the Dominion of Canada, subject to limits,~~
1115 ~~exclusive of interest and costs with respect to each such motor~~
1116 ~~vehicle as is provided for under s. 324.021(7).~~ The policy must
1117 also insure any person operating an insured motor vehicle with
1118 the express or implied permission of a named insured against
1119 loss from the liability imposed by law for damage arising out of
1120 the use of any motor vehicle, unless that person was excluded
1121 under s. 627.747. However, the insurer may include provisions in
1122 its policy excluding liability coverage for a motor vehicle not
1123 designated as an insured vehicle on the policy if such motor
1124 vehicle does not qualify as a newly acquired vehicle or as a
1125 temporary substitute vehicle and was owned by the insured or was

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1126 furnished for an insured's regular use for more than 30
1127 consecutive days before the event giving rise to the claim.
1128 Insurers may make available, with respect to property damage
1129 liability coverage, a deductible amount not to exceed \$500. In
1130 the event of a property damage loss covered by a policy
1131 containing a property damage deductible provision, the insurer
1132 shall pay to the third-party claimant the amount of any property
1133 damage liability settlement or judgment, subject to policy
1134 limits, as if no deductible existed.

1135 (b) A motor vehicle liability insurance policy issued to a
1136 person who does not own a ~~An operator's~~ motor vehicle must
1137 ~~liability policy of insurance shall insure the person or persons~~
1138 ~~named therein against loss from the liability imposed upon him~~
1139 ~~or her by law for damages arising out of the use by the person~~
1140 ~~of any motor vehicle not owned by him or her, with the same~~
1141 ~~territorial limits and subject to the same limits of liability~~
1142 ~~as referred to above with respect to an owner's policy of~~
1143 ~~liability insurance.~~

1144 (c) All such motor vehicle liability policies must provide
1145 liability coverage with limits, exclusive of interest and costs,
1146 greater than or equal to the limits specified under s.
1147 324.021(7) for accidents occurring within the United States and
1148 Canada. The policies must ~~shall~~ state the name and address of
1149 the named insured, the coverage afforded by the policy, the
1150 premium charged therefor, the policy period, and the limits of

1151 liability, and must ~~shall~~ contain an agreement or be endorsed
1152 that insurance is provided in accordance with the coverage
1153 defined in this chapter ~~as respects bodily injury and death or~~
1154 ~~property damage or both~~ and is subject to ~~all provisions of this~~
1155 chapter. The ~~said~~ policies must ~~shall~~ also contain a provision
1156 that the satisfaction by an insured of a judgment for such
1157 injury or damage may ~~shall~~ not be a condition precedent to the
1158 right or duty of the insurance carrier to make payment on
1159 account of such injury or damage, and must ~~shall~~ also contain a
1160 provision that bankruptcy or insolvency of the insured or of the
1161 insured's estate does ~~shall~~ not relieve the insurance carrier of
1162 any of its obligations under the ~~said~~ policy.

1163 (2) ~~The provisions of~~ This section is ~~shall~~ not be
1164 applicable to any motor vehicle ~~automobile~~ liability policy
1165 unless and until it is furnished as proof of financial
1166 responsibility for the future pursuant to s. 324.031, and then
1167 applies only from and after the date the ~~said~~ policy is so
1168 furnished.

1169 (3) As used in this section, the term:

1170 (a) "Newly acquired vehicle" means a vehicle owned by a
1171 named insured or resident relative of the named insured which
1172 was acquired no more than 30 days before an accident.

1173 (b) "Resident relative" means a person related to a named
1174 insured by any degree by blood, marriage, or adoption, including
1175 a ward or foster child, who makes his or her home in the same

1176 family unit or residence as the named insured, regardless of
 1177 whether he or she temporarily lives elsewhere.

1178 (c) "Temporary substitute vehicle" means any motor vehicle
 1179 that is not owned by the named insured and that is temporarily
 1180 used with the permission of the owner as a substitute for the
 1181 owned motor vehicle designated on the policy when the owned
 1182 vehicle is withdrawn from normal use because of breakdown,
 1183 repair, servicing, loss, or destruction.

1184 **Section 24. Section 324.161, Florida Statutes, is amended**
 1185 **to read:**

1186 324.161 Proof of financial responsibility; deposit.—If a
 1187 person elects to prove his or her financial responsibility under
 1188 the method of proof specified in s. 324.031(1)(b), he or she
 1189 annually must obtain and submit to the department proof of a
 1190 certificate of deposit in the amount required under s.
 1191 324.031(2) from a financial institution insured by the Federal
 1192 Deposit Insurance Corporation or the National Credit Union
 1193 Administration Annually, before any certificate of insurance may
 1194 be issued to a person, including any firm, partnership,
 1195 association, corporation, or other person, other than a natural
 1196 person, proof of a certificate of deposit of \$30,000 issued and
 1197 held by a financial institution must be submitted to the
 1198 department. A power of attorney will be issued to and held by
 1199 the department, and may be executed upon a judgment issued
 1200 against such person making the deposit, for damages for because

1201 ~~of~~ bodily injury to or death of any person or for damages for
 1202 ~~because of~~ injury to or destruction of property resulting from
 1203 the use or operation of any motor vehicle occurring after such
 1204 deposit was made. Money so deposited is ~~shall~~ not ~~be~~ subject to
 1205 attachment or execution unless such attachment or execution
 1206 arises ~~shall arise~~ out of a lawsuit ~~suit~~ for such damages ~~as~~
 1207 aforesaid.

1208 **Section 25. Subsections (1) and (2) of section 324.171,**
 1209 **Florida Statutes, are amended to read:**

1210 324.171 Self-insurer.—

1211 (1) A ~~Any~~ person may qualify as a self-insurer by
 1212 obtaining a certificate of self-insurance from the department.
 1213 ~~which may, in its discretion and~~ Upon application of such a
 1214 person, the department may issue a said certificate of self-
 1215 insurance to an applicant who satisfies ~~when such person has~~
 1216 ~~satisfied~~ the requirements of this section. Effective July 1,
 1217 2026 ~~to qualify as a self-insurer under this section:~~

1218 (a) A private individual with private passenger vehicles
 1219 shall possess a net unencumbered worth of at least \$100,000
 1220 ~~\$40,000~~.

1221 (b) A person, including any firm, partnership,
 1222 association, corporation, or other person, other than a natural
 1223 person, shall:

1224 1. Possess a net unencumbered worth of at least \$100,000
 1225 ~~\$40,000~~ for the first motor vehicle and \$50,000 ~~\$20,000~~ for each

1226 additional motor vehicle; or
 1227 2. Maintain sufficient net worth, in an amount determined
 1228 by the department, to be financially responsible for potential
 1229 losses. The department annually shall determine the minimum net
 1230 worth sufficient to satisfy this subparagraph ~~as determined~~
 1231 ~~annually by the department,~~ pursuant to rules adopted
 1232 ~~promulgated~~ by the department, with the assistance of the Office
 1233 of Insurance Regulation of the Financial Services Commission, ~~to~~
 1234 ~~be financially responsible for potential losses.~~ The rules must
 1235 consider any ~~shall take into consideration~~ excess insurance
 1236 carried by the applicant. The department's determination must
 1237 ~~shall~~ be based upon reasonable actuarial principles considering
 1238 the frequency, severity, and loss development of claims incurred
 1239 by casualty insurers writing coverage on the type of motor
 1240 vehicles for which a certificate of self-insurance is desired.

1241 (c) The owner of a commercial motor vehicle, as defined in
 1242 s. 207.002 or s. 320.01(25) ~~s. 320.01~~, may qualify as a self-
 1243 insurer subject to the standards provided ~~for~~ in subparagraph
 1244 (b)2.

1245 (2) The self-insurance certificate must ~~shall~~ provide
 1246 limits of liability insurance in the amounts specified under s.
 1247 324.021(7) ~~or s. 627.7415~~ and shall provide ~~personal injury~~
 1248 ~~protection coverage under s. 627.733(3)(b).~~

1249 **Section 26. Subsections (1) and (3) of section 324.242,**
 1250 **Florida Statutes, are amended to read:**

1251 324.242 ~~Personal injury protection and property damage~~
 1252 Liability insurance policies; public records exemption.—

1253 (1) The following information regarding motor vehicle
 1254 ~~personal injury protection and property damage~~ liability
 1255 insurance policies held by the department is confidential and
 1256 exempt from s. 119.07(1) and s. 24(a), Art. I of the State
 1257 Constitution:

1258 (a) Personal identifying information of an insured or
 1259 former insured; and

1260 (b) An insurance policy number.

1261 (3) The department shall provide motor vehicle ~~personal~~
 1262 ~~injury protection and property damage~~ liability insurance policy
 1263 numbers to department-approved third parties that provide data
 1264 collection services to an insurer of any person involved in such
 1265 accident.

1266 **Section 27. Section 324.251, Florida Statutes, is amended**
 1267 **to read:**

1268 324.251 Short title.—This chapter may be cited as the
 1269 "Financial Responsibility Law of 2025 ~~1955~~" and is ~~shall become~~
 1270 effective at 12:01 a.m., July 1, 2026 ~~October 1, 1955~~.

1271 **Section 28. Subsection (4) of section 400.9905, Florida**
 1272 **Statutes, is amended to read:**

1273 400.9905 Definitions.—

1274 (4) (a) "Clinic" means an entity where health care services
 1275 are provided to individuals and which tenders charges for

1276 reimbursement for such services, including a mobile clinic and a
1277 portable equipment provider. As used in this part, the term does
1278 not include and the licensure requirements of this part do not
1279 apply to:

1280 1.(a) Entities licensed or registered by the state under
1281 chapter 395; entities licensed or registered by the state and
1282 providing only health care services within the scope of services
1283 authorized under their respective licenses under ss. 383.30-
1284 383.332, chapter 390, chapter 394, chapter 397, this chapter
1285 except part X, chapter 429, chapter 463, chapter 465, chapter
1286 466, chapter 478, chapter 484, or chapter 651; end-stage renal
1287 disease providers authorized under 42 C.F.R. part 494; providers
1288 certified and providing only health care services within the
1289 scope of services authorized under their respective
1290 certifications under 42 C.F.R. part 485, subpart B, subpart H,
1291 or subpart J; providers certified and providing only health care
1292 services within the scope of services authorized under their
1293 respective certifications under 42 C.F.R. part 486, subpart C;
1294 providers certified and providing only health care services
1295 within the scope of services authorized under their respective
1296 certifications under 42 C.F.R. part 491, subpart A; providers
1297 certified by the Centers for Medicare and Medicaid Services
1298 under the federal Clinical Laboratory Improvement Amendments and
1299 the federal rules adopted thereunder; or any entity that
1300 provides neonatal or pediatric hospital-based health care

1301 services or other health care services by licensed practitioners
 1302 solely within a hospital licensed under chapter 395.

1303 2.~~(b)~~ Entities that own, directly or indirectly, entities
 1304 licensed or registered by the state pursuant to chapter 395;
 1305 entities that own, directly or indirectly, entities licensed or
 1306 registered by the state and providing only health care services
 1307 within the scope of services authorized pursuant to their
 1308 respective licenses under ss. 383.30-383.332, chapter 390,
 1309 chapter 394, chapter 397, this chapter except part X, chapter
 1310 429, chapter 463, chapter 465, chapter 466, chapter 478, chapter
 1311 484, or chapter 651; end-stage renal disease providers
 1312 authorized under 42 C.F.R. part 494; providers certified and
 1313 providing only health care services within the scope of services
 1314 authorized under their respective certifications under 42 C.F.R.
 1315 part 485, subpart B, subpart H, or subpart J; providers
 1316 certified and providing only health care services within the
 1317 scope of services authorized under their respective
 1318 certifications under 42 C.F.R. part 486, subpart C; providers
 1319 certified and providing only health care services within the
 1320 scope of services authorized under their respective
 1321 certifications under 42 C.F.R. part 491, subpart A; providers
 1322 certified by the Centers for Medicare and Medicaid Services
 1323 under the federal Clinical Laboratory Improvement Amendments and
 1324 the federal rules adopted thereunder; or any entity that
 1325 provides neonatal or pediatric hospital-based health care

1326 services by licensed practitioners solely within a hospital
1327 licensed under chapter 395.

1328 3.~~(e)~~ Entities that are owned, directly or indirectly, by
1329 an entity licensed or registered by the state pursuant to
1330 chapter 395; entities that are owned, directly or indirectly, by
1331 an entity licensed or registered by the state and providing only
1332 health care services within the scope of services authorized
1333 pursuant to their respective licenses under ss. 383.30-383.332,
1334 chapter 390, chapter 394, chapter 397, this chapter except part
1335 X, chapter 429, chapter 463, chapter 465, chapter 466, chapter
1336 478, chapter 484, or chapter 651; end-stage renal disease
1337 providers authorized under 42 C.F.R. part 494; providers
1338 certified and providing only health care services within the
1339 scope of services authorized under their respective
1340 certifications under 42 C.F.R. part 485, subpart B, subpart H,
1341 or subpart J; providers certified and providing only health care
1342 services within the scope of services authorized under their
1343 respective certifications under 42 C.F.R. part 486, subpart C;
1344 providers certified and providing only health care services
1345 within the scope of services authorized under their respective
1346 certifications under 42 C.F.R. part 491, subpart A; providers
1347 certified by the Centers for Medicare and Medicaid Services
1348 under the federal Clinical Laboratory Improvement Amendments and
1349 the federal rules adopted thereunder; or any entity that
1350 provides neonatal or pediatric hospital-based health care

1351 services by licensed practitioners solely within a hospital
 1352 under chapter 395.

1353 4.~~(d)~~ Entities that are under common ownership, directly
 1354 or indirectly, with an entity licensed or registered by the
 1355 state pursuant to chapter 395; entities that are under common
 1356 ownership, directly or indirectly, with an entity licensed or
 1357 registered by the state and providing only health care services
 1358 within the scope of services authorized pursuant to their
 1359 respective licenses under ss. 383.30-383.332, chapter 390,
 1360 chapter 394, chapter 397, this chapter except part X, chapter
 1361 429, chapter 463, chapter 465, chapter 466, chapter 478, chapter
 1362 484, or chapter 651; end-stage renal disease providers
 1363 authorized under 42 C.F.R. part 494; providers certified and
 1364 providing only health care services within the scope of services
 1365 authorized under their respective certifications under 42 C.F.R.
 1366 part 485, subpart B, subpart H, or subpart J; providers
 1367 certified and providing only health care services within the
 1368 scope of services authorized under their respective
 1369 certifications under 42 C.F.R. part 486, subpart C; providers
 1370 certified and providing only health care services within the
 1371 scope of services authorized under their respective
 1372 certifications under 42 C.F.R. part 491, subpart A; providers
 1373 certified by the Centers for Medicare and Medicaid Services
 1374 under the federal Clinical Laboratory Improvement Amendments and
 1375 the federal rules adopted thereunder; or any entity that

1376 provides neonatal or pediatric hospital-based health care
1377 services by licensed practitioners solely within a hospital
1378 licensed under chapter 395.

1379 5.~~(e)~~ An entity that is exempt from federal taxation under
1380 26 U.S.C. s. 501(c)(3) or (4), an employee stock ownership plan
1381 under 26 U.S.C. s. 409 that has a board of trustees at least
1382 two-thirds of which are Florida-licensed health care
1383 practitioners and provides only physical therapy services under
1384 physician orders, any community college or university clinic,
1385 and any entity owned or operated by the federal or state
1386 government, including agencies, subdivisions, or municipalities
1387 thereof.

1388 6.~~(f)~~ A sole proprietorship, group practice, partnership,
1389 or corporation that provides health care services by physicians
1390 covered by s. 627.419, that is directly supervised by one or
1391 more of such physicians, and that is wholly owned by one or more
1392 of those physicians or by a physician and the spouse, parent,
1393 child, or sibling of that physician.

1394 7.~~(g)~~ A sole proprietorship, group practice, partnership,
1395 or corporation that provides health care services by licensed
1396 health care practitioners under chapter 457, chapter 458,
1397 chapter 459, chapter 460, chapter 461, chapter 462, chapter 463,
1398 chapter 466, chapter 467, chapter 480, chapter 484, chapter 486,
1399 chapter 490, chapter 491, or part I, part III, part X, part
1400 XIII, or part XIV of chapter 468, or s. 464.012, and that is

1401 wholly owned by one or more licensed health care practitioners,
 1402 or the licensed health care practitioners set forth in this
 1403 subparagraph ~~paragraph~~ and the spouse, parent, child, or sibling
 1404 of a licensed health care practitioner if one of the owners who
 1405 is a licensed health care practitioner is supervising the
 1406 business activities and is legally responsible for the entity's
 1407 compliance with all federal and state laws. However, a health
 1408 care practitioner may not supervise services beyond the scope of
 1409 the practitioner's license, except that, for the purposes of
 1410 this part, a clinic owned by a licensee in s. 456.053(3)(b)
 1411 which provides only services authorized pursuant to s.
 1412 456.053(3)(b) may be supervised by a licensee specified in s.
 1413 456.053(3)(b).

1414 8.~~(h)~~ Clinical facilities affiliated with an accredited
 1415 medical school at which training is provided for medical
 1416 students, residents, or fellows.

1417 9.~~(i)~~ Entities that provide only oncology or radiation
 1418 therapy services by physicians licensed under chapter 458 or
 1419 chapter 459 or entities that provide oncology or radiation
 1420 therapy services by physicians licensed under chapter 458 or
 1421 chapter 459 which are owned by a corporation whose shares are
 1422 publicly traded on a recognized stock exchange.

1423 10.~~(j)~~ Clinical facilities affiliated with a college of
 1424 chiropractic accredited by the Council on Chiropractic Education
 1425 at which training is provided for chiropractic students.

1426 11.~~(k)~~ Entities that provide licensed practitioners to
1427 staff emergency departments or to deliver anesthesia services in
1428 facilities licensed under chapter 395 and that derive at least
1429 90 percent of their gross annual revenues from the provision of
1430 such services. Entities claiming an exemption from licensure
1431 under this subparagraph ~~paragraph~~ must provide documentation
1432 demonstrating compliance.

1433 12.~~(l)~~ Orthotic, prosthetic, pediatric cardiology, or
1434 perinatology clinical facilities or anesthesia clinical
1435 facilities that are not otherwise exempt under subparagraph 1.
1436 or subparagraph 11. ~~paragraph (a) or paragraph (k)~~ and that are
1437 a publicly traded corporation or are wholly owned, directly or
1438 indirectly, by a publicly traded corporation. As used in this
1439 subparagraph ~~paragraph~~, a publicly traded corporation is a
1440 corporation that issues securities traded on an exchange
1441 registered with the United States Securities and Exchange
1442 Commission as a national securities exchange.

1443 13.~~(m)~~ Entities that are owned by a corporation that has
1444 \$250 million or more in total annual sales of health care
1445 services provided by licensed health care practitioners where
1446 one or more of the persons responsible for the operations of the
1447 entity is a health care practitioner who is licensed in this
1448 state and who is responsible for supervising the business
1449 activities of the entity and is responsible for the entity's
1450 compliance with state law for purposes of this part.

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1451 14.(n) Entities that employ 50 or more licensed health
1452 care practitioners licensed under chapter 458 or chapter 459
1453 where the billing for medical services is under a single tax
1454 identification number. The application for exemption under this
1455 subsection must include ~~shall contain information that includes:~~
1456 the name, residence, and business address and telephone ~~phone~~
1457 number of the entity that owns the practice; a complete list of
1458 the names and contact information of all the officers and
1459 directors of the corporation; the name, residence address,
1460 business address, and medical license number of each licensed
1461 Florida health care practitioner employed by the entity; the
1462 corporate tax identification number of the entity seeking an
1463 exemption; a listing of health care services to be provided by
1464 the entity at the health care clinics owned or operated by the
1465 entity; and a certified statement prepared by an independent
1466 certified public accountant which states that the entity and the
1467 health care clinics owned or operated by the entity have not
1468 received payment for health care services under medical payments
1469 ~~personal injury protection insurance~~ coverage for the preceding
1470 year. If the agency determines that an entity that ~~which~~ is
1471 exempt under this subsection has received payments for medical
1472 services under medical payments ~~personal injury protection~~
1473 ~~insurance~~ coverage, the agency may deny or revoke the exemption
1474 from licensure under this subsection.

1475 15.(o) Entities that are, directly or indirectly, under

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1476 the common ownership of or that are subject to common control by
1477 a mutual insurance holding company, as defined in s. 628.703,
1478 with an entity issued a certificate of authority under chapter
1479 624 or chapter 641 which has \$1 billion or more in total annual
1480 sales in this state.

1481 16. ~~(p)~~ Entities that are owned by an entity that is a
1482 behavioral health care service provider in at least five other
1483 states; that, together with its affiliates, have \$90 million or
1484 more in total annual revenues associated with the provision of
1485 behavioral health care services; and wherein one or more of the
1486 persons responsible for the operations of the entity is a health
1487 care practitioner who is licensed in this state, who is
1488 responsible for supervising the business activities of the
1489 entity, and who is responsible for the entity's compliance with
1490 state law for purposes of this part.

1491 17. ~~(q)~~ Medicaid providers.

1492 (b) Notwithstanding paragraph (a) ~~this subsection~~, an
1493 entity shall be deemed a clinic and must be licensed under this
1494 part in order to receive medical payments coverage reimbursement
1495 unless the entity is:

1496 1. Wholly owned by a physician licensed under chapter 458
1497 or chapter 459 or by the physician and the spouse, parent,
1498 child, or sibling of the physician;

1499 2. Wholly owned by a dentist licensed under chapter 466 or
1500 by the dentist and the spouse, parent, child, or sibling of the

- 1501 dentist;
- 1502 3. Wholly owned by a chiropractic physician licensed under
- 1503 chapter 460 or by the chiropractic physician and the spouse,
- 1504 parent, child, or sibling of the chiropractic physician;
- 1505 4. A hospital or an ambulatory surgical center licensed
- 1506 under chapter 395;
- 1507 5. An entity that wholly owns or is wholly owned, directly
- 1508 or indirectly, by a hospital or hospitals licensed under chapter
- 1509 395;
- 1510 6. A clinical facility affiliated with an accredited
- 1511 medical school at which training is provided for medical
- 1512 students, residents, or fellows;
- 1513 7. Certified under 42 C.F.R. part 485, subpart H; or
- 1514 8. Owned by a publicly traded corporation, either directly
- 1515 or indirectly through its subsidiaries, which has \$250 million
- 1516 or more in total annual sales of health care services provided
- 1517 by licensed health care practitioners, if one or more of the
- 1518 persons responsible for the operations of the entity are health
- 1519 care practitioners who are licensed in this state and who are
- 1520 responsible for supervising the business activities of the
- 1521 entity and the entity's compliance with state law for purposes
- 1522 of this subsection under the Florida Motor Vehicle No-Fault Law,
- 1523 ss. ~~627.730-627.7405~~, unless exempted under s. ~~627.736(5)(h)~~.

1524 **Section 29. Subsection (5) of section 400.991, Florida**

1525 **Statutes, is amended to read:**

1526 400.991 License requirements; background screenings;
 1527 prohibitions.—

1528 (5) All agency forms for licensure application or
 1529 exemption from licensure under this part must contain the
 1530 following statement:

1531
 1532 INSURANCE FRAUD NOTICE.—A person commits a fraudulent
 1533 insurance act, as defined in s. 626.989, Florida
 1534 Statutes, if the person ~~who~~ knowingly submits a false,
 1535 misleading, or fraudulent application or other
 1536 document when applying for licensure as a health care
 1537 clinic, seeking an exemption from licensure as a
 1538 health care clinic, or demonstrating compliance with
 1539 part X of chapter 400, Florida Statutes, with the
 1540 intent to use the license, exemption from licensure,
 1541 or demonstration of compliance to provide services or
 1542 seek reimbursement under a motor vehicle liability
 1543 insurance policy's medical payments coverage ~~the~~
 1544 ~~Florida Motor Vehicle No-Fault Law, commits a~~
 1545 ~~fraudulent insurance act, as defined in s. 626.989,~~
 1546 ~~Florida Statutes.~~ A person who presents a claim for
 1547 benefits under medical payments coverage ~~personal~~
 1548 ~~injury protection benefits~~ knowing that the payee
 1549 knowingly submitted such health care clinic
 1550 application or document commits insurance fraud, as

1551 defined in s. 817.234, Florida Statutes.

1552 **Section 30. Paragraph (g) of subsection (1) of section**
1553 **400.9935, Florida Statutes, is amended to read:**

1554 400.9935 Clinic responsibilities.—

1555 (1) Each clinic shall appoint a medical director or clinic
1556 director who shall agree in writing to accept legal
1557 responsibility for the following activities on behalf of the
1558 clinic. The medical director or the clinic director shall:

1559 (g) Conduct systematic reviews of clinic billings to
1560 ensure that the billings are not fraudulent or unlawful. Upon
1561 discovery of an unlawful charge, the medical director or clinic
1562 director shall take immediate corrective action. If the clinic
1563 performs only the technical component of magnetic resonance
1564 imaging, static radiographs, computed tomography, or positron
1565 emission tomography, and provides the professional
1566 interpretation of such services, in a fixed facility that is
1567 accredited by a national accrediting organization that is
1568 approved by the Centers for Medicare and Medicaid Services for
1569 magnetic resonance imaging and advanced diagnostic imaging
1570 services and if, in the preceding quarter, the percentage of
1571 scans performed by that clinic which was billed to motor vehicle
1572 all personal injury protection insurance carriers under medical
1573 payments coverage was less than 15 percent, the chief financial
1574 officer of the clinic may, in a written acknowledgment provided
1575 to the agency, assume the responsibility for the conduct of the

1576 systematic reviews of clinic billings to ensure that the
 1577 billings are not fraudulent or unlawful.

1578 **Section 31. Subsection (28) of section 409.901, Florida**
 1579 **Statutes, is amended to read:**

1580 409.901 Definitions; ss. 409.901-409.920.—As used in ss.
 1581 409.901-409.920, except as otherwise specifically provided, the
 1582 term:

1583 (28) "Third-party benefit" means any benefit that is or
 1584 may be available at any time through contract, court award,
 1585 judgment, settlement, agreement, or any arrangement between a
 1586 third party and any person or entity, including, without
 1587 limitation, a Medicaid recipient, a provider, another third
 1588 party, an insurer, or the agency, for any Medicaid-covered
 1589 injury, illness, goods, or services, including costs of medical
 1590 services related thereto, for bodily ~~personal~~ injury or for
 1591 death of the recipient, but specifically excluding ~~policies of~~
 1592 life insurance policies on the recipient, unless available under
 1593 terms of the policy to pay medical expenses before ~~prior to~~
 1594 death. The term includes, without limitation, collateral, as
 1595 defined in this section; health insurance; ~~any benefit under a~~
 1596 health maintenance organization, a preferred provider
 1597 arrangement, a prepaid health clinic, liability insurance,
 1598 uninsured motorist insurance, or medical payments coverage; ~~or~~
 1599 ~~personal injury protection coverage,~~ medical benefits under
 1600 workers' compensation; and any obligation under law or equity

1601 to provide medical support.

1602 **Section 32. Paragraph (f) of subsection (11) of section**
 1603 **409.910, Florida Statutes, is amended to read:**

1604 409.910 Responsibility for payments on behalf of Medicaid-
 1605 eligible persons when other parties are liable.—

1606 (11) The agency may, as a matter of right, in order to
 1607 enforce its rights under this section, institute, intervene in,
 1608 or join any legal or administrative proceeding in its own name
 1609 in one or more of the following capacities: individually, as
 1610 subrogee of the recipient, as assignee of the recipient, or as
 1611 lienholder of the collateral.

1612 (f) Notwithstanding any provision in this section to the
 1613 contrary, in the event of an action in tort against a third
 1614 party in which the recipient or his or her legal representative
 1615 is a party which results in a judgment, award, or settlement
 1616 from a third party, the amount recovered shall be distributed as
 1617 follows:

1618 1. After attorney ~~attorney's~~ fees and taxable costs as
 1619 defined by the Florida Rules of Civil Procedure, one-half of the
 1620 remaining recovery shall be paid to the agency up to the total
 1621 amount of medical assistance provided by Medicaid.

1622 2. The remaining amount of the recovery shall be paid to
 1623 the recipient.

1624 3. For purposes of calculating the agency's recovery of
 1625 medical assistance benefits paid, the fee for services of an

1626 attorney retained by the recipient or his or her legal
 1627 representative shall be calculated at 25 percent of the
 1628 judgment, award, or settlement.

1629 4. Notwithstanding any other provision of this section to
 1630 the contrary, the agency is ~~shall be~~ entitled to all medical
 1631 coverage benefits up to the total amount of medical assistance
 1632 provided by Medicaid. For purposes of this paragraph, the term
 1633 "medical coverage" means any benefits under health insurance, a
 1634 health maintenance organization, a preferred provider
 1635 arrangement, or a prepaid health clinic, and the portion of
 1636 benefits designated for medical payments under ~~coverage for~~
 1637 workers' compensation coverage, motor vehicle insurance
 1638 coverage, personal injury protection, and casualty coverage.

1639 **Section 33. Paragraph (k) of subsection (2) of section**
 1640 **456.057, Florida Statutes, is amended to read:**

1641 456.057 Ownership and control of patient records; report
 1642 or copies of records to be furnished; disclosure of
 1643 information.—

1644 (2) As used in this section, the terms "records owner,"
 1645 "health care practitioner," and "health care practitioner's
 1646 employer" do not include any of the following persons or
 1647 entities; furthermore, the following persons or entities are not
 1648 authorized to acquire or own medical records, but are authorized
 1649 under the confidentiality and disclosure requirements of this
 1650 section to maintain those documents required by the part or

1651 chapter under which they are licensed or regulated:

1652 ~~(k) Persons or entities practicing under s. 627.736(7).~~

1653 **Section 34. Paragraphs (ee) and (ff) of subsection (1) of**
1654 **section 456.072, Florida Statutes, are amended to read:**

1655 456.072 Grounds for discipline; penalties; enforcement.—

1656 (1) The following acts shall constitute grounds for which
1657 the disciplinary actions specified in subsection (2) may be
1658 taken:

1659 (ee) With respect to making a medical payments coverage
1660 ~~personal injury protection~~ claim as ~~required by s. 627.736,~~
1661 intentionally submitting a claim, statement, or bill that has
1662 been upcoded. As used in this paragraph, the term "upcode" means
1663 to submit a billing code that would result in a greater payment
1664 amount than would be paid using a billing code that accurately
1665 describes the services performed. The term does not include an
1666 otherwise lawful bill by a magnetic resonance imaging facility
1667 which globally combines both technical and professional
1668 components, if the amount of the global bill is not more than
1669 the components if billed separately; however, payment of such a
1670 bill constitutes payment in full for all components of such
1671 service "upcoded" as defined in s. 627.732.

1672 (ff) With respect to making a medical payments coverage
1673 ~~personal injury protection~~ claim as ~~required by s. 627.736,~~
1674 intentionally submitting a claim, statement, or bill for payment
1675 of services that were not rendered.

Section 35. Paragraphs (i) and (o) of subsection (1) of section 626.9541, Florida Statutes, are amended to read:

626.9541 Unfair methods of competition and unfair or deceptive acts or practices defined.—

(1) UNFAIR METHODS OF COMPETITION AND UNFAIR OR DECEPTIVE ACTS.—The following are defined as unfair methods of competition and unfair or deceptive acts or practices:

(i) *Unfair claim settlement practices.*—

1. Attempting to settle claims on the basis of an application, when serving as a binder or intended to become a part of the policy, or any other material document which was altered without notice to, or knowledge or consent of, the insured;

2. Making a material misrepresentation ~~made~~ to an insured or any other person having an interest in the proceeds payable under such contract or policy, for the purpose and with the intent of effecting settlement of such claims, loss, or damage under such contract or policy on less favorable terms than those provided in, and contemplated by, such contract or policy;

3. Committing or performing with such frequency as to indicate a general business practice any of the following:

a. Failing to adopt and implement standards for the proper investigation of claims;

b. Misrepresenting pertinent facts or insurance policy provisions relating to coverages at issue;

- 1701 c. Failing to acknowledge and act promptly upon
 1702 communications with respect to claims;
- 1703 d. Denying claims without conducting reasonable
 1704 investigations based upon available information;
- 1705 e. Failing to affirm or deny full or partial coverage of
 1706 claims, and, as to partial coverage, the dollar amount or extent
 1707 of coverage, or failing to provide a written statement that the
 1708 claim is being investigated, upon the written request of the
 1709 insured within 30 days after proof-of-loss statements have been
 1710 completed;
- 1711 f. Failing to promptly provide a reasonable explanation in
 1712 writing to the insured of the basis in the insurance policy, in
 1713 relation to the facts or applicable law, for denial of a claim
 1714 or for the offer of a compromise settlement;
- 1715 g. Failing to promptly notify the insured of any
 1716 additional information necessary for the processing of a claim;
- 1717 h. Failing to clearly explain the nature of the requested
 1718 information and the reasons why such information is necessary;
 1719 or
- 1720 ~~i. Failing to pay personal injury protection insurance~~
 1721 ~~claims within the time periods required by s. 627.736(4)(b). The~~
 1722 ~~office may order the insurer to pay restitution to a~~
 1723 ~~policyholder, medical provider, or other claimant, including~~
 1724 ~~interest at a rate consistent with the amount set forth in s.~~
 1725 ~~55.03(1), for the time period within which an insurer fails to~~

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1726 ~~pay claims as required by law. Restitution is in addition to any~~
1727 ~~other penalties allowed by law, including, but not limited to,~~
1728 ~~the suspension of the insurer's certificate of authority; or~~

1729 j. Altering or amending an insurance adjuster's report
1730 without:

1731 (I) Providing a detailed explanation as to why any change
1732 that has the effect of reducing the estimate of the loss was
1733 made; and

1734 (II) Including on the report or as an addendum to the
1735 report a detailed list of all changes made to the report and the
1736 identity of the person who ordered each change; or

1737 (III) Retaining all versions of the report, and including
1738 within each such version, for each change made within such
1739 version of the report, the identity of each person who made or
1740 ordered such change; or

1741 4. Failing to pay undisputed amounts of partial or full
1742 benefits owed under first-party property insurance policies
1743 within 60 days after an insurer receives notice of a residential
1744 property insurance claim, determines the amounts of partial or
1745 full benefits, and agrees to coverage, unless payment of the
1746 undisputed benefits is prevented by factors beyond the control
1747 of the insurer as defined in s. 627.70131(5).

1748 (o) *Illegal dealings in premiums; excess or reduced*
1749 *charges for insurance.*-

1750 1. Knowingly collecting any sum as a premium or charge for

1751 insurance, which is not then provided, or is not in due course
 1752 to be provided, subject to acceptance of the risk by the
 1753 insurer, by an insurance policy issued by an insurer as
 1754 permitted by this code.

1755 2. Knowingly collecting as a premium or charge for
 1756 insurance any sum in excess of or less than the premium or
 1757 charge applicable to such insurance, in accordance with the
 1758 applicable classifications and rates as filed with and approved
 1759 by the office, and as specified in the policy; or, in cases when
 1760 classifications, premiums, or rates are not required by this
 1761 code to be so filed and approved, premiums and charges collected
 1762 from a Florida resident in excess of or less than those
 1763 specified in the policy and as fixed by the insurer.

1764 Notwithstanding any other provision of law, this provision shall
 1765 not be deemed to prohibit the charging and collection, by
 1766 surplus lines agents licensed under part VIII of this chapter,
 1767 of the amount of applicable state and federal taxes, or fees as
 1768 authorized by s. 626.916(4), in addition to the premium required
 1769 by the insurer or the charging and collection, by licensed
 1770 agents, of the exact amount of any discount or other such fee
 1771 charged by a credit card facility in connection with the use of
 1772 a credit card, as authorized by subparagraph (q)3., in addition
 1773 to the premium required by the insurer. This subparagraph shall
 1774 not be construed to prohibit collection of a premium for a
 1775 universal life or a variable or indeterminate value insurance

1776 policy made in accordance with the terms of the contract.

1777 3.a. Imposing or requesting an additional premium for

1778 bodily injury liability coverage, property damage liability

1779 coverage ~~a policy of motor vehicle liability, personal injury~~

1780 ~~protection,~~ medical payments coverage payment, or collision

1781 coverage in a motor vehicle liability insurance policy insurance

1782 ~~or any combination thereof~~ or refusing to renew the policy

1783 solely because the insured was involved in a motor vehicle

1784 accident unless the insurer's file contains information from

1785 which the insurer in good faith determines that the insured was

1786 substantially at fault in the accident.

1787 b. An insurer which imposes and collects such a surcharge

1788 or which refuses to renew such policy shall, in conjunction with

1789 the notice of premium due or notice of nonrenewal, notify the

1790 named insured that he or she is entitled to reimbursement of

1791 such amount or renewal of the policy under the conditions listed

1792 below and will subsequently reimburse him or her or renew the

1793 policy, if the named insured demonstrates that the operator

1794 involved in the accident was:

1795 (I) Lawfully parked;

1796 (II) Reimbursed by, or on behalf of, a person responsible

1797 for the accident or has a judgment against such person;

1798 (III) Struck in the rear by another vehicle headed in the

1799 same direction and was not convicted of a moving traffic

1800 violation in connection with the accident;

1801 (IV) Hit by a "hit-and-run" driver, if the accident was
 1802 reported to the proper authorities within 24 hours after
 1803 discovering the accident;

1804 (V) Not convicted of a moving traffic violation in
 1805 connection with the accident, but the operator of the other
 1806 automobile involved in such accident was convicted of a moving
 1807 traffic violation;

1808 (VI) Finally adjudicated not to be liable by a court of
 1809 competent jurisdiction;

1810 (VII) In receipt of a traffic citation which was dismissed
 1811 or nolle prossed; or

1812 (VIII) Not at fault as evidenced by a written statement
 1813 from the insured establishing facts demonstrating lack of fault
 1814 which are not rebutted by information in the insurer's file from
 1815 which the insurer in good faith determines that the insured was
 1816 substantially at fault.

1817 c. In addition to the other provisions of this
 1818 subparagraph, an insurer may not fail to renew a policy if the
 1819 insured has had only one accident in which he or she was at
 1820 fault within the current 3-year period. However, an insurer may
 1821 nonrenew a policy for reasons other than accidents in accordance
 1822 with s. 627.728. This subparagraph does not prohibit nonrenewal
 1823 of a policy under which the insured has had three or more
 1824 accidents, regardless of fault, during the most recent 3-year
 1825 period.

1826 4. Imposing or requesting an additional premium for, or
1827 refusing to renew, a policy for motor vehicle insurance solely
1828 because the insured committed a noncriminal traffic infraction
1829 as described in s. 318.14 unless the infraction is:

1830 a. A second infraction committed within an 18-month
1831 period, or a third or subsequent infraction committed within a
1832 36-month period.

1833 b. A violation of s. 316.183, when such violation is a
1834 result of exceeding the lawful speed limit by more than 15 miles
1835 per hour.

1836 5. Upon the request of the insured, the insurer and
1837 licensed agent shall supply to the insured the complete proof of
1838 fault or other criteria which justifies the additional charge or
1839 cancellation.

1840 6. No insurer shall impose or request an additional
1841 premium for motor vehicle insurance, cancel or refuse to issue a
1842 policy, or refuse to renew a policy because the insured or the
1843 applicant is a handicapped or physically disabled person, so
1844 long as such handicap or physical disability does not
1845 substantially impair such person's mechanically assisted driving
1846 ability.

1847 7. No insurer may cancel or otherwise terminate any
1848 insurance contract or coverage, or require execution of a
1849 consent to rate endorsement, during the stated policy term for
1850 the purpose of offering to issue, or issuing, a similar or

1851 identical contract or coverage to the same insured with the same
1852 exposure at a higher premium rate or continuing an existing
1853 contract or coverage with the same exposure at an increased
1854 premium.

1855 8. No insurer may issue a nonrenewal notice on any
1856 insurance contract or coverage, or require execution of a
1857 consent to rate endorsement, for the purpose of offering to
1858 issue, or issuing, a similar or identical contract or coverage
1859 to the same insured at a higher premium rate or continuing an
1860 existing contract or coverage at an increased premium without
1861 meeting any applicable notice requirements.

1862 9. No insurer shall, with respect to premiums charged for
1863 motor vehicle insurance, unfairly discriminate solely on the
1864 basis of age, sex, marital status, or scholastic achievement.

1865 10. Imposing or requesting an additional premium for motor
1866 vehicle comprehensive or uninsured motorist coverage solely
1867 because the insured was involved in a motor vehicle accident or
1868 was convicted of a moving traffic violation.

1869 11. No insurer shall cancel or issue a nonrenewal notice
1870 on any insurance policy or contract without complying with any
1871 applicable cancellation or nonrenewal provision required under
1872 the Florida Insurance Code.

1873 12. No insurer shall impose or request an additional
1874 premium, cancel a policy, or issue a nonrenewal notice on any
1875 insurance policy or contract because of any traffic infraction

1876 when adjudication has been withheld and no points have been
1877 assessed pursuant to s. 318.14(9) and (10). However, this
1878 subparagraph does not apply to traffic infractions involving
1879 accidents in which the insurer has incurred a loss due to the
1880 fault of the insured.

1881 **Section 36. Paragraph (a) of subsection (1) of section**
1882 **626.989, Florida Statutes, is amended to read:**

1883 626.989 Investigation by department or Division of
1884 Investigative and Forensic Services; compliance; immunity;
1885 confidential information; reports to division; division
1886 investigator's power of arrest.-

1887 (1) For the purposes of this section:

1888 (a) A person commits a "fraudulent insurance act" if the
1889 person:

1890 1. Knowingly and with intent to defraud presents, causes
1891 to be presented, or prepares with knowledge or belief that it
1892 will be presented, to or by an insurer, self-insurer, self-
1893 insurance fund, servicing corporation, purported insurer,
1894 broker, or any agent thereof, any written statement as part of,
1895 or in support of, an application for the issuance of, or the
1896 rating of, any insurance policy, or a claim for payment or other
1897 benefit pursuant to any insurance policy, which the person knows
1898 to contain materially false information concerning any fact
1899 material thereto or if the person conceals, for the purpose of
1900 misleading another, information concerning any fact material

1901 thereto.

1902 2. Knowingly submits:

1903 a. A false, misleading, or fraudulent application or other
 1904 document when applying for licensure as a health care clinic,
 1905 seeking an exemption from licensure as a health care clinic, or
 1906 demonstrating compliance with part X of chapter 400 with an
 1907 intent to use the license, exemption from licensure, or
 1908 demonstration of compliance to provide services or seek
 1909 reimbursement under a motor vehicle liability insurance policy's
 1910 medical payments coverage ~~the Florida Motor Vehicle No-Fault~~
 1911 ~~Law.~~

1912 b. A claim for payment or other benefit under a motor
 1913 vehicle liability insurance policy's medical payments coverage,
 1914 ~~pursuant to a personal injury protection insurance policy under~~
 1915 ~~the Florida Motor Vehicle No-Fault Law~~ if the person knows that
 1916 the payee knowingly submitted a false, misleading, or fraudulent
 1917 application or other document when applying for licensure as a
 1918 health care clinic, seeking an exemption from licensure as a
 1919 health care clinic, or demonstrating compliance with part X of
 1920 chapter 400.

1921 **Section 37. Subsection (1) of section 627.06501, Florida**
 1922 **Statutes, is amended to read:**

1923 627.06501 Insurance discounts for certain persons
 1924 completing driver improvement course.-

1925 (1) Any rate, rating schedule, or rating manual for the

1926 liability, medical payments ~~personal injury protection~~, and
 1927 collision coverages of a motor vehicle insurance policy filed
 1928 with the office may provide for an appropriate reduction in
 1929 premium charges as to such coverages if ~~when~~ the principal
 1930 operator on the covered vehicle has successfully completed a
 1931 driver improvement course approved and certified by the
 1932 Department of Highway Safety and Motor Vehicles which is
 1933 effective in reducing crash or violation rates, or both, as
 1934 determined pursuant to s. 318.1451(5). Any discount, not to
 1935 exceed 10 percent, used by an insurer is presumed to be
 1936 appropriate unless credible data demonstrates otherwise.

1937 **Section 38. Subsection (15) is added to section 627.0651,**
 1938 **Florida Statutes, to read:**

1939 627.0651 Making and use of rates for motor vehicle
 1940 insurance.—

1941 (15) Rate filings for motor vehicle liability policies
 1942 that implement the financial responsibility requirements of s.
 1943 324.022 in effect July 1, 2026, except for commercial motor
 1944 vehicle insurance policies exempt under paragraph (14)(a), must
 1945 reflect such financial responsibility requirements and may be
 1946 approved only through the file and use process under paragraph
 1947 (1)(a).

1948 **Section 39. Subsection (1) of section 627.0652, Florida**
 1949 **Statutes, is amended to read:**

1950 627.0652 Insurance discounts for certain persons

1951 completing safety course.—

1952 (1) Any rates, rating schedules, or rating manuals for the
 1953 liability, medical payments ~~personal injury protection~~, and
 1954 collision coverages of a motor vehicle insurance policy filed
 1955 with the office must ~~shall~~ provide for an appropriate reduction
 1956 in premium charges as to such coverages if ~~when~~ the principal
 1957 operator on the covered vehicle is an insured 55 years of age or
 1958 older who has successfully completed a motor vehicle accident
 1959 prevention course approved by the Department of Highway Safety
 1960 and Motor Vehicles. Any discount used by an insurer is presumed
 1961 to be appropriate unless credible data demonstrates otherwise.

1962 **Section 40. Subsections (1), (3), and (6) of section**
 1963 **627.0653, Florida Statutes, are amended to read:**

1964 627.0653 Insurance discounts for specified motor vehicle
 1965 equipment.—

1966 (1) Any rates, rating schedules, or rating manuals for the
 1967 liability, medical payments ~~personal injury protection~~, and
 1968 collision coverages of a motor vehicle insurance policy filed
 1969 with the office must ~~shall~~ provide a premium discount if the
 1970 insured vehicle is equipped with factory-installed, four-wheel
 1971 antilock brakes.

1972 (3) Any rates, rating schedules, or rating manuals for
 1973 ~~personal injury protection coverage and medical payments~~
 1974 ~~coverage, if offered,~~ of a motor vehicle insurance policy filed
 1975 with the office must ~~shall~~ provide a premium discount if the

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1976 insured vehicle is equipped with one or more air bags that ~~which~~
 1977 are factory installed.

1978 (6) The Office of Insurance Regulation may approve a
 1979 premium discount to any rates, rating schedules, or rating
 1980 manuals for the liability, medical payments ~~personal injury~~
 1981 ~~protection~~, and collision coverages of a motor vehicle insurance
 1982 policy filed with the office if the insured vehicle is equipped
 1983 with an automated driving system or electronic vehicle collision
 1984 avoidance technology that is factory installed or a retrofitted
 1985 system and that complies with National Highway Traffic Safety
 1986 Administration standards.

1987 **Section 41. Section 627.4132, Florida Statutes, is amended**
 1988 **to read:**

1989 627.4132 Stacking of coverages prohibited.—If an insured
 1990 or named insured is protected by any type of motor vehicle
 1991 insurance policy providing primary bodily injury and property
 1992 damage ~~for liability, personal injury protection, or other~~
 1993 coverage, the policy must ~~shall~~ provide that the insured or
 1994 named insured is protected only to the extent of the coverage
 1995 she or he has on the vehicle involved in the accident. However,
 1996 if none of the insured's or named insured's vehicles are ~~is~~
 1997 involved in the accident, coverage is available only to the
 1998 extent of coverage on any one of the vehicles with applicable
 1999 coverage. Coverage on any other vehicles may ~~shall~~ not be added
 2000 to or stacked upon that coverage. This section does not ~~apply~~:

2001 (1) Apply to uninsured motorist coverage that ~~which~~ is
 2002 separately governed by s. 627.727.

2003 (2) ~~To~~ Reduce the coverage available by reason of
 2004 insurance policies insuring different named insureds.

2005 **Section 42. Subsection (1) of section 627.4137, Florida**
 2006 **Statutes, is amended to read:**

2007 627.4137 Disclosure of certain information required.—

2008 (1) Each insurer which does or may provide liability
 2009 insurance coverage to pay all or a portion of any claim which
 2010 might be made shall provide, within 30 days after ~~of~~ the written
 2011 request of the claimant or the claimant's attorney, a statement,
 2012 under oath, of a corporate officer or the insurer's claims
 2013 manager or superintendent setting forth the following
 2014 information with regard to each known policy of insurance,
 2015 including excess or umbrella insurance:

2016 (a) The name of the insurer.

2017 (b) The name of each insured.

2018 (c) The limits of the liability coverage.

2019 (d) A statement of any policy or coverage defense which
 2020 such insurer reasonably believes is available to such insurer at
 2021 the time of filing such statement.

2022 (e) A copy of the policy.

2023
 2024 In addition, the insured, or her or his insurance agent, upon
 2025 written request of the claimant or the claimant's attorney,

2026 shall disclose the name and coverage of each known insurer to
 2027 the claimant and shall forward such request for information as
 2028 required by this subsection to all affected insurers. The
 2029 insurer shall then supply the information required in this
 2030 subsection to the claimant within 30 days after ~~of~~ receipt of
 2031 such request. If an insurer fails to timely comply with this
 2032 section, the claimant may file an action in a court of competent
 2033 jurisdiction to enforce this section. If the court determines
 2034 that the insurer violated this section, the claimant is entitled
 2035 to an award of reasonable attorney fees and costs to be paid by
 2036 the insurer.

2037 **Section 43. Section 627.7263, Florida Statutes, is amended**
 2038 **to read:**

2039 627.7263 Rental and leasing driver's insurance to be
 2040 primary; exception.—

2041 (1) The valid and collectible liability insurance ~~or~~
 2042 ~~personal injury protection insurance providing coverage for the~~
 2043 lessor of a motor vehicle for rent or lease is primary unless
 2044 otherwise stated in at least 10-point type on the face of the
 2045 rental or lease agreement. Such insurance is primary for the
 2046 limits of liability ~~and personal injury protection~~ coverage as
 2047 required under s. 324.021(7) ~~by ss. 324.021(7) and 627.736.~~

2048 (2) If the lessee's coverage is to be primary, the rental
 2049 or lease agreement must contain the following language, in at
 2050 least 10-point type:

2051
 2052 "The valid and collectible liability insurance ~~and~~
 2053 ~~personal injury protection insurance~~ of an any
 2054 authorized rental or leasing driver are ~~is~~ primary for
 2055 the limits of liability ~~and personal injury protection~~
 2056 coverage required under s. 324.021(7) ~~by ss.~~
 2057 ~~324.021(7) and 627.736~~, Florida Statutes."
 2058 **Section 44. Subsections (1) and (7) of section 627.727,**
 2059 **Florida Statutes, are amended to read:**
 2060 627.727 Motor vehicle insurance; uninsured and
 2061 underinsured vehicle coverage; insolvent insurer protection.—
 2062 (1) A ~~No~~ motor vehicle liability insurance policy that
 2063 ~~which~~ provides bodily injury liability coverage may not ~~shall~~ be
 2064 delivered or issued for delivery in this state with respect to
 2065 any specifically insured or identified motor vehicle registered
 2066 or principally garaged in this state unless uninsured motor
 2067 vehicle coverage is provided therein or supplemental thereto for
 2068 the protection of persons insured thereunder who are legally
 2069 entitled to recover damages from owners or operators of
 2070 uninsured motor vehicles because of bodily injury, sickness, or
 2071 disease, including death, resulting therefrom. However, the
 2072 coverage required under this section is not applicable if ~~when~~,
 2073 or to the extent that, an insured named in the policy makes a
 2074 written rejection of the coverage on behalf of all insureds
 2075 under the policy. If ~~When~~ a motor vehicle is leased for ~~a period~~

2076 ~~of~~ 1 year or longer and the lessor of such vehicle, by the terms
 2077 of the lease contract, provides liability coverage on the leased
 2078 vehicle, the lessee of such vehicle has ~~shall have~~ the sole
 2079 privilege to reject uninsured motorist coverage or to select
 2080 lower limits than the bodily injury liability limits, regardless
 2081 of whether the lessor is qualified as a self-insurer pursuant to
 2082 s. 324.171. Unless an insured, or a lessee having the privilege
 2083 of rejecting uninsured motorist coverage, requests such coverage
 2084 or requests higher uninsured motorist limits in writing, the
 2085 coverage or such higher uninsured motorist limits need not be
 2086 provided in or supplemental to any other policy that ~~which~~
 2087 renews, extends, changes, supersedes, or replaces an existing
 2088 policy with the same bodily injury liability limits when an
 2089 insured or lessee had rejected the coverage. When an insured or
 2090 lessee has initially selected limits of uninsured motorist
 2091 coverage lower than her or his bodily injury liability limits,
 2092 higher limits of uninsured motorist coverage need not be
 2093 provided in or supplemental to any other policy that ~~which~~
 2094 renews, extends, changes, supersedes, or replaces an existing
 2095 policy with the same bodily injury liability limits unless an
 2096 insured requests higher uninsured motorist coverage in writing.
 2097 The rejection or selection of lower limits must ~~shall~~ be made on
 2098 a form approved by the office. The form must ~~shall~~ fully advise
 2099 the applicant of the nature of the coverage and must ~~shall~~ state
 2100 that the coverage is equal to bodily injury liability limits

2101 unless lower limits are requested or the coverage is rejected.
 2102 The heading of the form must ~~shall~~ be in 12-point bold type and
 2103 must ~~shall~~ state: "You are electing not to purchase certain
 2104 valuable coverage that ~~which~~ protects you and your family or you
 2105 are purchasing uninsured motorist limits less than your bodily
 2106 injury liability limits when you sign this form. Please read
 2107 carefully." If this form is signed by a named insured, it will
 2108 be conclusively presumed that there was an informed, knowing
 2109 rejection of coverage or election of lower limits on behalf of
 2110 all insureds. The insurer shall notify the named insured at
 2111 least annually of her or his options as to the coverage required
 2112 by this section. Such notice must ~~shall~~ be part of, and attached
 2113 to, the notice of premium, must ~~shall~~ provide for a means to
 2114 allow the insured to request such coverage, and must ~~shall~~ be
 2115 given in a manner approved by the office. Receipt of this notice
 2116 does not constitute an affirmative waiver of the insured's right
 2117 to uninsured motorist coverage if ~~where~~ the insured has not
 2118 signed a selection or rejection form. The coverage described
 2119 under this section must ~~shall~~ be over and above, but may ~~shall~~
 2120 not duplicate, the benefits available to an insured under any
 2121 workers' compensation law, ~~personal injury protection benefits,~~
 2122 disability benefits law, or similar law; under any automobile
 2123 medical payments ~~expense~~ coverage; under any motor vehicle
 2124 liability insurance coverage; or from the owner or operator of
 2125 the uninsured motor vehicle or any other person or organization

2126 jointly or severally liable together with such owner or operator
 2127 for the accident,~~7~~ and such coverage must ~~shall~~ cover the
 2128 difference, if any, between the sum of such benefits and the
 2129 damages sustained, up to the maximum amount of such coverage
 2130 provided under this section. The amount of coverage available
 2131 under this section may ~~shall~~ not be reduced by a setoff against
 2132 any coverage, including liability insurance. Such coverage does
 2133 ~~shall~~ not inure directly or indirectly to the benefit of any
 2134 workers' compensation or disability benefits carrier or any
 2135 person or organization qualifying as a self-insurer under any
 2136 workers' compensation or disability benefits law or similar law.

2137 (7) The legal liability of an uninsured motorist coverage
 2138 insurer includes ~~does not include~~ damages in tort for pain,
 2139 suffering, disability, physical impairment, disfigurement,
 2140 mental anguish, and inconvenience, and the loss of capacity for
 2141 the enjoyment of life experienced in the past and to be
 2142 experienced in the future ~~unless the injury or disease is~~
 2143 ~~described in one or more of paragraphs (a)-(d) of s. 627.737(2).~~

2144 **Section 45. Section 627.7275, Florida Statutes, is amended**
 2145 **to read:**

2146 627.7275 Required coverages in motor vehicle insurance
 2147 policies; availability to certain applicants liability.-

2148 (1) A motor vehicle insurance policy ~~providing personal~~
 2149 ~~injury protection as set forth in s. 627.736~~ may not be
 2150 delivered or issued for delivery in this state for a with

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2151 ~~respect to any~~ specifically insured or identified motor vehicle
2152 registered or principally garaged in this state must provide
2153 bodily injury liability coverage and ~~unless the policy also~~
2154 ~~provides coverage for~~ property damage liability coverage as
2155 required under ss. 324.022 and 324.151 ~~by s. 324.022.~~

2156 (2) (a) Insurers writing motor vehicle insurance in this
2157 state shall make available, subject to the insurers' usual
2158 underwriting restrictions:

2159 1. Coverage under policies as described in subsection (1)
2160 to an applicant for private passenger motor vehicle insurance
2161 coverage who is seeking the coverage in order to reinstate the
2162 applicant's driving privileges in this state if the driving
2163 privileges were revoked or suspended pursuant to s. 316.646 or
2164 s. 324.0221 due to the failure of the applicant to maintain
2165 required security.

2166 2. Coverage under policies as described in subsection (1),
2167 which includes bodily injury ~~also provides~~ liability coverage
2168 and property damage liability coverage ~~for bodily injury, death,~~
2169 ~~and property damage arising out of the ownership, maintenance,~~
2170 ~~or use of the motor vehicle~~ in an amount not less than the
2171 minimum limits required under ~~described in~~ s. 324.021(7) or s.
2172 324.023 and which conforms to the requirements of s. 324.151, to
2173 an applicant for private passenger motor vehicle insurance
2174 coverage who is seeking the coverage in order to reinstate the
2175 applicant's driving privileges in this state after such

2176 | privileges were revoked or suspended under s. 316.193 or s.
 2177 | 322.26(2) for driving under the influence.

2178 | (b) The policies described in paragraph (a) must ~~shall~~ be
 2179 | issued for at least 6 months. After the insurer has issued the
 2180 | policy, the insurer shall notify the Department of Highway
 2181 | Safety and Motor Vehicles that the policy is in full force and
 2182 | effect. Once the provisions of the policy become effective, the
 2183 | bodily injury liability and property damage liability coverages
 2184 | ~~for bodily injury, property damage, and personal injury~~
 2185 | ~~protection~~ may not be reduced below the minimum limits required
 2186 | under s. 324.021 or s. 324.023 during the policy period.

2187 | (c) This subsection controls to the extent of any conflict
 2188 | with any other section.

2189 | (d) An insurer issuing a policy subject to this section
 2190 | may cancel the policy if, during the policy term, the named
 2191 | insured, or any other operator who resides in the same household
 2192 | or customarily operates an automobile insured under the policy,
 2193 | has his or her driver license suspended or revoked.

2194 | (e) This subsection does not require an insurer to offer a
 2195 | policy of insurance to an applicant if such offer would be
 2196 | inconsistent with the insurer's underwriting guidelines and
 2197 | procedures.

2198 | **Section 46. Effective upon this act becoming a law,**
 2199 | **section 627.7278, Florida Statutes, is created to read:**

2200 | 627.7278 Applicability and construction; notice to

2201 policyholders.—

2202 (1) As used in this section, the term "minimum security
2203 requirements" means security that enables a person to respond in
2204 damages for liability on account of crashes arising out of the
2205 ownership, maintenance, or use of a motor vehicle, in the
2206 amounts required by s. 324.022.

2207 (2) Effective July 1, 2026:

2208 (a) Motor vehicle insurance policies issued or renewed on
2209 or after July 1, 2026, may not include personal injury
2210 protection.

2211 (b) All persons subject to s. 324.022, s. 324.032, s.
2212 627.7415, or s. 627.742 must maintain at least minimum security
2213 requirements.

2214 (c) An existing motor vehicle insurance policy issued
2215 before July 1, 2026, which provides personal injury protection
2216 and property damage liability coverage that meets the
2217 requirements of s. 324.022 on June 30, 2026, but that does not
2218 meet minimum security requirements on or after July 1, 2026, is
2219 deemed to meet minimum security requirements until such policy
2220 is renewed, nonrenewed, or canceled on or after July 1, 2026.
2221 Sections 400.9905, 400.991, 456.057, 456.072, 626.9541(1)(i),
2222 627.7263, 627.727, 627.730-627.7405, 627.748, and 817.234,
2223 Florida Statutes 2024, remain in full force and effect for motor
2224 vehicle accidents covered under a policy issued under the
2225 Florida Motor Vehicle No-Fault Law before July 1, 2026, until

2226 the policy is renewed, nonrenewed, or canceled on or after July
2227 1, 2026.

2228 (3) An insurer shall allow each insured who has a new or
2229 renewal policy providing personal injury protection which
2230 becomes effective before July 1, 2026, and whose policy does not
2231 meet minimum security requirements on or after July 1, 2026, to
2232 change coverages so as to eliminate personal injury protection.
2233 Any reduction in the premium must be refunded by the insurer.
2234 The insurer may not impose on the insured an additional fee or
2235 charge that applies solely to a change in coverage; however, the
2236 insurer may charge an additional required premium that is
2237 actuarially indicated.

2238 (4) By April 1, 2026, each motor vehicle insurer shall
2239 provide notice of this section to each motor vehicle
2240 policyholder who is subject to this section. The notice is
2241 subject to approval by the office and must clearly inform the
2242 policyholder that:

2243 (a) The Florida Motor Vehicle No-Fault Law is repealed
2244 effective July 1, 2026, and that on or after that date, the
2245 insured is no longer required to maintain personal injury
2246 protection insurance coverage, that personal injury protection
2247 coverage is no longer available for purchase in this state, and
2248 that new or renewal policies issued on or after that date will
2249 not contain that coverage.

2250 (b) Effective July 1, 2026, a person subject to the

2251 financial responsibility requirements of s. 324.022 must
2252 maintain minimum security requirements that enable the person to
2253 respond to damages for liability on account of accidents arising
2254 out of the use of a motor vehicle in the following amounts:

2255 1. Twenty-five thousand dollars for bodily injury to, or
2256 the death of, one person in any one crash and, subject to such
2257 limits for one person, in the amount of \$50,000 for bodily
2258 injury to, or the death of, two or more persons in any one
2259 crash; and

2260 2. Ten thousand dollars for damage to, or destruction of,
2261 the property of others in any one crash.

2262 (c) Bodily injury liability coverage protects the insured,
2263 up to the coverage limits, against loss if the insured is
2264 legally responsible for the death of or bodily injury to others
2265 in a motor vehicle crash.

2266 (d) The policyholder may obtain uninsured and underinsured
2267 motorist coverage that provides benefits, up to the limits of
2268 such coverage, to a policyholder or other insured entitled to
2269 recover damages for bodily injury, sickness, disease, or death
2270 resulting from a motor vehicle crash involving an uninsured or
2271 underinsured owner or operator of a motor vehicle.

2272 (e) If the policyholder's new or renewal motor vehicle
2273 insurance policy is effective before July 1, 2026, and contains
2274 personal injury protection and property damage liability
2275 coverage as required by state law before July 1, 2026, but does

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2276 not meet minimum security requirements on or after July 1, 2026,
2277 the policy is deemed to meet minimum security requirements until
2278 it is renewed, nonrenewed, or canceled on or after July 1, 2026.

2279 (f) A policyholder whose new or renewal policy becomes
2280 effective before July 1, 2026, but does not meet minimum
2281 security requirements on or after July 1, 2026, may change
2282 coverages under the policy so as to eliminate personal injury
2283 protection and to obtain coverage providing minimum security
2284 requirements, including bodily injury liability coverage, which
2285 are effective on or after July 1, 2026.

2286 (g) If the policyholder has any questions, he or she
2287 should contact the person named at the telephone number provided
2288 in the notice.

2289 **Section 47. Paragraph (a) of subsection (1) of section**
2290 **627.728, Florida Statutes, is amended to read:**

2291 627.728 Cancellations; nonrenewals.—

2292 (1) As used in this section, the term:

2293 (a) "Policy" means the bodily injury and property damage
2294 liability, ~~personal injury protection~~, medical payments,
2295 comprehensive, collision, and uninsured motorist coverage
2296 portions of a policy of motor vehicle insurance delivered or
2297 issued for delivery in this state:

2298 1. Insuring a natural person as named insured or one or
2299 more related individuals who are residents ~~resident~~ of the same
2300 household; and

2301 2. Insuring only a motor vehicle of the private passenger
 2302 type or station wagon type which is not used as a public or
 2303 livery conveyance for passengers or rented to others; or
 2304 insuring any other four-wheel motor vehicle having a load
 2305 capacity of 1,500 pounds or less which is not used in the
 2306 occupation, profession, or business of the insured other than
 2307 farming; other than any policy issued under an automobile
 2308 insurance assigned risk plan or covering garage, automobile
 2309 sales agency, repair shop, service station, or public parking
 2310 place operation hazards.

2311
 2312 The term "policy" does not include a binder as defined in s.
 2313 627.420 unless the duration of the binder period exceeds 60
 2314 days.

2315 **Section 48. Subsection (1), paragraph (a) of subsection**
 2316 **(5), and subsections (6) and (7) of section 627.7295, Florida**
 2317 **Statutes, are amended to read:**

2318 627.7295 Motor vehicle insurance contracts.—

2319 (1) As used in this section, the term:

2320 (a) "Policy" means a motor vehicle insurance policy that
 2321 provides bodily injury liability ~~personal injury protection~~
 2322 coverage and, ~~property damage liability coverage, or both.~~

2323 (b) "Binder" means a binder that provides motor vehicle
 2324 bodily injury liability coverage ~~personal injury protection~~ and
 2325 property damage liability coverage.

2326 (5) (a) A licensed general lines agent may charge a per-
 2327 policy fee of up to ~~not to exceed~~ \$10 to cover the
 2328 administrative costs of the agent associated with selling the
 2329 motor vehicle insurance policy if the policy provides ~~covers~~
 2330 only bodily injury liability coverage ~~personal injury protection~~
 2331 ~~coverage as provided by s. 627.736~~ and property damage liability
 2332 coverage under ~~as provided by~~ s. 627.7275 and if no other
 2333 insurance is sold or issued in conjunction with or collateral to
 2334 the policy. The fee is not ~~considered~~ part of the premium.

2335 (6) If a motor vehicle owner's driver license, license
 2336 plate, and registration have previously been suspended pursuant
 2337 to s. 316.646 ~~or s. 627.733~~, an insurer may cancel a new policy
 2338 only as provided in s. 627.7275.

2339 (7) A policy of private passenger motor vehicle insurance
 2340 or a binder for such a policy may be initially issued in this
 2341 state only if, before the effective date of such binder or
 2342 policy, the insurer or agent has collected from the insured an
 2343 amount equal to at least 1 month's premium. An insurer, agent,
 2344 or premium finance company may not, directly or indirectly, take
 2345 any action will result ~~resulting~~ in the insured paying ~~having~~
 2346 ~~paid~~ from the insured's own funds an amount less than the 1
 2347 month's premium required by this subsection. This subsection
 2348 applies regardless of ~~without regard to~~ whether the premium is
 2349 financed by a premium finance company or is paid pursuant to a
 2350 periodic payment plan of an insurer or an insurance agent.

2351 (a) This subsection does not apply:

2352 1. If an insured or member of the insured's family is

2353 renewing or replacing a policy or a binder for such policy

2354 written by the same insurer or a member of the same insurer

2355 group. ~~This subsection does not apply~~

2356 2. To an insurer that issues private passenger motor

2357 vehicle coverage primarily to active duty or former military

2358 personnel or their dependents. ~~This subsection does not apply~~

2359 3. If all policy payments are paid pursuant to a payroll

2360 deduction plan, an automatic electronic funds transfer payment

2361 plan from the policyholder, or a recurring credit card or debit

2362 card agreement with the insurer.

2363 (b) This subsection and subsection (4) do not apply if:

2364 1. All policy payments to an insurer are paid pursuant to

2365 an automatic electronic funds transfer payment plan from an

2366 agent, a managing general agent, or a premium finance company

2367 and if the policy includes, at a minimum, bodily injury

2368 liability coverage and ~~personal injury protection pursuant to~~

2369 ~~ss. 627.730-627.7405; motor vehicle property damage liability~~

2370 coverage under ~~pursuant to s. 627.7275; or~~ and ~~bodily injury~~

2371 ~~liability in at least the amount of \$10,000 because of bodily~~

2372 ~~injury to, or death of, one person in any one accident and in~~

2373 ~~the amount of \$20,000 because of bodily injury to, or death of,~~

2374 ~~two or more persons in any one accident. This subsection and~~

2375 ~~subsection (4) do not apply if~~

2376 2. An insured has had a policy in effect for at least 6
 2377 months, the insured's agent is terminated by the insurer that
 2378 issued the policy, and the insured obtains coverage on the
 2379 policy's renewal date with a new company through the terminated
 2380 agent.

2381 **Section 49. Section 627.7415, Florida Statutes, is amended**
 2382 **to read:**

2383 627.7415 Commercial motor vehicles; additional liability
 2384 insurance coverage.—Beginning July 1, 2026, commercial motor
 2385 vehicles, as defined in s. 207.002 or s. 320.01, operated upon
 2386 the roads and highways of this state must ~~shall~~ be insured with
 2387 the following minimum levels of combined bodily liability
 2388 insurance and property damage liability insurance in addition to
 2389 any other insurance requirements:

2390 (1) Sixty ~~Fifty~~ thousand dollars per occurrence for a
 2391 commercial motor vehicle with a gross vehicle weight of 26,000
 2392 pounds or more, but less than 35,000 pounds.

2393 (2) One hundred twenty thousand dollars per occurrence for
 2394 a commercial motor vehicle with a gross vehicle weight of 35,000
 2395 pounds or more, but less than 44,000 pounds.

2396 (3) Three hundred thousand dollars per occurrence for a
 2397 commercial motor vehicle with a gross vehicle weight of 44,000
 2398 pounds or more.

2399 (4) All commercial motor vehicles subject to regulations
 2400 of the United States Department of Transportation, 49 C.F.R.

2401 part 387, subparts A and B, and as may be hereinafter amended,
 2402 shall be insured in an amount equivalent to the minimum levels
 2403 of financial responsibility as set forth in such regulations.

2404
 2405 A violation of this section is a noncriminal traffic infraction,
 2406 punishable as a nonmoving violation as provided in chapter 318.

2407 **Section 50. Subsections (1) and (3) of section 627.747,**
 2408 **Florida Statutes, are amended to read:**

2409 627.747 Named driver exclusion.—

2410 (1) A private passenger motor vehicle policy may exclude
 2411 the following coverages for all claims or suits resulting from
 2412 the operation of a motor vehicle by an identified individual who
 2413 is not a named insured, provided the identified individual is
 2414 named on the declarations page or by endorsement and the named
 2415 insured consents in writing to such exclusion:

2416 (a) ~~Notwithstanding the Florida Motor Vehicle No-Fault~~
 2417 ~~Law, the personal injury protection coverage specifically~~
 2418 ~~applicable to the identified individual's injuries, lost wages,~~
 2419 ~~and death benefits.~~

2420 ~~(b)~~ Property damage liability coverage.

2421 (b) ~~(e)~~ Bodily injury liability coverage, ~~if required by~~
 2422 ~~law and purchased by the named insured.~~

2423 (c) ~~(d)~~ Uninsured motorist coverage for any damages
 2424 sustained by the identified excluded individual, if the named
 2425 insured has purchased such coverage.

2426 (d)~~(e)~~ Any coverage the named insured is not required by
 2427 law to purchase.

2428 (3) A driver excluded pursuant to this section must~~+~~
 2429 ~~(a)~~ establish, maintain, and show proof of financial
 2430 ability to respond for damages arising out of the ownership,
 2431 maintenance, or use of a motor vehicle as required by chapter
 2432 324; ~~and~~

2433 ~~(b) Maintain security as required by s. 627.733.~~

2434 **Section 51. Paragraphs (b), (c), and (g) of subsection**
 2435 **(7), paragraphs (a) and (b) of subsection (8), and paragraph (b)**
 2436 **of subsection (16) of section 627.748, Florida Statutes, are**
 2437 **amended to read:**

2438 627.748 Transportation network companies.—

2439 (7) TRANSPORTATION NETWORK COMPANY AND TNC DRIVER
 2440 INSURANCE REQUIREMENTS.—

2441 (b) The following automobile insurance requirements apply
 2442 while a participating TNC driver is logged on to the digital
 2443 network but is not engaged in a prearranged ride:

2444 1. Automobile insurance that provides:

2445 a. A primary automobile liability coverage of at least
 2446 \$50,000 for death and bodily injury per person, \$100,000 for
 2447 death and bodily injury per incident, and \$25,000 for property
 2448 damage; and

2449 b. ~~Personal injury protection benefits that meet the~~
 2450 ~~minimum coverage amounts required under ss. 627.730–627.7405;~~

2451 ~~and~~

2452 ~~e.~~ Uninsured and underinsured vehicle coverage as required

2453 by s. 627.727.

2454 2. The coverage requirements of this paragraph may be

2455 satisfied by any of the following:

2456 a. Automobile insurance maintained by the TNC driver or

2457 the TNC vehicle owner;

2458 b. Automobile insurance maintained by the TNC; or

2459 c. A combination of sub-subparagraphs a. and b.

2460 (c) The following automobile insurance requirements apply

2461 while a TNC driver is engaged in a prearranged ride:

2462 1. Automobile insurance that provides:

2463 a. A primary automobile liability coverage of at least \$1

2464 million for death, bodily injury, and property damage; and

2465 b. ~~Personal injury protection benefits that meet the~~

2466 ~~minimum coverage amounts required of a limousine under ss.~~

2467 ~~627.730-627.7405; and~~

2468 ~~e.~~ Uninsured and underinsured vehicle coverage as required

2469 by s. 627.727.

2470 2. The coverage requirements of this paragraph may be

2471 satisfied by any of the following:

2472 a. Automobile insurance maintained by the TNC driver or

2473 the TNC vehicle owner;

2474 b. Automobile insurance maintained by the TNC; or

2475 c. A combination of sub-subparagraphs a. and b.

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2476 (g) Insurance satisfying the requirements under this
2477 subsection is deemed to satisfy the financial responsibility
2478 requirement for a motor vehicle under chapter 324 ~~and the~~
2479 ~~security required under s. 627.733~~ for any period when the TNC
2480 driver is logged onto the digital network or engaged in a
2481 prearranged ride.

2482 (8) TRANSPORTATION NETWORK COMPANY AND INSURER;
2483 DISCLOSURE; EXCLUSIONS.—

2484 (a) Before a TNC driver is allowed to accept a request for
2485 a prearranged ride on the digital network, the TNC must disclose
2486 in writing to the TNC driver:

2487 1. The insurance coverage, including the types of coverage
2488 and the limits for each coverage, which the TNC provides while
2489 the TNC driver uses a TNC vehicle in connection with the TNC's
2490 digital network.

2491 2. That the TNC driver's own automobile insurance policy
2492 might not provide any coverage while the TNC driver is logged on
2493 to the digital network or is engaged in a prearranged ride,
2494 depending on the terms of the TNC driver's own automobile
2495 insurance policy.

2496 3. That the provision of rides for compensation which are
2497 not prearranged rides subjects the driver to the coverage
2498 requirements imposed under s. 324.032(1) and (2) and that
2499 failure to meet such coverage requirements subjects the TNC
2500 driver to penalties provided in s. 324.221, up to and including

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2501 a misdemeanor of the second degree.

2502 (b)1. An insurer that provides an automobile liability
2503 insurance policy under this part may exclude any and all
2504 coverage afforded under the policy issued to an owner or
2505 operator of a TNC vehicle while driving that vehicle for any
2506 loss or injury that occurs while a TNC driver is logged on to a
2507 digital network or while a TNC driver provides a prearranged
2508 ride. Exclusions imposed under this subsection are limited to
2509 coverage while a TNC driver is logged on to a digital network or
2510 while a TNC driver provides a prearranged ride. This right to
2511 exclude all coverage may apply to any coverage included in an
2512 automobile insurance policy, including, but not limited to:

- 2513 a. Liability coverage for bodily injury and property
2514 damage;
- 2515 b. Uninsured and underinsured motorist coverage;
- 2516 c. Medical payments coverage;
- 2517 d. Comprehensive physical damage coverage; and
- 2518 e. Collision physical damage coverage; ~~and~~
- 2519 ~~f. Personal injury protection.~~

2520 2. The exclusions described in subparagraph 1. apply
2521 notwithstanding any requirement under chapter 324. These
2522 exclusions do not affect or diminish coverage otherwise
2523 available for permissive drivers or resident relatives under the
2524 personal automobile insurance policy of the TNC driver or owner
2525 of the TNC vehicle who are not occupying the TNC vehicle at the

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2526 time of loss. This section does not require that a personal
2527 automobile insurance policy provide coverage while the TNC
2528 driver is logged on to a digital network, while the TNC driver
2529 is engaged in a prearranged ride, or while the TNC driver
2530 otherwise uses a vehicle to transport riders for compensation.

2531 3. This section must not be construed to require an
2532 insurer to use any particular policy language or reference to
2533 this section in order to exclude any ~~and all~~ coverage for any
2534 loss or injury that occurs while a TNC driver is logged on to a
2535 digital network or while a TNC driver provides a prearranged
2536 ride.

2537 4. This section does not preclude an insurer from
2538 providing primary or excess coverage for the TNC driver's
2539 vehicle by contract or endorsement.

2540 (16) LUXURY GROUND TRANSPORTATION NETWORK COMPANIES.—

2541 (b) An entity may elect, upon written notification to the
2542 department, to be regulated as a luxury ground TNC. A luxury
2543 ground TNC must:

2544 1. Comply with all of the requirements of this section
2545 applicable to a TNC, including subsection (17), which do not
2546 conflict with subparagraph 2. or which do not prohibit the
2547 company from connecting riders to drivers who operate for-hire
2548 vehicles as defined in s. 320.01(15), including limousines and
2549 luxury sedans and excluding taxicabs.

2550 2. Maintain insurance coverage as required by subsection

2551 (7). However, if a prospective luxury ground TNC satisfies
 2552 minimum financial responsibility through compliance with s.
 2553 324.032(3) ~~s. 324.032(2)~~ by using self-insurance when it gives
 2554 the department written notification of its election to be
 2555 regulated as a luxury ground TNC, the luxury ground TNC may use
 2556 self-insurance to meet the insurance requirements of subsection
 2557 (7), so long as such self-insurance complies with s. 324.032(3)
 2558 ~~s. 324.032(2)~~ and provides the limits of liability required by
 2559 subsection (7).

2560 **Section 52. Subsection (2) and paragraphs (a) and (c) of**
 2561 **subsection (3) of section 627.7483, Florida Statutes, are**
 2562 **amended to read:**

2563 627.7483 Peer-to-peer car sharing; insurance
 2564 requirements.—

2565 (2) INSURANCE COVERAGE REQUIREMENTS.—

2566 (a)1. A peer-to-peer car-sharing program shall ensure
 2567 that, during each car-sharing period, the shared vehicle owner
 2568 and the shared vehicle driver are insured under a motor vehicle
 2569 insurance policy that provides all of the following:

2570 a. Property damage liability coverage and bodily injury
 2571 liability coverage that meet or exceed ~~meets~~ the minimum
 2572 coverage amounts required under s. 324.022.

2573 b. ~~Bodily injury liability coverage limits as described in~~
 2574 ~~s. 324.021(7)(a) and (b).~~

2575 c. ~~Personal injury protection benefits that meet the~~

2576 ~~minimum coverage amounts required under s. 627.736.~~
 2577 ~~d.~~ Uninsured and underinsured vehicle coverage as required
 2578 under s. 627.727.
 2579 2. The peer-to-peer car-sharing program shall also ensure
 2580 that the motor vehicle insurance policy under subparagraph 1.:
 2581 a. Recognizes that the shared vehicle insured under the
 2582 policy is made available and used through a peer-to-peer car-
 2583 sharing program; or
 2584 b. Does not exclude the use of a shared vehicle by a
 2585 shared vehicle driver.
 2586 (b)1. The insurance described under paragraph (a) may be
 2587 satisfied by a motor vehicle insurance policy maintained by:
 2588 a. A shared vehicle owner;
 2589 b. A shared vehicle driver;
 2590 c. A peer-to-peer car-sharing program; or
 2591 d. A combination of a shared vehicle owner, a shared
 2592 vehicle driver, and a peer-to-peer car-sharing program.
 2593 2. The insurance policy maintained in subparagraph 1.
 2594 which satisfies the insurance requirements under paragraph (a)
 2595 is primary during each car-sharing period. If a claim occurs
 2596 during the car-sharing period in another state with minimum
 2597 financial responsibility limits higher than those limits
 2598 required under chapter 324, the coverage maintained under
 2599 paragraph (a) satisfies the difference in minimum coverage
 2600 amounts up to the applicable policy limits.

2601 3.a. If the insurance maintained by a shared vehicle owner
2602 or shared vehicle driver in accordance with subparagraph 1. has
2603 lapsed or does not provide the coverage required under paragraph
2604 (a), the insurance maintained by the peer-to-peer car-sharing
2605 program must provide the coverage required under paragraph (a),
2606 beginning with the first dollar of a claim, and must defend such
2607 claim, except under circumstances as set forth in subparagraph
2608 (3) (a)2.

2609 b. Coverage under a motor vehicle insurance policy
2610 maintained by the peer-to-peer car-sharing program must not be
2611 dependent on another motor vehicle insurer first denying a
2612 claim, and another motor vehicle insurance policy is not
2613 required to first deny a claim.

2614 c. Notwithstanding any other law, statute, rule, or
2615 regulation to the contrary, a peer-to-peer car-sharing program
2616 has an insurable interest in a shared vehicle during the car-
2617 sharing period. This sub-subparagraph does not create liability
2618 for a peer-to-peer car-sharing program for maintaining the
2619 coverage required under paragraph (a) and under this paragraph,
2620 if applicable.

2621 d. A peer-to-peer car-sharing program may own and maintain
2622 as the named insured one or more policies of motor vehicle
2623 insurance which provide coverage for:

2624 (I) Liabilities assumed by the peer-to-peer car-sharing
2625 program under a peer-to-peer car-sharing program agreement;

2626 (II) Liability of the shared vehicle owner;
 2627 (III) Liability of the shared vehicle driver;
 2628 (IV) Damage or loss to the shared motor vehicle; or
 2629 (V) Damage, loss, or injury to persons or property to
 2630 satisfy the ~~personal injury protection~~ and uninsured and
 2631 underinsured motorist coverage requirements of this section.

2632 e. Insurance required under paragraph (a), when maintained
 2633 by a peer-to-peer car-sharing program, may be provided by an
 2634 insurer authorized to do business in this state which is a
 2635 member of the Florida Insurance Guaranty Association or an
 2636 eligible surplus lines insurer that has a superior, excellent,
 2637 exceptional, or equivalent financial strength rating by a rating
 2638 agency acceptable to the office. A peer-to-peer car-sharing
 2639 program is not transacting in insurance when it maintains the
 2640 insurance required under this section.

2641 (3) LIABILITIES AND INSURANCE EXCLUSIONS.—

2642 (a) *Liability*.—

2643 1. A peer-to-peer car-sharing program shall assume
 2644 liability, except as provided in subparagraph 2., of a shared
 2645 vehicle owner for bodily injury or property damage to third
 2646 parties or uninsured and underinsured motorist ~~or personal~~
 2647 ~~injury protection~~ losses during the car-sharing period in an
 2648 amount stated in the peer-to-peer car-sharing program agreement,
 2649 which amount may not be less than those set forth in ss. 324.022
 2650 and 627.727 ~~ss. 324.021(7)(a) and (b), 324.022, 627.727, and~~

2651 ~~627.736~~, respectively.

2652 2. The assumption of liability under subparagraph 1. does
2653 not apply if a shared vehicle owner:

2654 a. Makes an intentional or fraudulent material
2655 misrepresentation or omission to the peer-to-peer car-sharing
2656 program before the car-sharing period in which the loss occurs;
2657 or

2658 b. Acts in concert with a shared vehicle driver who fails
2659 to return the shared vehicle pursuant to the terms of the peer-
2660 to-peer car-sharing program agreement.

2661 3. The insurer, insurers, or peer-to-peer car-sharing
2662 program providing coverage under paragraph (2)(a) shall assume
2663 primary liability for a claim when:

2664 a. A dispute exists over who was in control of the shared
2665 motor vehicle at the time of the loss, and the peer-to-peer car-
2666 sharing program does not have available, did not retain, or
2667 fails to provide the information required under subsection (5);
2668 or

2669 b. A dispute exists over whether the shared vehicle was
2670 returned to the alternatively agreed-upon location as required
2671 under subparagraph (1)(d)2.

2672 (c) *Exclusions in motor vehicle insurance policies.*—An
2673 authorized insurer that writes motor vehicle liability insurance
2674 in this state may exclude any coverage and the duty to defend or
2675 indemnify for any claim under a shared vehicle owner's motor

- 2676 vehicle insurance policy, including, but not limited to:
- 2677 1. Liability coverage for bodily injury and property
- 2678 damage;
- 2679 2. ~~Personal injury protection coverage;~~
- 2680 ~~3.~~ Uninsured and underinsured motorist coverage;
- 2681 3.4. Medical payments coverage;
- 2682 4.5. Comprehensive physical damage coverage; and
- 2683 5.6. Collision physical damage coverage.
- 2684

2685 This paragraph does not invalidate or limit any exclusion

2686 contained in a motor vehicle insurance policy, including any

2687 insurance policy in use or approved for use which excludes

2688 coverage for motor vehicles made available for rent, sharing, or

2689 hire or for any business use. This paragraph does not

2690 invalidate, limit, or restrict an insurer's ability under

2691 existing law to underwrite, cancel, or nonrenew any insurance

2692 policy.

2693 **Section 53. Paragraph (a) of subsection (2) of section**

2694 **627.749, Florida Statutes, is amended to read:**

2695 627.749 Autonomous vehicles; insurance requirements.—

2696 (2) INSURANCE REQUIREMENTS.—

2697 (a) A fully autonomous vehicle with the automated driving

2698 system engaged while logged on to an on-demand autonomous

2699 vehicle network or engaged in a prearranged ride must be covered

2700 by a policy of automobile insurance which provides:

2701 1. Primary liability coverage of at least \$1 million for
 2702 death, bodily injury, and property damage.

2703 2. ~~Personal injury protection benefits that meet the~~
 2704 ~~minimum coverage amounts required under ss. 627.730-627.7405.~~

2705 3. Uninsured and underinsured vehicle coverage as required
 2706 by s. 627.727.

2707 **Section 54. Section 627.8405, Florida Statutes, is amended**
 2708 **to read:**

2709 627.8405 Prohibited acts; financing companies.—~~A~~ ~~No~~
 2710 premium finance company ~~shall~~, in a premium finance agreement or
 2711 other agreement, may not finance the cost of or otherwise
 2712 provide for the collection or remittance of dues, assessments,
 2713 fees, or other periodic payments of money for the cost of:

2714 (1) A membership in an automobile club. The term
 2715 "automobile club" means a legal entity that ~~which~~, in
 2716 consideration of dues, assessments, or periodic payments of
 2717 money, promises its members or subscribers to assist them in
 2718 matters relating to the ownership, operation, use, or
 2719 maintenance of a motor vehicle; however, the term ~~this~~
 2720 ~~definition of "automobile club"~~ does not include persons,
 2721 associations, or corporations ~~which are~~ organized and operated
 2722 solely for the purpose of conducting, sponsoring, or sanctioning
 2723 motor vehicle races, exhibitions, or contests upon racetracks,
 2724 or upon racecourses established and marked as such for the
 2725 duration of such particular events. As used in this subsection,

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2726 the term ~~words~~ "motor vehicle" has ~~used herein~~ have the same
2727 meaning as ~~defined~~ in chapter 320.

2728 (2) An accidental death and dismemberment policy sold in
2729 combination with a policy providing only bodily injury liability
2730 coverage ~~personal injury protection~~ and property damage
2731 liability coverage ~~only policy~~.

2732 (3) Any product not regulated under ~~the provisions of this~~
2733 insurance code.

2734

2735 This section also applies to premium financing by any insurance
2736 agent or insurance company under part XVI. The commission shall
2737 adopt rules to assure disclosure, at the time of sale, of
2738 coverages financed ~~with personal injury protection~~ and shall
2739 prescribe the form of such disclosure.

2740 **Section 55. Subsection (1) of section 627.915, Florida**
2741 **Statutes, is amended to read:**

2742 627.915 Insurer experience reporting.—

2743 (1) Each insurer transacting private passenger motor
2744 vehicle ~~automobile~~ insurance in this state shall report certain
2745 information annually to the office. The information will be due
2746 on or before July 1 of each year. The information must ~~shall~~ be
2747 divided into the following categories: bodily injury liability;
2748 property damage liability; uninsured motorist; ~~personal injury~~
2749 ~~protection benefits~~; medical payments; and comprehensive and
2750 collision. The information given must ~~shall~~ be on direct

2751 insurance writings in the state alone and ~~shall~~ represent total
2752 limits data. The information set forth in paragraphs (a)-(f) is
2753 applicable to voluntary private passenger and Joint Underwriting
2754 Association private passenger writings and must ~~shall~~ be
2755 reported for each of the latest 3 calendar-accident years, with
2756 an evaluation date of March 31 of the current year. The
2757 information set forth in paragraphs (g)-(j) is applicable to
2758 voluntary private passenger writings and must ~~shall~~ be reported
2759 on a calendar-accident year basis ultimately seven times at
2760 seven different stages of development.

2761 (a) Premiums earned for the latest 3 calendar-accident
2762 years.

2763 (b) Loss development factors and the historic development
2764 of those factors.

2765 (c) Policyholder dividends incurred.

2766 (d) Expenses for other acquisition and general expense.

2767 (e) Expenses for agents' commissions and taxes, licenses,
2768 and fees.

2769 (f) Profit and contingency factors as utilized in the
2770 insurer's automobile rate filings for the applicable years.

2771 (g) Losses paid.

2772 (h) Losses unpaid.

2773 (i) Loss adjustment expenses paid.

2774 (j) Loss adjustment expenses unpaid.

2775 **Section 56. Subsections (2) and (3) of section 628.909,**

2776 **Florida Statutes, are amended to read:**

2777 628.909 Applicability of other laws.—

2778 (2) The following provisions of the Florida Insurance Code
 2779 apply to captive insurance companies that ~~who~~ are not industrial
 2780 insured captive insurance companies to the extent that such
 2781 provisions are not inconsistent with this part:

2782 (a) Chapter 624, except for ss. 624.407, 624.408,
 2783 624.4085, 624.40851, 624.4095, 624.411, 624.425, and 624.426.

2784 (b) Chapter 625, part II.

2785 (c) Chapter 626, part IX.

2786 (d) ~~Sections 627.730–627.7405, when no-fault coverage is~~
 2787 ~~provided.~~

2788 ~~(e)~~ Chapter 628.

2789 (3) The following provisions of the Florida Insurance Code
 2790 ~~shall~~ apply to industrial insured captive insurance companies to
 2791 the extent that such provisions are not inconsistent with this
 2792 part:

2793 (a) Chapter 624, except for ss. 624.407, 624.408,
 2794 624.4085, 624.40851, 624.4095, 624.411, 624.425, 624.426, and
 2795 624.609(1).

2796 (b) Chapter 625, part II, if the industrial insured
 2797 captive insurance company is incorporated in this state.

2798 (c) Chapter 626, part IX.

2799 (d) ~~Sections 627.730–627.7405 when no-fault coverage is~~
 2800 ~~provided.~~

2801 ~~(e)~~ Chapter 628, except for ss. 628.341, 628.351, and
 2802 628.6018.

2803 **Section 57. Subsections (2), (6), and (7) of section**
 2804 **705.184, Florida Statutes, are amended to read:**

2805 705.184 Derelict or abandoned motor vehicles on the
 2806 premises of public-use airports.—

2807 (2) The airport director or the director's designee shall
 2808 contact the Department of Highway Safety and Motor Vehicles to
 2809 notify that department that the airport has possession of the
 2810 abandoned or derelict motor vehicle and to determine the name
 2811 and address of the owner of the motor vehicle, the insurance
 2812 company insuring the motor vehicle, ~~notwithstanding the~~
 2813 ~~provisions of s. 627.736,~~ and any person who has filed a lien on
 2814 the motor vehicle. Within 7 business days after receipt of the
 2815 information, the director or the director's designee shall send
 2816 notice by certified mail, return receipt requested, to the owner
 2817 of the motor vehicle, the insurance company insuring the motor
 2818 vehicle, ~~notwithstanding the provisions of s. 627.736,~~ and all
 2819 persons of record claiming a lien against the motor vehicle. The
 2820 notice must ~~shall~~ state the fact of possession of the motor
 2821 vehicle, that charges for reasonable towing, storage, and
 2822 parking fees, if any, have accrued and the amount thereof, that
 2823 a lien as provided in subsection (6) will be claimed, that the
 2824 lien is subject to enforcement pursuant to law, that the owner
 2825 or lienholder, if any, has the right to a hearing as set forth

2826 in subsection (4), and that any motor vehicle which, at the end
2827 of 30 calendar days after receipt of the notice, has not been
2828 removed from the airport upon payment in full of all accrued
2829 charges for reasonable towing, storage, and parking fees, if
2830 any, may be disposed of as provided in s. 705.182(2)(a), (b),
2831 (d), or (e), including, but not limited to, the motor vehicle
2832 being sold free of all prior liens after 35 calendar days after
2833 the time the motor vehicle is stored if any prior liens on the
2834 motor vehicle are more than 5 years of age or after 50 calendar
2835 days after the time the motor vehicle is stored if any prior
2836 liens on the motor vehicle are 5 years of age or less.

2837 (6) The airport pursuant to this section or, if used, a
2838 licensed independent wrecker company pursuant to s. 713.78 shall
2839 have a lien on an abandoned or derelict motor vehicle for all
2840 reasonable towing, storage, and accrued parking fees, if any,
2841 except that a no storage fee may not ~~shall~~ be charged if the
2842 motor vehicle is stored less than 6 hours. As a prerequisite to
2843 perfecting a lien under this section, the airport director or
2844 the director's designee must serve a notice in accordance with
2845 subsection (2) on the owner of the motor vehicle, the insurance
2846 company insuring the motor vehicle, ~~notwithstanding the~~
2847 ~~provisions of s. 627.736,~~ and all persons of record claiming a
2848 lien against the motor vehicle. If attempts to notify the owner,
2849 the insurance company insuring the motor vehicle,
2850 ~~notwithstanding the provisions of s. 627.736,~~ or lienholders are

2851 not successful, the requirement of notice by mail is ~~shall be~~
 2852 considered met. Serving of the notice does not dispense with
 2853 recording the claim of lien.

2854 (7) (a) For the purpose of perfecting its lien under this
 2855 section, the airport shall record a claim of lien which states
 2856 ~~shall state~~:

- 2857 1. The name and address of the airport.
- 2858 2. The name of the owner of the motor vehicle, the
 2859 insurance company insuring the motor vehicle, ~~notwithstanding~~
 2860 ~~the provisions of s. 627.736,~~ and all persons of record claiming
 2861 a lien against the motor vehicle.
- 2862 3. The costs incurred from reasonable towing, storage, and
 2863 parking fees, if any.
- 2864 4. A description of the motor vehicle sufficient for
 2865 identification.

2866 (b) The claim of lien must ~~shall~~ be signed and sworn to or
 2867 affirmed by the airport director or the director's designee.

2868 (c) The claim of lien is ~~shall be~~ sufficient if it is in
 2869 substantially the following form:

2870
 2871 CLAIM OF LIEN
 2872 State of
 2873 County of
 2874 Before me, the undersigned notary public, personally appeared
 2875, who was duly sworn and says that he/she is the

2876 of, whose address is.....; and that the
 2877 following described motor vehicle:

2878 ...(Description of motor vehicle)...

2879 owned by, whose address is, has accrued
 2880 \$..... in fees for a reasonable tow, for storage, and for
 2881 parking, if applicable; that the lienor served its notice to the
 2882 owner, the insurance company insuring the motor vehicle
 2883 ~~notwithstanding the provisions of s. 627.736, Florida Statutes,~~
 2884 and all persons of record claiming a lien against the motor
 2885 vehicle on, ...(year)..., by.....

2886 ...(Signature)...

2887 Sworn to (or affirmed) and subscribed before me this day of
 2888, ...(year)..., by ...(name of person making statement)....

2889 ...(Signature of Notary Public)... ...(Print, Type, or Stamp

2890 Commissioned name of Notary Public)...

2891 Personally Known....OR Produced....as identification.

2892

2893 However, the negligent inclusion or omission of any information
 2894 in this claim of lien which does not prejudice the owner does
 2895 not constitute a default that operates to defeat an otherwise
 2896 valid lien.

2897 (d) The claim of lien must ~~shall~~ be served on the owner of
 2898 the motor vehicle, the insurance company insuring the motor
 2899 vehicle, ~~notwithstanding the provisions of s. 627.736,~~ and all
 2900 persons of record claiming a lien against the motor vehicle. If

2901 attempts to notify the owner, the insurance company insuring the
 2902 motor vehicle ~~notwithstanding the provisions of s. 627.736,~~ or
 2903 lienholders are not successful, the requirement of notice by
 2904 mail is ~~shall be~~ considered met. The claim of lien must ~~shall~~ be
 2905 so served before recordation.

2906 (e) The claim of lien must ~~shall~~ be recorded with the
 2907 clerk of court in the county where the airport is located. The
 2908 recording of the claim of lien is ~~shall be~~ constructive notice
 2909 to all persons of the contents and effect of such claim. The
 2910 lien attaches ~~shall attach~~ at the time of recordation and takes
 2911 ~~shall take~~ priority as of that time.

2912 **Section 58. Paragraphs (a), (b), and (c) of subsection (4)**
 2913 **of section 713.78, Florida Statutes, are amended to read:**

2914 713.78 Liens for recovering, towing, or storing vehicles
 2915 and vessels.—

2916 (4) (a) A towing-storage operator who comes into possession
 2917 of a vehicle or vessel pursuant to paragraph (2) (b), and who
 2918 claims a lien for recovery, towing, or storage services, must
 2919 give notice, by certified mail, pursuant to subsection (16), to
 2920 the registered owner, the insurance company insuring the vehicle
 2921 or vessel ~~notwithstanding s. 627.736,~~ and all persons claiming a
 2922 lien thereon, as disclosed by the records in the Department of
 2923 Highway Safety and Motor Vehicles or as disclosed by the records
 2924 of any corresponding agency in any other state in which the
 2925 vehicle or vessel is identified through a records check of the

2926 National Motor Vehicle Title Information System or an equivalent
2927 commercially available system as being titled or registered.

2928 (b) When a law enforcement agency, county, or municipality
2929 authorizes the removal of a vehicle or vessel, or a towing
2930 service, garage, repair shop, or automotive service, storage, or
2931 parking place notifies a law enforcement agency of possession of
2932 a vehicle or vessel pursuant to s. 715.07(2)(a)2., if an
2933 approved third-party service cannot obtain the vehicle's or
2934 vessel's owner, lienholder, and insurer information or last
2935 state of record pursuant to subsection (16), then the person in
2936 charge of the towing service, garage, repair shop, or automotive
2937 service, storage, or parking place must request such information
2938 from the law enforcement agency of the jurisdiction where the
2939 vehicle or vessel is stored. The law enforcement agency to which
2940 the request was made must contact the Department of Highway
2941 Safety and Motor Vehicles, or the appropriate agency of the
2942 state of registration, if known, within 24 hours through the
2943 medium of electronic communications, giving the full description
2944 of the vehicle or vessel. Upon receipt of the full description
2945 of the vehicle or vessel, the department must search its files
2946 to determine the owner's name, the insurance company insuring
2947 the vehicle or vessel, and whether any person has filed a lien
2948 upon the vehicle or vessel as provided in s. 319.27(2) and (3)
2949 and notify the applicable law enforcement agency within 72
2950 hours. The person in charge of the towing service, garage,

2951 repair shop, or automotive service, storage, or parking place
 2952 must request such information from the applicable law
 2953 enforcement agency within 5 days after the date of storage and
 2954 must provide the information to the approved third-party service
 2955 in order to transmit notices as required under subsection (16).
 2956 The department may release the insurance company information to
 2957 the requestor ~~notwithstanding s. 627.736.~~

2958 (c) The notice of lien must be sent by an approved third-
 2959 party service by certified mail to the registered owner, the
 2960 insurance company insuring the vehicle ~~notwithstanding s.~~
 2961 ~~627.736~~, and all other persons claiming a lien thereon within 5
 2962 business days, excluding a Saturday, Sunday, or federal legal
 2963 holiday, after the date of storage of the vehicle or vessel. The
 2964 notice must state all of the following:

2965 1. If the claim of lien is for a vehicle, the last 8
 2966 digits of the vehicle identification number of the vehicle
 2967 subject to the lien, or, if the claim of lien is for a vessel,
 2968 the hull identification number of the vessel subject to the
 2969 lien, clearly printed in the delivery address box and on the
 2970 outside of the envelope sent to the registered owner and all
 2971 other persons claiming an interest in or lien on the vehicle or
 2972 vessel.

2973 2. The name, physical address, and telephone number of the
 2974 lienor, and the entity name, as registered with the Division of
 2975 Corporations, of the business where the towing and storage

2976 | occurred, which must also appear on the outside of the envelope
 2977 | sent to the registered owner and all other persons claiming an
 2978 | interest in or lien on the vehicle or vessel.

2979 | 3. The fact of possession of the vehicle or vessel.

2980 | 4. The name of the person or entity that authorized the
 2981 | lienor to take possession of the vehicle or vessel.

2982 | 5. That a lien as provided in paragraph (2) (b) is claimed.

2983 | 6. That charges have accrued and include an itemized
 2984 | statement of the amount thereof.

2985 | 7. That the lien is subject to enforcement under law and
 2986 | that the owner or lienholder, if any, has the right to initiate
 2987 | judicial proceedings as set forth in subsection (5).

2988 | 8. That any vehicle or vessel that remains unclaimed, or
 2989 | for which the charges for recovery, towing, or storage services
 2990 | remain unpaid, may be sold free of all prior liens 35 days after
 2991 | the vehicle or vessel is stored by the lienor if the vehicle or
 2992 | vessel is an older model or 57 days after the vehicle or vessel
 2993 | is stored by the lienor if the vehicle or vessel is a newer
 2994 | model.

2995 | 9. The address at which the vehicle or vessel is
 2996 | physically located.

2997 | **Section 59. Paragraph (a) of subsection (1), paragraph (c)**
 2998 | **of subsection (7), paragraphs (a), (b), and (c) of subsection**
 2999 | **(8), and subsections (9) and (10) of section 817.234, Florida**
 3000 | **Statutes, are amended to read:**

3001 817.234 False and fraudulent insurance claims.—
 3002 (1) (a) A person commits insurance fraud punishable as
 3003 provided in subsection (11) if that person, with the intent to
 3004 injure, defraud, or deceive any insurer:
 3005 1. Presents or causes to be presented any written or oral
 3006 statement as part of, or in support of, a claim for payment or
 3007 other benefit pursuant to an insurance policy or a health
 3008 maintenance organization subscriber or provider contract,
 3009 knowing that such statement contains ~~any~~ false, incomplete, or
 3010 misleading information concerning any fact or thing material to
 3011 such claim;
 3012 2. Prepares or makes any written or oral statement that is
 3013 intended to be presented to an ~~any~~ insurer in connection with,
 3014 or in support of, any claim for payment or other benefit
 3015 pursuant to an insurance policy or a health maintenance
 3016 organization subscriber or provider contract, knowing that such
 3017 statement contains ~~any~~ false, incomplete, or misleading
 3018 information concerning any fact or thing material to such claim;
 3019 3.a. Knowingly presents, causes to be presented, or
 3020 prepares or makes with knowledge or belief that it will be
 3021 presented to an ~~any~~ insurer, a purported insurer, a servicing
 3022 corporation, an insurance broker, or an insurance agent, or any
 3023 employee or agent thereof, ~~any~~ false, incomplete, or misleading
 3024 information or a written or oral statement as part of, or in
 3025 support of, an application for the issuance of, or the rating

3026 of, any insurance policy, or a health maintenance organization
 3027 subscriber or provider contract; or

3028 b. Knowingly conceals information concerning any fact
 3029 material to such application; or

3030 4. Knowingly presents, causes to be presented, or prepares
 3031 or makes with knowledge or belief that it will be presented to
 3032 any insurer a claim for payment or other benefit under medical
 3033 payments coverage in a motor vehicle ~~a personal injury~~
 3034 ~~protection~~ insurance policy if the person knows that the payee
 3035 knowingly submitted a false, misleading, or fraudulent
 3036 application or other document when applying for licensure as a
 3037 health care clinic, seeking an exemption from licensure as a
 3038 health care clinic, or demonstrating compliance with part X of
 3039 chapter 400.

3040 (7)

3041 ~~(c) An insurer, or any person acting at the direction of~~
 3042 ~~or on behalf of an insurer, may not change an opinion in a~~
 3043 ~~mental or physical report prepared under s. 627.736(7) or direct~~
 3044 ~~the physician preparing the report to change such opinion;~~
 3045 ~~however, this provision does not preclude the insurer from~~
 3046 ~~calling to the attention of the physician errors of fact in the~~
 3047 ~~report based upon information in the claim file. Any person who~~
 3048 ~~violates this paragraph commits a felony of the third degree,~~
 3049 ~~punishable as provided in s. 775.082, s. 775.083, or s. 775.084.~~

3050 (8) (a) It is unlawful for any person intending to defraud

3051 any other person to solicit or cause to be solicited any
3052 business from a person involved in a motor vehicle accident for
3053 the purpose of making, adjusting, or settling motor vehicle tort
3054 claims or claims for benefits under medical payments coverage in
3055 a motor vehicle insurance policy ~~personal injury protection~~
3056 ~~benefits required by s. 627.736~~. Any person who violates ~~the~~
3057 ~~provisions of~~ this paragraph commits a felony of the second
3058 degree, punishable as provided in s. 775.082, s. 775.083, or s.
3059 775.084. A person ~~who is~~ convicted of a violation of this
3060 subsection shall be sentenced to a minimum term of imprisonment
3061 of 2 years.

3062 (b) A person may not solicit or cause to be solicited any
3063 business from a person involved in a motor vehicle accident by
3064 any means of communication other than advertising directed to
3065 the public for the purpose of making motor vehicle tort claims
3066 or claims for benefits under medical payments coverage in a
3067 motor vehicle insurance policy ~~personal injury protection~~
3068 ~~benefits required by s. 627.736~~, within 60 days after the
3069 occurrence of the motor vehicle accident. Any person who
3070 violates this paragraph commits a felony of the third degree,
3071 punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

3072 (c) A lawyer, health care practitioner as defined in s.
3073 456.001, or owner or medical director of a clinic required to be
3074 licensed pursuant to s. 400.9905 may not, at any time after 60
3075 days have elapsed from the occurrence of a motor vehicle

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3076 accident, solicit or cause to be solicited any business from a
3077 person involved in a motor vehicle accident by means of in
3078 person or telephone contact at the person's residence, for the
3079 purpose of making motor vehicle tort claims or claims for
3080 benefits under medical payments coverage in a motor vehicle
3081 insurance policy ~~personal injury protection benefits required by~~
3082 ~~s. 627.736~~. Any person who violates this paragraph commits a
3083 felony of the third degree, punishable as provided in s.
3084 775.082, s. 775.083, or s. 775.084.

3085 (9) A person may not organize, plan, or knowingly
3086 participate in an intentional motor vehicle crash or a scheme to
3087 create documentation of a motor vehicle crash that did not occur
3088 for the purpose of making motor vehicle tort claims or claims
3089 for benefits under medical payments coverage in a motor vehicle
3090 insurance policy ~~personal injury protection benefits as required~~
3091 ~~by s. 627.736~~. Any person who violates this subsection commits a
3092 felony of the second degree, punishable as provided in s.
3093 775.082, s. 775.083, or s. 775.084. A person ~~who is~~ convicted of
3094 a violation of this subsection shall be sentenced to a minimum
3095 term of imprisonment of 2 years.

3096 (10) A licensed health care practitioner ~~who is~~ found
3097 guilty of insurance fraud under this section for an act relating
3098 to a motor vehicle ~~personal injury protection~~ insurance policy
3099 must lose ~~loses~~ his or her license to practice for 5 years and
3100 may not receive reimbursement under medical payments coverage in

3101 a motor vehicle insurance policy ~~for personal injury protection~~
3102 ~~benefits~~ for 10 years.

3103 **Section 60.** For the 2025-2026 fiscal year, the sum of
3104 \$83,651 in nonrecurring funds is appropriated from the Insurance
3105 Regulatory Trust Fund to the Office of Insurance Regulation for
3106 the purpose of implementing this act. This section shall take
3107 effect July 1, 2025.

3108 **Section 61.** Except as otherwise expressly provided in this
3109 act and except for this section, which shall take effect upon
3110 this act becoming a law, this act shall take effect July 1,
3111 2026.