

By Senator Grall

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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 comprise 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;

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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 vehicles that are excluded from the definition of the  
43 term "motor vehicle"; providing security requirements  
44 for certain excluded vehicles; conforming provisions  
45 to changes made by the act; amending s. 324.0221,  
46 F.S.; revising coverages that subject a policy to  
47 certain insurer reporting and notice requirements;  
48 conforming provisions to changes made by the act;  
49 creating s. 324.0222, F.S.; providing that driver  
50 license or motor vehicle registration suspensions for  
51 failure to maintain required security which are in  
52 effect before a specified date remain in full force  
53 and effect; authorizing drivers to reinstate suspended  
54 licenses or registrations as provided in a specified  
55 section; amending s. 324.023, F.S.; conforming cross-  
56 references; amending s. 324.031, F.S.; specifying a  
57 method of proving financial responsibility by owners  
58 or operators of motor vehicles other than for-hire

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59 passenger transportation vehicles; revising the  
60 required and maximum amounts 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 motorcycles are included in the definition of the  
69 term "motor vehicles" for purposes of the section;  
70 amending ss. 324.071 and 324.091, F.S.; making  
71 technical changes; amending s. 324.151, F.S.; revising  
72 requirements for motor vehicle liability policies  
73 relating to coverage, and exclusion from coverage, for  
74 certain drivers and vehicles; conforming provisions to  
75 changes made by the act; making technical changes;  
76 defining terms; amending s. 324.161, F.S.; revising  
77 requirements for a certificate of deposit that is  
78 required if a person elects a certain method of  
79 proving financial responsibility; amending s. 324.171,  
80 F.S.; revising the minimum net worth requirements to  
81 qualify certain persons as self-insurers; conforming  
82 provisions to changes made by the act; amending s.  
83 324.242, F.S.; conforming provisions to changes made  
84 by the act; amending s. 324.251, F.S.; revising a  
85 short title and an effective date; amending s.  
86 400.9905, F.S.; revising the definition of the term  
87 "clinic"; conforming provisions to changes made by the

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88 act; amending ss. 400.991 and 400.9935, F.S.;

89 conforming provisions to changes made by the act;

90 amending s. 409.901, F.S.; revising the definition of

91 the term "third-party benefit"; amending s. 409.910,

92 F.S.; 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 for a reduction in premium

113 charges under certain circumstances; amending s.

114 627.0653, F.S.; revising coverages that are subject to

115 premium discounts for specified motor vehicle

116 equipment; amending s. 627.4132, F.S.; revising

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117 coverages that are subject to a stacking prohibition;  
118 amending s. 627.4137, F.S.; requiring insurers to  
119 disclose certain information at the request of a  
120 claimant's attorney; authorizing a claimant to file an  
121 action under certain circumstances; providing for the  
122 award of reasonable attorney fees and costs under  
123 certain circumstances; amending s. 627.7263, F.S.;  
124 revising coverages that are deemed primary, except  
125 under certain circumstances, for the lessor of a motor  
126 vehicle for lease or rent; revising a notice that is  
127 required if the lessee's coverage is to be primary;  
128 amending s. 627.727, F.S.; conforming provisions to  
129 changes made by the act; revising the legal liability  
130 of an 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 applicability, and construction relating to motor  
137 vehicle insurance policies as of a certain date;  
138 requiring insurers to allow certain insureds to make  
139 certain coverage changes, subject to certain  
140 conditions; requiring an insurer to provide, by a  
141 specified date, a specified notice to policyholders  
142 relating to requirements under the act; amending s.  
143 627.728, F.S.; conforming a provision to changes made  
144 by the act; amending s. 627.7295, F.S.; revising the  
145 definitions of the terms "policy" and "binder";

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146       revising the coverages of a motor vehicle insurance  
147       policy for which a licensed general lines agent may  
148       charge a specified fee; conforming provisions to  
149       changes made by the act; amending s. 627.7415, F.S.;  
150       revising additional liability insurance requirements  
151       for commercial motor vehicles; amending s. 627.747,  
152       F.S.; conforming provisions to changes made by the  
153       act; amending s. 627.748, F.S.; revising insurance  
154       requirements for transportation network company  
155       drivers; conforming provisions to changes made by the  
156       act; conforming cross-references; amending ss.  
157       627.7483 and 627.749, F.S.; conforming provisions to  
158       changes made by the act; amending s. 627.8405, F.S.;  
159       revising the products and the policy for which a  
160       premium finance company may not finance costs when  
161       sold in combination with an accidental death and  
162       dismemberment policy; revising rulemaking authority of  
163       the Financial Services Commission; amending ss.  
164       627.915, 628.909, 705.184, and 713.78, F.S.;  
165       conforming provisions to changes made by the act;  
166       amending s. 817.234, F.S.; revising coverages that are  
167       the basis of specified prohibited false and fraudulent  
168       insurance claims; conforming provisions to changes  
169       made by the act; deleting provisions relating to  
170       prohibited changes in certain mental or physical  
171       reports; providing an appropriation; providing  
172       effective dates.

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

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176 Section 1. Sections 627.730, 627.731, 627.7311, 627.732,  
177 627.733, 627.734, 627.736, 627.737, 627.739, 627.7401, 627.7403,  
178 and 627.7405, Florida Statutes, are repealed.

179 Section 2. Section 627.7407, Florida Statutes, is 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 covered  
188 by a policy of automobile insurance which provides the coverage  
189 required by s. 627.749(2)(a)1. and, ~~2., and 3.~~ The coverage  
190 requirements of this paragraph may be satisfied by automobile  
191 insurance maintained by the owner of a low-speed autonomous  
192 delivery vehicle, the owner of the teleoperation system, the  
193 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, or required by s. 627.733 to~~  
203 ~~maintain personal injury protection security on a motor vehicle~~

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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 an  
213 electronic device displaying proof of insurance in an electronic  
214 format does not constitute consent for the officer to access any  
215 information on the device other than the displayed proof of  
216 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), 322.065,  
227 and 322.15(1). A ~~Any~~ person ~~who is~~ cited for a violation of s.  
228 320.07(1) must ~~shall~~ be charged a delinquent fee pursuant to s.  
229 320.07(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



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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

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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 registration;  
266 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

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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 ~~no~~ licensed motor vehicle dealer is not  
 319 ~~will be~~ liable in damages for any inadequacy, insufficiency, or

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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 disposed

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349 of to a newly acquired vehicle does not constitute a new  
350 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

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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, on 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

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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

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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~~



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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

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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  
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

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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 owners  
 542 and or operators whose responsibility it is to recompense others  
 543 for injury to person or property caused by the operation of a  
 544 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

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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~~  
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,

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581 or use of a motor vehicle:

582 (a) With respect to a motor vehicle other than a commercial  
 583 motor vehicle, nonpublic sector bus, or for-hire passenger  
 584 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 of~~  
 588 ~~\$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. do  
 602 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

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610 term "rental company" also includes:

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

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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

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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 provided  
694 a temporary replacement vehicle while the customer's vehicle is  
695 being held for repair, service, or adjustment; and

696 (III) The employee was not acting within the course and



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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 a  
707 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 ownership, maintenance, or use of the motor vehicle in the  
711 amount of:

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

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

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

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

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

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

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

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

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

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

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

760 6.4. A ~~vehicle providing~~ for-hire passenger transportation  
761 vehicle, which must ~~that is~~ subject to the provisions of s.  
762 324.031. A ~~taxicab shall~~ maintain security as required under s.  
763 324.032 ~~s. 324.032(1).~~

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

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

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

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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

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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  
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~~

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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 affect reinstatement of a suspended driver  
856 license or 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 ownership,  
870 maintenance, or use of a motor vehicle in the amount of \$100,000

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871 because of bodily injury to, or death of, one person in any one  
 872 crash and, subject to such limits for one person, in the amount  
 873 of \$300,000 because of bodily injury to, or death of, two or  
 874 more persons in any one crash and in the amount of \$50,000  
 875 because of property damage in any one crash. If the owner or  
 876 operator chooses to establish and maintain such ability by  
 877 furnishing a certificate of deposit pursuant to s. 324.031(1)(b)  
 878 ~~s. 324.031(2)~~, such certificate of deposit must be at least  
 879 \$350,000. Such higher limits must be carried for a minimum  
 880 period of 3 years. If the owner or operator has not been  
 881 convicted of driving under the influence or a felony traffic  
 882 offense for a period of 3 years from the date of reinstatement  
 883 of driving privileges for a violation of s. 316.193, the owner  
 884 or operator is ~~shall be~~ exempt from this 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 owner or operator of a motor vehicle other than  
 895 a for-hire passenger transportation operator or owner of any  
 896 other vehicle may prove 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~~

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900 being operated;

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

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

905 (2) Beginning July 1, 2026, any person, ~~including any firm,~~  
906 ~~partnership, association, corporation, or other person, other~~  
907 ~~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 of  
911 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 of,  
917 one person in any one crash; subject to such limits for one  
918 person, at least \$250,000 for bodily injury to, or the death of,  
919 two or more persons in any one crash; and \$50,000 of property  
920 damage coverage for damage to, or destruction of, property of  
921 others in any one 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~~  
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).~~



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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.~~

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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.

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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 such  
1014 crash.
- 1015 2. The motor vehicle was owned by the United States

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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 department  
1023 security to conform with s. 324.061 when applicable and has  
1024 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.

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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~~

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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 whether ~~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

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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 ownership, maintenance, or use of any motor vehicle, unless  
1121 that person was excluded under s. 627.747. However, the insurer  
1122 may include provisions in its policy excluding liability  
1123 coverage for a motor vehicle not designated as an insured  
1124 vehicle on the policy if such motor vehicle does not qualify as  
1125 a newly acquired vehicle or as a temporary substitute vehicle  
1126 and was owned by the insured or was furnished for an insured's  
1127 regular use for more than 30 consecutive days before the event  
1128 giving rise to the claim. Insurers may make available, with  
1129 respect to property damage liability coverage, a deductible  
1130 amount not to exceed \$500. In the event of a property damage  
1131 loss covered by a policy containing a property damage deductible

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1132 provision, the insurer shall pay to the third-party claimant the  
1133 amount of any property damage liability settlement or judgment,  
1134 subject to policy limits, as if no deductible existed.

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



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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 and thereafter.

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

1170 (a) "Newly acquired vehicle" means a vehicle owned by a  
 1171 named insured or a 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

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

1218 (a) A private individual with private passenger vehicles

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1219 shall possess a net unencumbered worth of at least \$100,000  
1220 ~~\$40,000~~.

1221 (b) A person, including any firm, partnership, association,  
1222 corporation, or other person, other than a natural person,  
1223 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, with the assistance of the Office of  
1230 Insurance Regulation of the Financial Services Commission, shall  
1231 annually determine the minimum net worth sufficient to satisfy  
1232 this subparagraph as determined annually by the department,  
1233 pursuant to rules adopted promulgated by the department, with  
1234 the assistance of the Office of Insurance Regulation of the  
1235 Financial Services Commission, to be financially responsible for  
1236 potential losses. The rules must consider any shall take into  
1237 consideration excess insurance carried by the applicant. The  
1238 department's determination must ~~shall~~ be based upon reasonable  
1239 actuarial principles considering the frequency, severity, and  
1240 loss development of claims incurred by casualty insurers writing  
1241 coverage on the type of motor vehicles for which a certificate  
1242 of self-insurance is desired.

1243 (c) The owner of a commercial motor vehicle, as defined in  
1244 s. 207.002 or s. 320.01(25) ~~s. 320.01~~, may qualify as a self-  
1245 insurer subject to the standards provided ~~for~~ in subparagraph  
1246 (b)2.

1247 (2) The self-insurance certificate must ~~shall~~ provide

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1248 limits of liability insurance in the amounts specified under s.  
 1249 324.021(7) ~~or s. 627.7415 and shall provide personal injury~~  
 1250 ~~protection coverage under s. 627.733(3)(b).~~

1251 Section 26. Subsections (1) and (3) of section 324.242,  
 1252 Florida Statutes, are amended to read:

1253 324.242 Personal injury protection and property damage  
 1254 liability insurance policies; public records exemption.—

1255 (1) The following information regarding ~~personal injury~~  
 1256 ~~protection and property damage~~ liability insurance policies held  
 1257 by the department is confidential and exempt from s. 119.07(1)  
 1258 and s. 24(a), Art. I of the State Constitution:

1259 (a) Personal identifying information of an insured or  
 1260 former insured; and

1261 (b) An insurance policy number.

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

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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

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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

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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 or  
1354 indirectly, with an entity licensed or registered by the state  
1355 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

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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,



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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

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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 care  
1452 practitioners licensed under chapter 458 or chapter 459 where  
1453 the billing for medical services is under a single tax  
1454 identification number. The application for exemption under this  
1455 subparagraph must include ~~subsection shall contain information~~  
1456 ~~that includes:~~ the name, residence, and business address and  
1457 telephone ~~phone~~ number of the entity that owns the practice; a  
1458 complete list of the names and contact information of all the  
1459 officers and directors of the corporation; the name, residence  
1460 address, business address, and medical license number of each  
1461 licensed Florida health care practitioner employed by the  
1462 entity; the corporate tax identification number of the entity  
1463 seeking an exemption; a listing of health care services to be  
1464 provided by the entity at the health care clinics owned or  
1465 operated by the entity; and a certified statement prepared by an  
1466 independent certified public accountant which states that the  
1467 entity and the health care clinics owned or operated by the  
1468 entity have not received payment for health care services under  
1469 medical payments ~~personal injury protection insurance~~ coverage  
1470 for the preceding year. If the agency determines that an entity  
1471 that ~~which~~ is exempt under this subparagraph ~~subsection~~ has  
1472 received payments for medical services under medical payments  
1473 ~~personal injury protection insurance~~ coverage, the agency may  
1474 deny or revoke the exemption from licensure under this  
1475 subparagraph ~~subsection~~.

1476        15.~~(o)~~ Entities that are, directly or indirectly, under the  
1477 common ownership of or that are subject to common control by a  
1478 mutual insurance holding company, as defined in s. 628.703, with  
1479 an entity issued a certificate of authority under chapter 624 or

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1480 chapter 641 which has \$1 billion or more in total annual sales  
1481 in this state.

1482 16.~~(p)~~ Entities that are owned by an entity that is a  
1483 behavioral health care service provider in at least five other  
1484 states; that, together with its affiliates, have \$90 million or  
1485 more in total annual revenues associated with the provision of  
1486 behavioral health care services; and wherein one or more of the  
1487 persons responsible for the operations of the entity is a health  
1488 care practitioner who is licensed in this state, who is  
1489 responsible for supervising the business activities of the  
1490 entity, and who is responsible for the entity's compliance with  
1491 state law for purposes of this part.

1492 17.~~(q)~~ Medicaid providers.

1493 (b) Notwithstanding paragraph (a) ~~this subsection~~, an  
1494 entity is ~~shall be~~ deemed a clinic and must be licensed under  
1495 this part in order to receive medical payments coverage  
1496 reimbursement unless the entity is:

1497 1. Wholly owned by a physician licensed under chapter 458  
1498 or chapter 459 or by the physician and the spouse, parent,  
1499 child, or sibling of the physician;

1500 2. Wholly owned by a dentist licensed under chapter 466 or  
1501 by the dentist and the spouse, parent, child, or sibling of the  
1502 dentist;

1503 3. Wholly owned by a chiropractic physician licensed under  
1504 chapter 460 or by the chiropractic physician and the spouse,  
1505 parent, child, or sibling of the chiropractic physician;

1506 4. A hospital or an ambulatory surgical center licensed  
1507 under chapter 395;

1508 5. An entity that wholly owns or is wholly owned, directly

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1509 or indirectly, by a hospital licensed under chapter 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 exemption  
1529 from licensure under this part must contain the following  
1530 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

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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 policy's medical payments coverage ~~the Florida Motor~~  
1544 ~~Vehicle No-Fault Law, commits a fraudulent insurance~~  
1545 ~~act, as defined in s. 626.989, Florida Statutes. A~~  
1546 person who presents a claim for benefits under medical  
1547 payments coverage ~~personal injury protection benefits~~  
1548 knowing that the payee knowingly submitted such health  
1549 care clinic application or document commits insurance  
1550 fraud, as defined in s. 817.234, Florida Statutes.

1551 Section 30. Paragraph (g) of subsection (1) of section  
1552 400.9935, Florida Statutes, is amended to read:

1553 400.9935 Clinic responsibilities.—

1554 (1) Each clinic shall appoint a medical director or clinic  
1555 director who shall agree in writing to accept legal  
1556 responsibility for the following activities on behalf of the  
1557 clinic. The medical director or the clinic director shall:

1558 (g) Conduct systematic reviews of clinic billings to ensure  
1559 that the billings are not fraudulent or unlawful. Upon discovery  
1560 of an unlawful charge, the medical director or clinic director  
1561 shall take immediate corrective action. If the clinic performs  
1562 only the technical component of magnetic resonance imaging,  
1563 static radiographs, computed tomography, or positron emission  
1564 tomography, and provides the professional interpretation of such  
1565 services, in a fixed facility that is accredited by a national  
1566 accrediting organization that is approved by the Centers for

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1567 Medicare and Medicaid Services for magnetic resonance imaging  
 1568 and advanced diagnostic imaging services and if, in the  
 1569 preceding quarter, the percentage of scans performed by that  
 1570 clinic which was billed to motor vehicle ~~all personal injury~~  
 1571 ~~protection~~ insurance carriers under medical payments coverage  
 1572 was less than 15 percent, the chief financial officer of the  
 1573 clinic may, in a written acknowledgment provided to the agency,  
 1574 assume the responsibility for the conduct of the systematic  
 1575 reviews of clinic billings to ensure that the billings are not  
 1576 fraudulent or unlawful.

1577 Section 31. Subsection (28) of section 409.901, Florida  
 1578 Statutes, is amended to read:

1579 409.901 Definitions; ss. 409.901-409.920.—As used in ss.  
 1580 409.901-409.920, except as otherwise specifically provided, the  
 1581 term:

1582 (28) "Third-party benefit" means any benefit that is or may  
 1583 be available at any time through contract, court award,  
 1584 judgment, settlement, agreement, or any arrangement between a  
 1585 third party and any person or entity, including, without  
 1586 limitation, a Medicaid recipient, a provider, another third  
 1587 party, an insurer, or the agency, for any Medicaid-covered  
 1588 injury, illness, goods, or services, including costs of medical  
 1589 services related thereto, for bodily ~~personal~~ injury or for  
 1590 death of the recipient, but specifically excluding ~~policies of~~  
 1591 life insurance policies on the recipient, unless available under  
 1592 terms of the policy to pay medical expenses before ~~prior to~~  
 1593 death. The term includes, without limitation, collateral, as  
 1594 defined in this section; ~~health insurance;~~ any benefit under a  
 1595 health maintenance organization, a preferred provider

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1596 arrangement, a prepaid health clinic, liability insurance,  
 1597 uninsured motorist insurance, or medical payments coverage; ~~or~~  
 1598 ~~personal injury protection coverage,~~ medical benefits under  
 1599 workers' compensation;; and any obligation under law or equity  
 1600 to provide medical support.

1601 Section 32. Paragraph (f) of subsection (11) of section  
 1602 409.910, Florida Statutes, is amended to read:

1603 409.910 Responsibility for payments on behalf of Medicaid-  
 1604 eligible persons when other parties are liable.-

1605 (11) The agency may, as a matter of right, in order to  
 1606 enforce its rights under this section, institute, intervene in,  
 1607 or join any legal or administrative proceeding in its own name  
 1608 in one or more of the following capacities: individually, as  
 1609 subrogee of the recipient, as assignee of the recipient, or as  
 1610 lienholder of the collateral.

1611 (f) Notwithstanding any provision in this section to the  
 1612 contrary, in the event of an action in tort against a third  
 1613 party in which the recipient or his or her legal representative  
 1614 is a party which results in a judgment, award, or settlement  
 1615 from a third party, the amount recovered shall be distributed as  
 1616 follows:

1617 1. After attorney ~~attorney's~~ fees and taxable costs as  
 1618 defined by the Florida Rules of Civil Procedure, one-half of the  
 1619 remaining recovery shall be paid to the agency up to the total  
 1620 amount of medical assistance provided by Medicaid.

1621 2. The remaining amount of the recovery shall be paid to  
 1622 the recipient.

1623 3. For purposes of calculating the agency's recovery of  
 1624 medical assistance benefits paid, the fee for services of an



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1625 attorney retained by the recipient or his or her legal  
 1626 representative shall be calculated at 25 percent of the  
 1627 judgment, award, or settlement.

1628 4. Notwithstanding any other provision of this section to  
 1629 the contrary, the agency is ~~shall be~~ entitled to all medical  
 1630 coverage benefits up to the total amount of medical assistance  
 1631 provided by Medicaid. For purposes of this paragraph, the term  
 1632 "medical coverage" means any benefits under health insurance, a  
 1633 health maintenance organization, a preferred provider  
 1634 arrangement, or a prepaid health clinic, and the portion of  
 1635 benefits designated for medical payments under ~~coverage for~~  
 1636 workers' compensation coverage, motor vehicle insurance  
 1637 coverage, personal injury protection, and casualty coverage.

1638 Section 33. Paragraph (k) of subsection (2) of section  
 1639 456.057, Florida Statutes, is amended to read:

1640 456.057 Ownership and control of patient records; report or  
 1641 copies of records to be furnished; disclosure of information.—

1642 (2) As used in this section, the terms "records owner,"  
 1643 "health care practitioner," and "health care practitioner's  
 1644 employer" do not include any of the following persons or  
 1645 entities; furthermore, the following persons or entities are not  
 1646 authorized to acquire or own medical records, but are authorized  
 1647 under the confidentiality and disclosure requirements of this  
 1648 section to maintain those documents required by the part or  
 1649 chapter under which they are licensed or regulated:

1650 ~~(k) Persons or entities practicing under s. 627.736(7).~~

1651 Section 34. Paragraphs (ee) and (ff) of subsection (1) of  
 1652 section 456.072, Florida Statutes, are amended to read:

1653 456.072 Grounds for discipline; penalties; enforcement.—

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1654 (1) The following acts shall constitute grounds for which  
1655 the disciplinary actions specified in subsection (2) may be  
1656 taken:

1657 (ee) With respect to making a medical payments coverage  
1658 ~~personal injury protection~~ claim ~~as required by s. 627.736,~~  
1659 intentionally submitting a claim, statement, or bill that has  
1660 been upcoded. As used in this paragraph, the term "upcode" means  
1661 to submit a billing code that would result in a greater payment  
1662 amount than would be paid using a billing code that accurately  
1663 describes the services performed. The term does not include an  
1664 otherwise lawful bill by a magnetic resonance imaging facility  
1665 which globally combines both technical and professional  
1666 components, if the amount of the global bill is not more than  
1667 the components if billed separately; however, payment of such a  
1668 bill constitutes payment in full for all components of such  
1669 service "upcoded" as defined in s. 627.732.

1670 (ff) With respect to making a medical payments coverage  
1671 ~~personal injury protection~~ claim ~~as required by s. 627.736,~~  
1672 intentionally submitting a claim, statement, or bill for payment  
1673 of services that were not rendered.

1674 Section 35. Paragraphs (i) and (o) of subsection (1) of  
1675 section 626.9541, Florida Statutes, are amended to read:

1676 626.9541 Unfair methods of competition and unfair or  
1677 deceptive acts or practices defined.—

1678 (1) UNFAIR METHODS OF COMPETITION AND UNFAIR OR DECEPTIVE  
1679 ACTS.—The following are defined as unfair methods of competition  
1680 and unfair or deceptive acts or practices:

1681 (i) *Unfair claim settlement practices.*—

1682 1. Attempting to settle claims on the basis of an

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1683 application, when serving as a binder or intended to become a  
1684 part of the policy, or any other material document which was  
1685 altered without notice to, or knowledge or consent of, the  
1686 insured;

1687       2. Making a material misrepresentation ~~made~~ to an insured  
1688 or any other person having an interest in the proceeds payable  
1689 under such contract or policy, for the purpose and with the  
1690 intent of effecting settlement of such claims, loss, or damage  
1691 under such contract or policy on less favorable terms than those  
1692 provided in, and contemplated by, such contract or policy;

1693       3. Committing or performing with such frequency as to  
1694 indicate a general business practice any of the following:

1695       a. Failing to adopt and implement standards for the proper  
1696 investigation of claims;

1697       b. Misrepresenting pertinent facts or insurance policy  
1698 provisions relating to coverages at issue;

1699       c. Failing to acknowledge and act promptly upon  
1700 communications with respect to claims;

1701       d. Denying claims without conducting reasonable  
1702 investigations based upon available information;

1703       e. Failing to affirm or deny full or partial coverage of  
1704 claims, and, as to partial coverage, the dollar amount or extent  
1705 of coverage, or failing to provide a written statement that the  
1706 claim is being investigated, upon the written request of the  
1707 insured within 30 days after proof-of-loss statements have been  
1708 completed;

1709       f. Failing to promptly provide a reasonable explanation in  
1710 writing to the insured of the basis in the insurance policy, in  
1711 relation to the facts or applicable law, for denial of a claim

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1712 or for the offer of a compromise settlement;

1713 g. Failing to promptly notify the insured of any additional

1714 information necessary for the processing of a claim;

1715 h. Failing to clearly explain the nature of the requested

1716 information and the reasons why such information is necessary;

1717 or

1718 ~~i. Failing to pay personal injury protection insurance~~

1719 ~~claims within the time periods required by s. 627.736(4) (b). The~~

1720 ~~office may order the insurer to pay restitution to a~~

1721 ~~policyholder, medical provider, or other claimant, including~~

1722 ~~interest at a rate consistent with the amount set forth in s.~~

1723 ~~55.03(1), for the time period within which an insurer fails to~~

1724 ~~pay claims as required by law. Restitution is in addition to any~~

1725 ~~other penalties allowed by law, including, but not limited to,~~

1726 ~~the suspension of the insurer's certificate of authority; or~~

1727 ~~j. Altering or amending an insurance adjuster's report~~

1728 ~~without:~~

1729 (I) Providing a detailed explanation as to why any change

1730 that has the effect of reducing the estimate of the loss was

1731 made; and

1732 (II) Including on the report or as an addendum to the

1733 report a detailed list of all changes made to the report and the

1734 identity of the person who ordered each change; or

1735 (III) Retaining all versions of the report, and including

1736 within each such version, for each change made within such

1737 version of the report, the identity of each person who made or

1738 ordered such change; or

1739 4. Failing to pay undisputed amounts of partial or full

1740 benefits owed under first-party property insurance policies

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

1746 (o) *Illegal dealings in premiums; excess or reduced charges*  
1747 *for insurance.*—

1748 1. Knowingly collecting any sum as a premium or charge for  
1749 insurance, which is not then provided, or is not in due course  
1750 to be provided, subject to acceptance of the risk by the  
1751 insurer, by an insurance policy issued by an insurer as  
1752 permitted by this code.

1753 2. Knowingly collecting as a premium or charge for  
1754 insurance any sum in excess of or less than the premium or  
1755 charge applicable to such insurance, in accordance with the  
1756 applicable classifications and rates as filed with and approved  
1757 by the office, and as specified in the policy; or, in cases when  
1758 classifications, premiums, or rates are not required by this  
1759 code to be so filed and approved, premiums and charges collected  
1760 from a Florida resident in excess of or less than those  
1761 specified in the policy and as fixed by the insurer.

1762 Notwithstanding any other provision of law, this provision shall  
1763 not be deemed to prohibit the charging and collection, by  
1764 surplus lines agents licensed under part VIII of this chapter,  
1765 of the amount of applicable state and federal taxes, or fees as  
1766 authorized by s. 626.916(4), in addition to the premium required  
1767 by the insurer or the charging and collection, by licensed  
1768 agents, of the exact amount of any discount or other such fee  
1769 charged by a credit card facility in connection with the use of

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1770 a credit card, as authorized by subparagraph (q)3., in addition  
1771 to the premium required by the insurer. This subparagraph shall  
1772 not be construed to prohibit collection of a premium for a  
1773 universal life or a variable or indeterminate value insurance  
1774 policy made in accordance with the terms of the contract.

1775 3.a. Imposing or requesting an additional premium for  
1776 bodily injury liability coverage, property damage liability  
1777 coverage ~~a policy of motor vehicle liability, personal injury~~  
1778 ~~protection, medical payments coverage payment, or collision~~  
1779 coverage in a motor vehicle liability policy insurance or any  
1780 ~~combination thereof~~ or refusing to renew the policy solely  
1781 because the insured was involved in a motor vehicle accident  
1782 unless the insurer's file contains information from which the  
1783 insurer in good faith determines that the insured was  
1784 substantially at fault in the accident.

1785 b. An insurer which imposes and collects such a surcharge  
1786 or which refuses to renew such policy shall, in conjunction with  
1787 the notice of premium due or notice of nonrenewal, notify the  
1788 named insured that he or she is entitled to reimbursement of  
1789 such amount or renewal of the policy under the conditions listed  
1790 below and will subsequently reimburse him or her or renew the  
1791 policy, if the named insured demonstrates that the operator  
1792 involved in the accident was:

1793 (I) Lawfully parked;

1794 (II) Reimbursed by, or on behalf of, a person responsible  
1795 for the accident or has a judgment against such person;

1796 (III) Struck in the rear by another vehicle headed in the  
1797 same direction and was not convicted of a moving traffic  
1798 violation in connection with the accident;

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1799 (IV) Hit by a "hit-and-run" driver, if the accident was  
1800 reported to the proper authorities within 24 hours after  
1801 discovering the accident;

1802 (V) Not convicted of a moving traffic violation in  
1803 connection with the accident, but the operator of the other  
1804 automobile involved in such accident was convicted of a moving  
1805 traffic violation;

1806 (VI) Finally adjudicated not to be liable by a court of  
1807 competent jurisdiction;

1808 (VII) In receipt of a traffic citation which was dismissed  
1809 or nolle prossed; or

1810 (VIII) Not at fault as evidenced by a written statement  
1811 from the insured establishing facts demonstrating lack of fault  
1812 which are not rebutted by information in the insurer's file from  
1813 which the insurer in good faith determines that the insured was  
1814 substantially at fault.

1815 c. In addition to the other provisions of this  
1816 subparagraph, an insurer may not fail to renew a policy if the  
1817 insured has had only one accident in which he or she was at  
1818 fault within the current 3-year period. However, an insurer may  
1819 nonrenew a policy for reasons other than accidents in accordance  
1820 with s. 627.728. This subparagraph does not prohibit nonrenewal  
1821 of a policy under which the insured has had three or more  
1822 accidents, regardless of fault, during the most recent 3-year  
1823 period.

1824 4. Imposing or requesting an additional premium for, or  
1825 refusing to renew, a policy for motor vehicle insurance solely  
1826 because the insured committed a noncriminal traffic infraction  
1827 as described in s. 318.14 unless the infraction is:

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1828           a. A second infraction committed within an 18-month period,  
1829 or a third or subsequent infraction committed within a 36-month  
1830 period.

1831           b. A violation of s. 316.183, when such violation is a  
1832 result of exceeding the lawful speed limit by more than 15 miles  
1833 per hour.

1834           5. Upon the request of the insured, the insurer and  
1835 licensed agent shall supply to the insured the complete proof of  
1836 fault or other criteria which justifies the additional charge or  
1837 cancellation.

1838           6. No insurer shall impose or request an additional premium  
1839 for motor vehicle insurance, cancel or refuse to issue a policy,  
1840 or refuse to renew a policy because the insured or the applicant  
1841 is a handicapped or physically disabled person, so long as such  
1842 handicap or physical disability does not substantially impair  
1843 such person's mechanically assisted driving ability.

1844           7. No insurer may cancel or otherwise terminate any  
1845 insurance contract or coverage, or require execution of a  
1846 consent to rate endorsement, during the stated policy term for  
1847 the purpose of offering to issue, or issuing, a similar or  
1848 identical contract or coverage to the same insured with the same  
1849 exposure at a higher premium rate or continuing an existing  
1850 contract or coverage with the same exposure at an increased  
1851 premium.

1852           8. No insurer may issue a nonrenewal notice on any  
1853 insurance contract or coverage, or require execution of a  
1854 consent to rate endorsement, for the purpose of offering to  
1855 issue, or issuing, a similar or identical contract or coverage  
1856 to the same insured at a higher premium rate or continuing an



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1857 existing contract or coverage at an increased premium without  
1858 meeting any applicable notice requirements.

1859 9. No insurer shall, with respect to premiums charged for  
1860 motor vehicle insurance, unfairly discriminate solely on the  
1861 basis of age, sex, marital status, or scholastic achievement.

1862 10. Imposing or requesting an additional premium for motor  
1863 vehicle comprehensive or uninsured motorist coverage solely  
1864 because the insured was involved in a motor vehicle accident or  
1865 was convicted of a moving traffic violation.

1866 11. No insurer shall cancel or issue a nonrenewal notice on  
1867 any insurance policy or contract without complying with any  
1868 applicable cancellation or nonrenewal provision required under  
1869 the Florida Insurance Code.

1870 12. No insurer shall impose or request an additional  
1871 premium, cancel a policy, or issue a nonrenewal notice on any  
1872 insurance policy or contract because of any traffic infraction  
1873 when adjudication has been withheld and no points have been  
1874 assessed pursuant to s. 318.14(9) and (10). However, this  
1875 subparagraph does not apply to traffic infractions involving  
1876 accidents in which the insurer has incurred a loss due to the  
1877 fault of the insured.

1878 Section 36. Paragraph (a) of subsection (1) of section  
1879 626.989, Florida Statutes, is amended to read:

1880 626.989 Investigation by department or Division of  
1881 Investigative and Forensic Services; compliance; immunity;  
1882 confidential information; reports to division; division  
1883 investigator's power of arrest.—

1884 (1) For the purposes of this section:

1885 (a) A person commits a "fraudulent insurance act" if the

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1886 person:

1887 1. Knowingly and with intent to defraud presents, causes to  
1888 be presented, or prepares with knowledge or belief that it will  
1889 be presented, to or by an insurer, self-insurer, self-insurance  
1890 fund, servicing corporation, purported insurer, broker, or any  
1891 agent thereof, any written statement as part of, or in support  
1892 of, an application for the issuance of, or the rating of, any  
1893 insurance policy, or a claim for payment or other benefit  
1894 pursuant to any insurance policy, which the person knows to  
1895 contain materially false information concerning any fact  
1896 material thereto or if the person conceals, for the purpose of  
1897 misleading another, information concerning any fact material  
1898 thereto.

1899 2. Knowingly submits:

1900 a. A false, misleading, or fraudulent application or other  
1901 document when applying for licensure as a health care clinic,  
1902 seeking an exemption from licensure as a health care clinic, or  
1903 demonstrating compliance with part X of chapter 400 with an  
1904 intent to use the license, exemption from licensure, or  
1905 demonstration of compliance to provide services or seek  
1906 reimbursement under a motor vehicle liability policy's medical  
1907 payments coverage ~~the Florida Motor Vehicle No-Fault Law~~.

1908 b. A claim for payment or other benefit under a motor  
1909 vehicle liability policy's medical payments coverage, ~~pursuant~~  
1910 ~~to a personal injury protection insurance policy under the~~  
1911 ~~Florida Motor Vehicle No-Fault Law~~ if the person knows that the  
1912 payee knowingly submitted a false, misleading, or fraudulent  
1913 application or other document when applying for licensure as a  
1914 health care clinic, seeking an exemption from licensure as a

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1915 health care clinic, or demonstrating compliance with part X of  
1916 chapter 400.

1917 Section 37. Subsection (1) of section 627.06501, Florida  
1918 Statutes, is amended to read:

1919 627.06501 Insurance discounts for certain persons  
1920 completing driver improvement course.—

1921 (1) Any rate, rating schedule, or rating manual for the  
1922 liability, medical payments ~~personal injury protection~~, and  
1923 collision coverages of a motor vehicle insurance policy filed  
1924 with the office may provide for an appropriate reduction in  
1925 premium charges as to such coverages if ~~when~~ the principal  
1926 operator on the covered vehicle has successfully completed a  
1927 driver improvement course approved and certified by the  
1928 Department of Highway Safety and Motor Vehicles which is  
1929 effective in reducing crash or violation rates, or both, as  
1930 determined pursuant to s. 318.1451(5). Any discount, not to  
1931 exceed 10 percent, used by an insurer is presumed to be  
1932 appropriate unless credible data demonstrates otherwise.

1933 Section 38. Subsection (15) is added to section 627.0651,  
1934 Florida Statutes, to read:

1935 627.0651 Making and use of rates for motor vehicle  
1936 insurance.—

1937 (15) Rate filings for motor vehicle liability policies that  
1938 implement the financial responsibility requirements of s.  
1939 324.022 in effect July 1, 2026, except for commercial motor  
1940 vehicle insurance policies exempt under paragraph (14) (a), must  
1941 reflect such financial responsibility requirements and may be  
1942 approved only through the file and use process in accordance  
1943 with paragraph (1) (a).

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1944 Section 39. Subsection (1) of section 627.0652, Florida  
1945 Statutes, is amended to read:

1946 627.0652 Insurance discounts for certain persons completing  
1947 safety course.—

1948 (1) Any rates, rating schedules, or rating manuals for the  
1949 liability, medical payments ~~personal injury protection~~, and  
1950 collision coverages of a motor vehicle insurance policy filed  
1951 with the office must ~~shall~~ provide for an appropriate reduction  
1952 in premium charges as to such coverages if ~~when~~ the principal  
1953 operator on the covered vehicle is an insured 55 years of age or  
1954 older who has successfully completed a motor vehicle accident  
1955 prevention course approved by the Department of Highway Safety  
1956 and Motor Vehicles. Any discount used by an insurer is presumed  
1957 to be appropriate unless credible data demonstrates otherwise.

1958 Section 40. Subsections (1), (3), and (6) of section  
1959 627.0653, Florida Statutes, are amended to read:

1960 627.0653 Insurance discounts for specified motor vehicle  
1961 equipment.—

1962 (1) Any rates, rating schedules, or rating manuals for the  
1963 liability, medical payments ~~personal injury protection~~, and  
1964 collision coverages of a motor vehicle insurance policy filed  
1965 with the office must ~~shall~~ provide a premium discount if the  
1966 insured vehicle is equipped with factory-installed, four-wheel  
1967 antilock brakes.

1968 (3) Any rates, rating schedules, or rating manuals for  
1969 ~~personal injury protection coverage and medical payments~~  
1970 ~~coverage, if offered,~~ of a motor vehicle insurance policy filed  
1971 with the office must ~~shall~~ provide a premium discount if the  
1972 insured vehicle is equipped with one or more air bags that ~~which~~

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1973 are factory installed.

1974 (6) The Office of Insurance Regulation may approve a  
 1975 premium discount to any rates, rating schedules, or rating  
 1976 manuals for the liability, medical payments ~~personal injury~~  
 1977 ~~protection~~, and collision coverages of a motor vehicle insurance  
 1978 policy filed with the office if the insured vehicle is equipped  
 1979 with an automated driving system or electronic vehicle collision  
 1980 avoidance technology that is factory installed or a retrofitted  
 1981 system and that complies with National Highway Traffic Safety  
 1982 Administration standards.

1983 Section 41. Section 627.4132, Florida Statutes, is amended  
 1984 to read:

1985 627.4132 Stacking of coverages prohibited.—If an insured or  
 1986 named insured is protected by any type of motor vehicle  
 1987 insurance policy providing primary bodily injury and property  
 1988 damage ~~for liability, personal injury protection, or other~~  
 1989 coverage, the policy must ~~shall~~ provide that the insured or  
 1990 named insured is protected only to the extent of the coverage  
 1991 she or he has on the vehicle involved in the accident. However,  
 1992 if none of the insured's or named insured's vehicles are ~~is~~  
 1993 involved in the accident, coverage is available only to the  
 1994 extent of coverage on any one of the vehicles with applicable  
 1995 coverage. Coverage on any other vehicles may ~~shall~~ not be added  
 1996 to or stacked upon that coverage. This section does not ~~apply~~:

1997 (1) Apply to uninsured motorist coverage that ~~which~~ is  
 1998 separately governed by s. 627.727.

1999 (2) ~~To~~ Reduce the coverage available by reason of insurance  
 2000 policies insuring different named insureds.

2001 Section 42. Subsection (1) of section 627.4137, Florida

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Statutes, is amended to read:

627.4137 Disclosure of certain information required.—

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

(a) The name of the insurer.

(b) The name of each insured.

(c) The limits of the liability coverage.

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

(e) A copy of the policy.

In addition, the insured, or her or his insurance agent, upon written request of the claimant or the claimant's attorney, shall disclose the name and coverage of each known insurer to the claimant and shall forward such request for information as required by this subsection to all affected insurers. The insurer shall then supply the information required in this subsection to the claimant within 30 days after ~~of~~ receipt of such request. If an insurer fails to timely comply with this subsection, the claimant may file an action in a court of competent jurisdiction to enforce this section. If the court determines that the insurer violated this subsection, the

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2031 claimant is entitled to an award of reasonable attorney fees and  
 2032 costs, payable by the insurer.

2033 Section 43. Section 627.7263, Florida Statutes, is amended  
 2034 to read:

2035 627.7263 Rental and leasing driver's insurance to be  
 2036 primary; exception.—

2037 (1) The valid and collectible liability insurance ~~or~~  
 2038 ~~personal injury protection insurance providing coverage~~ for the  
 2039 lessor of a motor vehicle for rent or lease is primary unless  
 2040 otherwise stated in at least 10-point type on the face of the  
 2041 rental or lease agreement. Such insurance is primary for the  
 2042 limits of liability ~~and personal injury protection~~ coverage as  
 2043 required under s. 324.021(7) ~~by ss. 324.021(7) and 627.736.~~

2044 (2) If the lessee's coverage is to be primary, the rental  
 2045 or lease agreement must contain the following language, in at  
 2046 least 10-point type:

2047  
 2048 "The valid and collectible liability insurance ~~and~~  
 2049 ~~personal injury protection insurance~~ of an any  
 2050 authorized rental or leasing driver is primary for the  
 2051 limits of liability ~~and personal injury protection~~  
 2052 coverage required under s. 324.021(7) ~~by ss.~~  
 2053 ~~324.021(7) and 627.736,~~ Florida Statutes."

2054 Section 44. Subsections (1) and (7) of section 627.727,  
 2055 Florida Statutes, are amended to read:

2056 627.727 Motor vehicle insurance; uninsured and underinsured  
 2057 vehicle coverage; insolvent insurer protection.—

2058 (1) A ~~No~~ motor vehicle liability ~~insurance~~ policy that  
 2059 ~~which~~ provides bodily injury liability coverage may not ~~shall~~ be

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2060 delivered or issued for delivery in this state with respect to  
2061 any specifically insured or identified motor vehicle registered  
2062 or principally garaged in this state unless uninsured motor  
2063 vehicle coverage is provided therein or supplemental thereto for  
2064 the protection of persons insured thereunder who are legally  
2065 entitled to recover damages from owners or operators of  
2066 uninsured motor vehicles because of bodily injury, sickness, or  
2067 disease, including death, resulting therefrom. However, the  
2068 coverage required under this section is not applicable if ~~when~~,  
2069 or to the extent that, an insured named in the policy makes a  
2070 written rejection of the coverage on behalf of all insureds  
2071 under the policy. If ~~When~~ a motor vehicle is leased for ~~a period~~  
2072 ~~of~~ 1 year or longer and the lessor of such vehicle, by the terms  
2073 of the lease contract, provides liability coverage on the leased  
2074 vehicle, the lessee of such vehicle has ~~shall have~~ the sole  
2075 privilege to reject uninsured motorist coverage or to select  
2076 lower limits than the bodily injury liability limits, regardless  
2077 of whether the lessor is qualified as a self-insurer pursuant to  
2078 s. 324.171. Unless an insured, or a lessee having the privilege  
2079 of rejecting uninsured motorist coverage, requests such coverage  
2080 or requests higher uninsured motorist limits in writing, the  
2081 coverage or such higher uninsured motorist limits need not be  
2082 provided in or supplemental to any other policy that ~~which~~  
2083 renews, extends, changes, supersedes, or replaces an existing  
2084 policy with the same bodily injury liability limits when an  
2085 insured or lessee had rejected the coverage. When an insured or  
2086 lessee has initially selected limits of uninsured motorist  
2087 coverage lower than her or his bodily injury liability limits,  
2088 higher limits of uninsured motorist coverage need not be



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2089 provided in or supplemental to any other policy that ~~which~~  
2090 renews, extends, changes, supersedes, or replaces an existing  
2091 policy with the same bodily injury liability limits unless an  
2092 insured requests higher uninsured motorist coverage in writing.  
2093 The rejection or selection of lower limits must ~~shall~~ be made on  
2094 a form approved by the office. The form must ~~shall~~ fully advise  
2095 the applicant of the nature of the coverage and must ~~shall~~ state  
2096 that the coverage is equal to bodily injury liability limits  
2097 unless lower limits are requested or the coverage is rejected.  
2098 The heading of the form must ~~shall~~ be in 12-point bold type and  
2099 must ~~shall~~ state: "You are electing not to purchase certain  
2100 valuable coverage that ~~which~~ protects you and your family or you  
2101 are purchasing uninsured motorist limits less than your bodily  
2102 injury liability limits when you sign this form. Please read  
2103 carefully." If this form is signed by a named insured, it will  
2104 be conclusively presumed that there was an informed, knowing  
2105 rejection of coverage or election of lower limits on behalf of  
2106 all insureds. The insurer shall notify the named insured at  
2107 least annually of her or his options as to the coverage required  
2108 by this section. Such notice must ~~shall~~ be part of, and attached  
2109 to, the notice of premium, must ~~shall~~ provide for a means to  
2110 allow the insured to request such coverage, and must ~~shall~~ be  
2111 given in a manner approved by the office. Receipt of this notice  
2112 does not constitute an affirmative waiver of the insured's right  
2113 to uninsured motorist coverage if ~~where~~ the insured has not  
2114 signed a selection or rejection form. The coverage described  
2115 under this section must ~~shall~~ be over and above, but may ~~shall~~  
2116 not duplicate, the benefits available to an insured under any  
2117 workers' compensation law, ~~personal injury protection benefits,~~

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2118 disability benefits law, or similar law; under any automobile  
 2119 medical payments ~~expense~~ coverage; under any motor vehicle  
 2120 liability insurance coverage; or from the owner or operator of  
 2121 the uninsured motor vehicle or any other person or organization  
 2122 jointly or severally liable together with such owner or operator  
 2123 for the accident, ~~and~~ and such coverage must ~~shall~~ cover any ~~the~~  
 2124 difference, ~~if any,~~ between the sum of such benefits and the  
 2125 damages sustained, up to the maximum amount of such coverage  
 2126 provided under this section. The amount of coverage available  
 2127 under this section may ~~shall~~ not be reduced by a setoff against  
 2128 any coverage, including liability insurance. Such coverage does  
 2129 ~~shall~~ not inure directly or indirectly to the benefit of any  
 2130 workers' compensation or disability benefits carrier or any  
 2131 person or organization qualifying as a self-insurer under any  
 2132 workers' compensation or disability benefits law or similar law.

2133 (7) The legal liability of an uninsured motorist coverage  
 2134 insurer includes ~~does not include~~ damages in tort for pain,  
 2135 suffering, disability, physical impairment, disfigurement,  
 2136 mental anguish, and inconvenience, and the loss of capacity for  
 2137 the enjoyment of life experienced in the past and to be  
 2138 experienced in the future ~~unless the injury or disease is~~  
 2139 ~~described in one or more of paragraphs (a) - (d) of s. 627.737(2).~~

2140 Section 45. Section 627.7275, Florida Statutes, is amended  
 2141 to read:

2142 627.7275 Required coverages in motor vehicle insurance  
 2143 policies; availability to certain applicants liability.-

2144 (1) A motor vehicle insurance policy ~~providing personal~~  
 2145 ~~injury protection as set forth in s. 627.736~~ may not be  
 2146 delivered or issued for delivery in this state for a ~~with~~

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2147 ~~respect to any~~ specifically insured or identified motor vehicle  
2148 registered or principally garaged in this state must provide  
2149 bodily injury liability coverage and ~~unless the policy also~~  
2150 ~~provides coverage for~~ property damage liability coverage as  
2151 required under ss. 324.022 and 324.151 ~~by s. 324.022.~~

2152 (2) (a) Insurers writing motor vehicle insurance in this  
2153 state shall make available, subject to the insurers' usual  
2154 underwriting restrictions:

2155 1. Coverage under policies as described in subsection (1)  
2156 to an applicant for private passenger motor vehicle insurance  
2157 coverage who is seeking the coverage in order to reinstate the  
2158 applicant's driving privileges in this state if the driving  
2159 privileges were revoked or suspended pursuant to s. 316.646 or  
2160 s. 324.0221 due to the failure of the applicant to maintain  
2161 required security.

2162 2. Coverage under policies as described in subsection (1),  
2163 which includes bodily injury ~~also provides~~ liability coverage  
2164 and property damage liability coverage ~~for bodily injury, death,~~  
2165 ~~and property damage arising out of the ownership, maintenance,~~  
2166 ~~or use of the motor vehicle~~ in an amount not less than the  
2167 minimum limits required under ~~described in~~ s. 324.021(7) or s.  
2168 324.023 and which conforms to the requirements of s. 324.151, to  
2169 an applicant for private passenger motor vehicle insurance  
2170 coverage who is seeking the coverage in order to reinstate the  
2171 applicant's driving privileges in this state after such  
2172 privileges were revoked or suspended under s. 316.193 or s.  
2173 322.26(2) for driving under the influence.

2174 (b) The policies described in paragraph (a) must ~~shall~~ be  
2175 issued for at least 6 months. After the insurer has issued the

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2176 policy, the insurer shall notify the Department of Highway  
 2177 Safety and Motor Vehicles that the policy is in full force and  
 2178 effect. Once the provisions of the policy become effective, the  
 2179 bodily injury liability and property damage liability coverages  
 2180 ~~for bodily injury, property damage, and personal injury~~  
 2181 ~~protection~~ may not be reduced below the minimum limits required  
 2182 under s. 324.021 or s. 324.023 during the policy period.

2183 (c) This subsection controls to the extent of any conflict  
 2184 with any other section.

2185 (d) An insurer issuing a policy subject to this section may  
 2186 cancel the policy if, during the policy term, the named insured,  
 2187 or any other operator who resides in the same household or  
 2188 customarily operates an automobile insured under the policy, has  
 2189 his or her driver license suspended or revoked.

2190 (e) This subsection does not require an insurer to offer a  
 2191 policy of insurance to an applicant if such offer would be  
 2192 inconsistent with the insurer's underwriting guidelines and  
 2193 procedures.

2194 Section 46. Effective upon this act becoming a law, section  
 2195 627.7278, Florida Statutes, is created to read:

2196 627.7278 Applicability and construction; notice to  
 2197 policyholders.—

2198 (1) As used in this section, the term "minimum security  
 2199 requirements" means security in the amounts required by s.  
 2200 324.022 which enables a person to respond in damages for  
 2201 liability on account of crashes arising out of the ownership,  
 2202 maintenance, or use of a motor vehicle.

2203 (2) Effective July 1, 2026:

2204 (a) Motor vehicle insurance policies issued or renewed on

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2205 or after July 1, 2026, may not include personal injury  
2206 protection.

2207 (b) All persons subject to s. 324.022, s. 324.032, s.  
2208 627.7415, or s. 627.742 must meet at least the minimum security  
2209 requirements and maintain the required amount of coverage.

2210 (c) A motor vehicle insurance policy issued before July 1,  
2211 2026, which provides personal injury protection and property  
2212 damage liability coverage that meets the requirements of s.  
2213 324.022 on June 30, 2026, but that does not meet minimum  
2214 security requirements in effect on or after July 1, 2026, is  
2215 deemed to meet minimum security requirements until such policy  
2216 is renewed, nonrenewed, or canceled on or after July 1, 2026.  
2217 Sections 400.9905, 400.991, 456.057, 456.072, 626.9541(1)(i),  
2218 627.7263, 627.727, 627.730-627.7405, 627.748, and 817.234,  
2219 Florida Statutes 2024, remain in full force and effect for motor  
2220 vehicle accidents covered under a policy issued under the  
2221 Florida Motor Vehicle No-Fault Law before July 1, 2026, until  
2222 the policy is renewed, nonrenewed, or canceled on or after July  
2223 1, 2026.

2224 (3) An insurer shall allow each insured who has a new or  
2225 renewal policy providing personal injury protection which  
2226 becomes effective before July 1, 2026, and whose policy does not  
2227 meet minimum security requirements on or after July 1, 2026, to  
2228 change coverages so as to eliminate personal injury protection.  
2229 Any reduction in the premium must be refunded by the insurer.  
2230 The insurer may not impose on the insured an additional fee or  
2231 charge that applies solely to a change in coverage; however, the  
2232 insurer may charge an additional required premium that is  
2233 actuarially indicated.

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2234 (4) By April 1, 2026, each motor vehicle insurer shall  
2235 provide notice of this section to each motor vehicle insurance  
2236 policyholder who is subject to this section. The notice is  
2237 subject to approval by the office and must clearly inform the  
2238 policyholder that:

2239 (a) The Florida Motor Vehicle No-Fault Law is repealed  
2240 effective July 1, 2026, and that on or after that date, the  
2241 insured is no longer required to maintain personal injury  
2242 protection insurance coverage, that personal injury protection  
2243 insurance coverage is no longer available for purchase in this  
2244 state, and that new or renewal policies issued on or after that  
2245 date will not contain that coverage.

2246 (b) Effective July 1, 2026, a person subject to the  
2247 financial responsibility requirements of s. 324.022 must  
2248 maintain minimum security requirements that enable the person to  
2249 respond in damages for liability on account of accidents arising  
2250 out of the ownership, maintenance, or use of a motor vehicle in  
2251 the following amounts:

2252 1. Twenty-five thousand dollars for bodily injury to, or  
2253 the death of, one person in any one crash and, subject to such  
2254 limits for one person, in the amount of \$50,000 for bodily  
2255 injury to, or the death of, two or more persons in any one  
2256 crash; and

2257 2. Ten thousand dollars for damage to, or destruction of,  
2258 the property of others in any one crash.

2259 (c) Bodily injury liability coverage protects the insured,  
2260 up to the coverage limits, against loss if the insured is  
2261 legally responsible for bodily injury to, or the death of,  
2262 others in a motor vehicle crash.

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2263       (d) The policyholder may obtain uninsured and underinsured  
2264 motorist coverage that provides benefits, up to the limits of  
2265 such coverage, to a policyholder or other insured entitled to  
2266 recover damages for bodily injury, sickness, disease, or death  
2267 resulting from a motor vehicle crash involving an uninsured or  
2268 underinsured owner or operator of a motor vehicle.

2269       (e) If the policyholder's new or renewal motor vehicle  
2270 insurance policy is effective before July 1, 2026, and contains  
2271 personal injury protection and property damage liability  
2272 coverage as required by state law before July 1, 2026, but does  
2273 not meet minimum security requirements on or after July 1, 2026,  
2274 the policy is deemed to meet minimum security requirements until  
2275 it is renewed, nonrenewed, or canceled on or after July 1, 2026.

2276       (f) A policyholder whose new or renewal policy becomes  
2277 effective before July 1, 2026, but does not meet minimum  
2278 security requirements on or after July 1, 2026, may change  
2279 coverages under the policy so as to eliminate personal injury  
2280 protection and to obtain coverage providing minimum security  
2281 requirements, including bodily injury liability coverage, which  
2282 are effective on or after July 1, 2026.

2283       (g) If the policyholder has any questions, he or she should  
2284 contact the person named at the telephone number provided in the  
2285 notice.

2286       Section 47. Paragraph (a) of subsection (1) of section  
2287 627.728, Florida Statutes, is amended to read:

2288       627.728 Cancellations; nonrenewals.—

2289       (1) As used in this section, the term:

2290       (a) "Policy" means the bodily injury and property damage  
2291 liability, ~~personal injury protection,~~ medical payments,

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2292 comprehensive, collision, and uninsured motorist coverage  
2293 portions of a policy of motor vehicle insurance delivered or  
2294 issued for delivery in this state:

2295 1. Insuring a natural person as named insured or one or  
2296 more related individuals who are residents ~~resident~~ of the same  
2297 household; and

2298 2. Insuring only a motor vehicle of the private passenger  
2299 type or station wagon type which is not used as a public or  
2300 livery conveyance for passengers or rented to others; or  
2301 insuring any other four-wheel motor vehicle having a load  
2302 capacity of 1,500 pounds or less which is not used in the  
2303 occupation, profession, or business of the insured other than  
2304 farming; other than any policy issued under an automobile  
2305 insurance assigned risk plan or covering garage, automobile  
2306 sales agency, repair shop, service station, or public parking  
2307 place operation hazards.

2308

2309 The term "policy" does not include a binder as defined in s.  
2310 627.420 unless the duration of the binder period exceeds 60  
2311 days.

2312 Section 48. Subsection (1), paragraph (a) of subsection  
2313 (5), and subsections (6) and (7) of section 627.7295, Florida  
2314 Statutes, are amended to read:

2315 627.7295 Motor vehicle insurance contracts.—

2316 (1) As used in this section, the term:

2317 (a) "Policy" means a motor vehicle insurance policy that  
2318 provides bodily injury liability ~~personal injury protection~~  
2319 coverage and ~~property damage liability coverage, or both.~~

2320 (b) "Binder" means a binder that provides motor vehicle



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2321 bodily injury liability coverage ~~personal injury protection~~ and  
2322 property damage liability coverage.

2323 (5) (a) A licensed general lines agent may charge a per-  
2324 policy fee of up to ~~not to exceed~~ \$10 to cover the  
2325 administrative costs of the agent associated with selling the  
2326 motor vehicle insurance policy if the policy provides ~~covers~~  
2327 only bodily injury liability coverage ~~personal injury protection~~  
2328 ~~coverage as provided by s. 627.736~~ and property damage liability  
2329 coverage under ~~as provided by~~ s. 627.7275 and if no other  
2330 insurance is sold or issued in conjunction with or collateral to  
2331 the policy. The fee is not ~~considered~~ part of the premium.

2332 (6) If a motor vehicle owner's driver license, license  
2333 plate, and registration have previously been suspended pursuant  
2334 to s. 316.646 ~~or s. 627.733~~, an insurer may cancel a new policy  
2335 only as provided in s. 627.7275.

2336 (7) A policy of private passenger motor vehicle insurance  
2337 or a binder for such a policy may be initially issued in this  
2338 state only if, before the effective date of such binder or  
2339 policy, the insurer or agent has collected from the insured an  
2340 amount equal to at least 1 month's premium. An insurer, agent,  
2341 or premium finance company may not, directly or indirectly, take  
2342 any action that will result ~~resulting~~ in the insured paying  
2343 ~~having paid~~ from the insured's own funds an amount less than the  
2344 1 month's premium required by this subsection. This subsection  
2345 applies regardless of ~~without regard to~~ whether the premium is  
2346 financed by a premium finance company or is paid pursuant to a  
2347 periodic payment plan of an insurer or an insurance agent.

2348 (a) This subsection does not apply:

2349 1. If an insured or member of the insured's family is

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2350 renewing or replacing a policy or a binder for such policy  
 2351 written by the same insurer or a member of the same insurer  
 2352 group. ~~This subsection does not apply~~

2353 2. To an insurer that issues private passenger motor  
 2354 vehicle coverage primarily to active duty or former military  
 2355 personnel or their dependents. ~~This subsection does not apply~~

2356 3. If all policy payments are paid pursuant to a payroll  
 2357 deduction plan, an automatic electronic funds transfer payment  
 2358 plan from the policyholder, or a recurring credit card or debit  
 2359 card agreement with the insurer.

2360 (b) This subsection and subsection (4) do not apply if:

2361 1. All policy payments to an insurer are paid pursuant to  
 2362 an automatic electronic funds transfer payment plan from an  
 2363 agent, a managing general agent, or a premium finance company  
 2364 and if the policy includes, at a minimum, bodily injury  
 2365 liability coverage and ~~personal injury protection pursuant to~~  
 2366 ~~ss. 627.730-627.7405; motor vehicle property damage liability~~  
 2367 coverage under ~~pursuant to s. 627.7275; or and bodily injury~~  
 2368 ~~liability in at least the amount of \$10,000 because of bodily~~  
 2369 ~~injury to, or death of, one person in any one accident and in~~  
 2370 ~~the amount of \$20,000 because of bodily injury to, or death of,~~  
 2371 ~~two or more persons in any one accident. This subsection and~~  
 2372 ~~subsection (4) do not apply if~~

2373 2. An insured has had a policy in effect for at least 6  
 2374 months, the insured's agent is terminated by the insurer that  
 2375 issued the policy, and the insured obtains coverage on the  
 2376 policy's renewal date with a new company through the terminated  
 2377 agent.

2378 Section 49. Section 627.7415, Florida Statutes, is amended

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2379 to read:

2380           627.7415 Commercial motor vehicles; additional liability  
2381 insurance coverage.—Beginning July 1, 2026, commercial motor  
2382 vehicles, as defined in s. 207.002 or s. 320.01, operated upon  
2383 the roads and highways of this state must ~~shall~~ be insured with  
2384 the following minimum levels of combined bodily liability  
2385 insurance and property damage liability insurance in addition to  
2386 any other insurance requirements:

2387           (1) Sixty ~~Fifty~~ thousand dollars per occurrence for a  
2388 commercial motor vehicle with a gross vehicle weight of 26,000  
2389 pounds or more, but less than 35,000 pounds.

2390           (2) One hundred twenty thousand dollars per occurrence for  
2391 a commercial motor vehicle with a gross vehicle weight of 35,000  
2392 pounds or more, but less than 44,000 pounds.

2393           (3) Three hundred thousand dollars per occurrence for a  
2394 commercial motor vehicle with a gross vehicle weight of 44,000  
2395 pounds or more.

2396           (4) All commercial motor vehicles subject to regulations of  
2397 the United States Department of Transportation, 49 C.F.R. part  
2398 387, subparts A and B, and as may be hereinafter amended, shall  
2399 be insured in an amount equivalent to the minimum levels of  
2400 financial responsibility as set forth in such regulations.

2401  
2402 A violation of this section is a noncriminal traffic infraction,  
2403 punishable as a nonmoving violation as provided in chapter 318.

2404           Section 50. Subsections (1) and (3) of section 627.747,  
2405 Florida Statutes, are amended to read:

2406           627.747 Named driver exclusion.—

2407           (1) A private passenger motor vehicle policy may exclude

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2408 the following coverages for all claims or suits resulting from  
2409 the operation of a motor vehicle by an identified individual who  
2410 is not a named insured, provided the identified individual is  
2411 named on the declarations page or by endorsement and the named  
2412 insured consents in writing to such exclusion:

2413 ~~(a) Notwithstanding the Florida Motor Vehicle No-Fault Law,~~  
2414 ~~the personal injury protection coverage specifically applicable~~  
2415 ~~to the identified individual's injuries, lost wages, and death~~  
2416 ~~benefits.~~

2417 ~~(b)~~ Property damage liability coverage.

2418 ~~(b)(e)~~ Bodily injury liability coverage, ~~if required by law~~  
2419 ~~and purchased by the named insured.~~

2420 ~~(c)(d)~~ Uninsured motorist coverage for any damages  
2421 sustained by the identified excluded individual, if the named  
2422 insured has purchased such coverage.

2423 ~~(d)(e)~~ Any coverage the named insured is not required by  
2424 law to purchase.

2425 (3) A driver excluded pursuant to this section must:

2426 ~~(a)~~ establish, maintain, and show proof of financial  
2427 ability to respond for damages arising out of the ownership,  
2428 maintenance, or use of a motor vehicle as required by chapter  
2429 324; ~~and~~

2430 ~~(b) Maintain security as required by s. 627.733.~~

2431 Section 51. Paragraphs (b), (c), and (g) of subsection (7),  
2432 paragraphs (a) and (b) of subsection (8), and paragraph (b) of  
2433 subsection (16) of section 627.748, Florida Statutes, are  
2434 amended to read:

2435 627.748 Transportation network companies.—

2436 (7) TRANSPORTATION NETWORK COMPANY AND TNC DRIVER INSURANCE

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2437 REQUIREMENTS.—

2438 (b) The following automobile insurance requirements apply  
 2439 while a participating TNC driver is logged on to the digital  
 2440 network but is not engaged in a prearranged ride:

2441 1. Automobile insurance that provides:

2442 a. A primary automobile liability coverage of at least  
 2443 \$50,000 for death and bodily injury per person, \$100,000 for  
 2444 death and bodily injury per incident, and \$25,000 for property  
 2445 damage; and

2446 ~~b. Personal injury protection benefits that meet the~~  
 2447 ~~minimum coverage amounts required under ss. 627.730-627.7405;~~  
 2448 ~~and~~

2449 ~~e.~~ Uninsured and underinsured vehicle coverage as required  
 2450 by s. 627.727.

2451 2. The coverage requirements of this paragraph may be  
 2452 satisfied by any of the following:

2453 a. Automobile insurance maintained by the TNC driver or the  
 2454 TNC vehicle owner;

2455 b. Automobile insurance maintained by the TNC; or

2456 c. A combination of sub-subparagraphs a. and b.

2457 (c)1. The TNC driver while following ~~automobile insurance~~  
 2458 ~~requirements apply while a TNC driver is engaged in a~~  
 2459 ~~prearranged ride~~ must maintain+

2460 ~~1.~~ automobile insurance that provides:

2461 a. A Primary automobile liability coverage of at least \$1  
 2462 million for death, bodily injury, and property damage; and

2463 b. ~~Personal injury protection benefits that meet the~~  
 2464 ~~minimum coverage amounts required of a limousine under ss.~~  
 2465 ~~627.730-627.7405; and~~

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2466           ~~e.~~ Uninsured and underinsured vehicle coverage as required  
2467 by s. 627.727.

2468           2. The coverage requirements of this paragraph may be  
2469 satisfied by any of the following:

2470           a. Automobile insurance maintained by the TNC driver or the  
2471 TNC vehicle owner;

2472           b. Automobile insurance maintained by the TNC; or

2473           c. A combination of sub-subparagraphs a. and b.

2474           (g) Insurance satisfying the requirements under this  
2475 subsection is deemed to satisfy the financial responsibility  
2476 requirement for a motor vehicle under chapter 324 ~~and the~~  
2477 ~~security required under s. 627.733~~ for any period when the TNC  
2478 driver is logged onto the digital network or engaged in a  
2479 prearranged ride.

2480           (8) TRANSPORTATION NETWORK COMPANY AND INSURER; DISCLOSURE;  
2481 EXCLUSIONS.—

2482           (a) Before a TNC driver is allowed to accept a request for  
2483 a prearranged ride on the digital network, the TNC must disclose  
2484 in writing to the TNC driver:

2485           1. The insurance coverage, including the types of coverage  
2486 and the limits for each coverage, which the TNC provides while  
2487 the TNC driver uses a TNC vehicle in connection with the TNC's  
2488 digital network.

2489           2. That the TNC driver's own automobile insurance policy  
2490 might not provide any coverage while the TNC driver is logged on  
2491 to the digital network or is engaged in a prearranged ride,  
2492 depending on the terms of the TNC driver's own automobile  
2493 insurance policy.

2494           3. That the provision of rides for compensation which are

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2495 not prearranged rides subjects the driver to the coverage  
2496 requirements imposed under s. 324.032(1) and (2) and that  
2497 failure to meet such coverage requirements subjects the TNC  
2498 driver to penalties provided in s. 324.221, up to and including  
2499 a misdemeanor of the second degree.

2500 (b)1. An insurer that provides an automobile liability  
2501 insurance policy under this part may exclude any and all  
2502 coverage afforded under the policy issued to an owner or  
2503 operator of a TNC vehicle while driving that vehicle for any  
2504 loss or injury that occurs while a TNC driver is logged on to a  
2505 digital network or while a TNC driver provides a prearranged  
2506 ride. Exclusions imposed under this subsection are limited to  
2507 coverage while a TNC driver is logged on to a digital network or  
2508 while a TNC driver provides a prearranged ride. This right to  
2509 exclude all coverage may apply to any coverage included in an  
2510 automobile insurance policy, including, but not limited to:

- 2511 a. Liability coverage for bodily injury and property  
2512 damage;
- 2513 b. Uninsured and underinsured motorist coverage;
- 2514 c. Medical payments coverage;
- 2515 d. Comprehensive physical damage coverage; and
- 2516 e. Collision physical damage coverage; ~~and~~
- 2517 ~~f. Personal injury protection.~~

2518 2. The exclusions described in subparagraph 1. apply  
2519 notwithstanding any requirement under chapter 324. These  
2520 exclusions do not affect or diminish coverage otherwise  
2521 available for permissive drivers or resident relatives under the  
2522 personal automobile insurance policy of the TNC driver or owner  
2523 of the TNC vehicle who are not occupying the TNC vehicle at the

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2524 time of loss. This section does not require that a personal  
2525 automobile insurance policy provide coverage while the TNC  
2526 driver is logged on to a digital network, while the TNC driver  
2527 is engaged in a prearranged ride, or while the TNC driver  
2528 otherwise uses a vehicle to transport riders for compensation.

2529 3. This section must not be construed to require an insurer  
2530 to use any particular policy language or reference to this  
2531 section in order to exclude any ~~and all~~ coverage for any loss or  
2532 injury that occurs while a TNC driver is logged on to a digital  
2533 network or while a TNC driver provides a prearranged ride.

2534 4. This section does not preclude an insurer from providing  
2535 primary or excess coverage for the TNC driver's vehicle by  
2536 contract or endorsement.

2537 (16) LUXURY GROUND TRANSPORTATION NETWORK COMPANIES.—

2538 (b) An entity may elect, upon written notification to the  
2539 department, to be regulated as a luxury ground TNC. A luxury  
2540 ground TNC must:

2541 1. Comply with all of the requirements of this section  
2542 applicable to a TNC, including subsection (17), which do not  
2543 conflict with subparagraph 2. or which do not prohibit the  
2544 company from connecting riders to drivers who operate for-hire  
2545 vehicles as defined in s. 320.01(15), including limousines and  
2546 luxury sedans and excluding taxicabs.

2547 2. Maintain insurance coverage as required by subsection  
2548 (7). However, if a prospective luxury ground TNC satisfies  
2549 minimum financial responsibility through compliance with s.  
2550 324.032(3) ~~s. 324.032(2)~~ by using self-insurance when it gives  
2551 the department written notification of its election to be  
2552 regulated as a luxury ground TNC, the luxury ground TNC may use



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2553 self-insurance to meet the insurance requirements of subsection  
2554 (7), so long as such self-insurance complies with s. 324.032(3)  
2555 ~~s. 324.032(2)~~ and provides the limits of liability required by  
2556 subsection (7).

2557 Section 52. Subsection (2) and paragraphs (a) and (c) of  
2558 subsection (3) of section 627.7483, Florida Statutes, are  
2559 amended to read:

2560 627.7483 Peer-to-peer car sharing; insurance requirements.-

2561 (2) INSURANCE COVERAGE REQUIREMENTS.-

2562 (a)1. A peer-to-peer car-sharing program shall ensure that,  
2563 during each car-sharing period, the shared vehicle owner and the  
2564 shared vehicle driver are insured under a motor vehicle  
2565 insurance policy that provides all of the following:

2566 a. Property damage liability coverage and bodily injury  
2567 liability coverage that meet or exceed ~~meets~~ the minimum  
2568 coverage amounts required under s. 324.022.

2569 b. ~~Bodily injury liability coverage limits as described in~~  
2570 ~~s. 324.021(7)(a) and (b).~~

2571 c. ~~Personal injury protection benefits that meet the~~  
2572 ~~minimum coverage amounts required under s. 627.736.~~

2573 ~~d.~~ Uninsured and underinsured vehicle coverage as required  
2574 under s. 627.727.

2575 2. The peer-to-peer car-sharing program shall also ensure  
2576 that the motor vehicle insurance policy under subparagraph 1.:

2577 a. Recognizes that the shared vehicle insured under the  
2578 policy is made available and used through a peer-to-peer car-  
2579 sharing program; or

2580 b. Does not exclude the use of a shared vehicle by a shared  
2581 vehicle driver.

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2582 (b)1. The insurance described under paragraph (a) may be  
2583 satisfied by a motor vehicle insurance policy maintained by:

2584 a. A shared vehicle owner;

2585 b. A shared vehicle driver;

2586 c. A peer-to-peer car-sharing program; or

2587 d. A combination of a shared vehicle owner, a shared  
2588 vehicle driver, and a peer-to-peer car-sharing program.

2589 2. The insurance policy maintained in subparagraph 1. which  
2590 satisfies the insurance requirements under paragraph (a) is  
2591 primary during each car-sharing period. If a claim occurs during  
2592 the car-sharing period in another state with minimum financial  
2593 responsibility limits higher than those limits required under  
2594 chapter 324, the coverage maintained under paragraph (a)  
2595 satisfies the difference in minimum coverage amounts up to the  
2596 applicable policy limits.

2597 3.a. If the insurance maintained by a shared vehicle owner  
2598 or shared vehicle driver in accordance with subparagraph 1. has  
2599 lapsed or does not provide the coverage required under paragraph  
2600 (a), the insurance maintained by the peer-to-peer car-sharing  
2601 program must provide the coverage required under paragraph (a),  
2602 beginning with the first dollar of a claim, and must defend such  
2603 claim, except under circumstances as set forth in subparagraph  
2604 (3) (a)2.

2605 b. Coverage under a motor vehicle insurance policy  
2606 maintained by the peer-to-peer car-sharing program must not be  
2607 dependent on another motor vehicle insurer first denying a  
2608 claim, and another motor vehicle insurance policy is not  
2609 required to first deny a claim.

2610 c. Notwithstanding any other law, statute, rule, or

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2611 regulation to the contrary, a peer-to-peer car-sharing program  
2612 has an insurable interest in a shared vehicle during the car-  
2613 sharing period. This sub-subparagraph does not create liability  
2614 for a peer-to-peer car-sharing program for maintaining the  
2615 coverage required under paragraph (a) and under this paragraph,  
2616 if applicable.

2617 d. A peer-to-peer car-sharing program may own and maintain  
2618 as the named insured one or more policies of motor vehicle  
2619 insurance which provide coverage for:

2620 (I) Liabilities assumed by the peer-to-peer car-sharing  
2621 program under a peer-to-peer car-sharing program agreement;

2622 (II) Liability of the shared vehicle owner;

2623 (III) Liability of the shared vehicle driver;

2624 (IV) Damage or loss to the shared motor vehicle; or

2625 (V) Damage, loss, or injury to persons or property to

2626 satisfy the ~~personal injury protection~~ and uninsured and  
2627 underinsured motorist coverage requirements of this section.

2628 e. Insurance required under paragraph (a), when maintained  
2629 by a peer-to-peer car-sharing program, may be provided by an  
2630 insurer authorized to do business in this state which is a  
2631 member of the Florida Insurance Guaranty Association or an  
2632 eligible surplus lines insurer that has a superior, excellent,  
2633 exceptional, or equivalent financial strength rating by a rating  
2634 agency acceptable to the office. A peer-to-peer car-sharing  
2635 program is not transacting in insurance when it maintains the  
2636 insurance required under this section.

2637 (3) LIABILITIES AND INSURANCE EXCLUSIONS.—

2638 (a) *Liability*.—

2639 1. A peer-to-peer car-sharing program shall assume

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2640 liability, except as provided in subparagraph 2., of a shared  
2641 vehicle owner for bodily injury or property damage to third  
2642 parties or uninsured and underinsured motorist ~~or personal~~  
2643 ~~injury protection~~ losses during the car-sharing period in an  
2644 amount stated in the peer-to-peer car-sharing program agreement,  
2645 which amount may not be less than those set forth in ss. 324.022  
2646 and 627.727 ~~ss. 324.021(7)(a) and (b), 324.022, 627.727, and~~  
2647 ~~627.736~~, respectively.

2648 2. The assumption of liability under subparagraph 1. does  
2649 not apply if a shared vehicle owner:

2650 a. Makes an intentional or fraudulent material  
2651 misrepresentation or omission to the peer-to-peer car-sharing  
2652 program before the car-sharing period in which the loss occurs;  
2653 or

2654 b. Acts in concert with a shared vehicle driver who fails  
2655 to return the shared vehicle pursuant to the terms of the peer-  
2656 to-peer car-sharing program agreement.

2657 3. The insurer, insurers, or peer-to-peer car-sharing  
2658 program providing coverage under paragraph (2)(a) shall assume  
2659 primary liability for a claim when:

2660 a. A dispute exists over who was in control of the shared  
2661 motor vehicle at the time of the loss, and the peer-to-peer car-  
2662 sharing program does not have available, did not retain, or  
2663 fails to provide the information required under subsection (5);  
2664 or

2665 b. A dispute exists over whether the shared vehicle was  
2666 returned to the alternatively agreed-upon location as required  
2667 under subparagraph (1)(d)2.

2668 (c) *Exclusions in motor vehicle insurance policies.*—An

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2669 authorized insurer that writes motor vehicle liability insurance  
 2670 in this state may exclude any coverage and the duty to defend or  
 2671 indemnify for any claim under a shared vehicle owner's motor  
 2672 vehicle insurance policy, including, but not limited to:

- 2673 1. Liability coverage for bodily injury and property  
 2674 damage;
- 2675 2. ~~Personal injury protection coverage;~~
- 2676 ~~3.~~ Uninsured and underinsured motorist coverage;
- 2677 ~~3.4.~~ Medical payments coverage;
- 2678 ~~4.5.~~ Comprehensive physical damage coverage; and
- 2679 ~~5.6.~~ Collision physical damage coverage.

2680

2681 This paragraph does not invalidate or limit any exclusion  
 2682 contained in a motor vehicle insurance policy, including any  
 2683 insurance policy in use or approved for use which excludes  
 2684 coverage for motor vehicles made available for rent, sharing, or  
 2685 hire or for any business use. This paragraph does not  
 2686 invalidate, limit, or restrict an insurer's ability under  
 2687 existing law to underwrite, cancel, or nonrenew any insurance  
 2688 policy.

2689 Section 53. Paragraph (a) of subsection (2) of section  
 2690 627.749, Florida Statutes, is amended to read:

2691 627.749 Autonomous vehicles; insurance requirements.—

2692 (2) INSURANCE REQUIREMENTS.—

2693 (a) A fully autonomous vehicle with the automated driving  
 2694 system engaged while logged on to an on-demand autonomous  
 2695 vehicle network or engaged in a prearranged ride must be covered  
 2696 by a policy of automobile insurance which provides:

- 2697 1. Primary liability coverage of at least \$1 million for

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2698 death, bodily injury, and property damage.

2699 2. ~~Personal injury protection benefits that meet the~~  
2700 ~~minimum coverage amounts required under ss. 627.730-627.7405.~~

2701 ~~3.~~ Uninsured and underinsured vehicle coverage as required  
2702 under ~~by~~ s. 627.727.

2703 Section 54. Section 627.8405, Florida Statutes, is amended  
2704 to read:

2705 627.8405 Prohibited acts; financing companies.—~~A~~ No premium  
2706 finance company ~~shall~~, in a premium finance agreement or other  
2707 agreement, may not finance the cost of or otherwise provide for  
2708 the collection or remittance of dues, assessments, fees, or  
2709 other periodic payments of money for the cost of:

2710 (1) A membership in an automobile club. The term  
2711 "automobile club" means a legal entity that ~~which~~, in  
2712 consideration of dues, assessments, or periodic payments of  
2713 money, promises its members or subscribers to assist them in  
2714 matters relating to the ownership, operation, use, or  
2715 maintenance of a motor vehicle; however, the term ~~this~~  
2716 ~~definition of "automobile club"~~ does not include persons,  
2717 associations, or corporations ~~which are~~ organized and operated  
2718 solely for the purpose of conducting, sponsoring, or sanctioning  
2719 motor vehicle races, exhibitions, or contests upon racetracks,  
2720 or upon racecourses established and marked as such for the  
2721 duration of such particular events. As used in this subsection,  
2722 the term ~~words~~ "motor vehicle" has ~~used herein~~ have the same  
2723 meaning as ~~defined~~ in chapter 320.

2724 (2) An accidental death and dismemberment policy sold in  
2725 combination with a policy providing only bodily injury liability  
2726 coverage ~~personal injury protection~~ and property damage

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2727 liability coverage ~~only policy~~.

2728 (3) Any product not regulated under ~~the provisions of this~~  
2729 insurance code.

2730

2731 This section also applies to premium financing by any insurance  
2732 agent or insurance company under part XVI. The commission shall  
2733 adopt rules to assure disclosure, at the time of sale, of  
2734 coverages financed ~~with personal injury protection~~ and shall  
2735 prescribe the form of such disclosure.

2736 Section 55. Subsection (1) of section 627.915, Florida  
2737 Statutes, is amended to read:

2738 627.915 Insurer experience reporting.—

2739 (1) Each insurer transacting private passenger motor  
2740 vehicle ~~automobile~~ insurance in this state shall report certain  
2741 information ~~annually~~ to the office. ~~The information will be due~~  
2742 on or before July 1 of each year. The information must ~~shall~~ be  
2743 divided into the following categories: bodily injury liability;  
2744 property damage liability; uninsured motorist; ~~personal injury~~  
2745 ~~protection benefits~~; medical payments; and comprehensive and  
2746 collision. The information given must ~~shall~~ be on direct  
2747 insurance writings in the state alone and ~~shall~~ represent total  
2748 limits data. The information set forth in paragraphs (a)-(f) is  
2749 applicable to voluntary private passenger and Joint Underwriting  
2750 Association private passenger writings and must ~~shall~~ be  
2751 reported for each of the latest 3 calendar-accident years, with  
2752 an evaluation date of March 31 of the current year. The  
2753 information set forth in paragraphs (g)-(j) is applicable to  
2754 voluntary private passenger writings and must ~~shall~~ be reported  
2755 on a calendar-accident year basis ultimately seven times at

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2756 seven different stages of development.

2757 (a) Premiums earned for the latest 3 calendar-accident  
2758 years.

2759 (b) Loss development factors and the historic development  
2760 of those factors.

2761 (c) Policyholder dividends incurred.

2762 (d) Expenses for other acquisition and general expense.

2763 (e) Expenses for agents' commissions and taxes, licenses,  
2764 and fees.

2765 (f) Profit and contingency factors as utilized in the  
2766 insurer's automobile rate filings for the applicable years.

2767 (g) Losses paid.

2768 (h) Losses unpaid.

2769 (i) Loss adjustment expenses paid.

2770 (j) Loss adjustment expenses unpaid.

2771 Section 56. Subsections (2) and (3) of section 628.909,  
2772 Florida Statutes, are amended to read:

2773 628.909 Applicability of other laws.—

2774 (2) The following provisions of the Florida Insurance Code  
2775 apply to captive insurance companies that ~~who~~ are not industrial  
2776 insured captive insurance companies to the extent that such  
2777 provisions are not inconsistent with this part:

2778 (a) Chapter 624, except for ss. 624.407, 624.408, 624.4085,  
2779 624.40851, 624.4095, 624.411, 624.425, and 624.426.

2780 (b) Chapter 625, part II.

2781 (c) Chapter 626, part IX.

2782 (d) ~~Sections 627.730-627.7405, when no-fault coverage is~~  
2783 ~~provided.~~

2784 ~~(e)~~ Chapter 628.



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2785 (3) The following provisions of the Florida Insurance Code  
2786 ~~shall~~ apply to industrial insured captive insurance companies to  
2787 the extent that such provisions are not inconsistent with this  
2788 part:

2789 (a) Chapter 624, except for ss. 624.407, 624.408, 624.4085,  
2790 624.40851, 624.4095, 624.411, 624.425, 624.426, and 624.609(1).

2791 (b) Chapter 625, part II, if the industrial insured captive  
2792 insurance company is incorporated in this state.

2793 (c) Chapter 626, part IX.

2794 (d) ~~Sections 627.730-627.7405 when no-fault coverage is~~  
2795 ~~provided.~~

2796 ~~(e)~~ Chapter 628, except for ss. 628.341, 628.351, and  
2797 628.6018.

2798 Section 57. Subsections (2), (6), and (7) of section  
2799 705.184, Florida Statutes, are amended to read:

2800 705.184 Derelict or abandoned motor vehicles on the  
2801 premises of public-use airports.-

2802 (2) The airport director or the director's designee shall  
2803 contact the Department of Highway Safety and Motor Vehicles to  
2804 notify that department that the airport has possession of the  
2805 abandoned or derelict motor vehicle and to determine the name  
2806 and address of the owner of the motor vehicle, the insurance  
2807 company insuring the motor vehicle, ~~notwithstanding the~~  
2808 ~~provisions of s. 627.736,~~ and any person who has filed a lien on  
2809 the motor vehicle. Within 7 business days after receipt of the  
2810 information, the director or the director's designee shall send  
2811 notice by certified mail, return receipt requested, to the owner  
2812 of the motor vehicle, the insurance company insuring the motor  
2813 vehicle, ~~notwithstanding the provisions of s. 627.736,~~ and all

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2814 persons of record claiming a lien against the motor vehicle. The  
2815 notice must ~~shall~~ state the fact of possession of the motor  
2816 vehicle, that charges for reasonable towing, storage, and  
2817 parking fees, if any, have accrued and the amount thereof, that  
2818 a lien as provided in subsection (6) will be claimed, that the  
2819 lien is subject to enforcement pursuant to law, that the owner  
2820 or lienholder, if any, has the right to a hearing as set forth  
2821 in subsection (4), and that any motor vehicle which, at the end  
2822 of 30 calendar days after receipt of the notice, has not been  
2823 removed from the airport upon payment in full of all accrued  
2824 charges for reasonable towing, storage, and parking fees, if  
2825 any, may be disposed of as provided in s. 705.182(2)(a), (b),  
2826 (d), or (e), including, but not limited to, the motor vehicle  
2827 being sold free of all prior liens after 35 calendar days after  
2828 the time the motor vehicle is stored if any prior liens on the  
2829 motor vehicle are more than 5 years of age or after 50 calendar  
2830 days after the time the motor vehicle is stored if any prior  
2831 liens on the motor vehicle are 5 years of age or less.

2832 (6) The airport pursuant to this section or, if used, a  
2833 licensed independent wrecker company pursuant to s. 713.78 shall  
2834 have a lien on an abandoned or derelict motor vehicle for all  
2835 reasonable towing, storage, and accrued parking fees, if any,  
2836 except that a no storage fee may not ~~shall~~ be charged if the  
2837 motor vehicle is stored less than 6 hours. As a prerequisite to  
2838 perfecting a lien under this section, the airport director or  
2839 the director's designee must serve a notice in accordance with  
2840 subsection (2) on the owner of the motor vehicle, the insurance  
2841 company insuring the motor vehicle, ~~notwithstanding the~~  
2842 ~~provisions of s. 627.736,~~ and all persons of record claiming a

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2843 lien against the motor vehicle. If attempts to notify the owner,  
 2844 the insurance company insuring the motor vehicle,  
 2845 ~~notwithstanding the provisions of s. 627.736,~~ or lienholders are  
 2846 not successful, the requirement of notice by mail is ~~shall be~~  
 2847 considered met. Serving of the notice does not dispense with  
 2848 recording the claim of lien.

2849 (7) (a) For the purpose of perfecting its lien under this  
 2850 section, the airport shall record a claim of lien which states  
 2851 ~~shall state:~~

- 2852 1. The name and address of the airport.
- 2853 2. The name of the owner of the motor vehicle, the  
 2854 insurance company insuring the motor vehicle, ~~notwithstanding~~  
 2855 ~~the provisions of s. 627.736,~~ and all persons of record claiming  
 2856 a lien against the motor vehicle.
- 2857 3. The costs incurred from reasonable towing, storage, and  
 2858 parking fees, if any.
- 2859 4. A description of the motor vehicle sufficient for  
 2860 identification.

2861 (b) The claim of lien must ~~shall~~ be signed and sworn to or  
 2862 affirmed by the airport director or the director's designee.

2863 (c) The claim of lien is ~~shall be~~ sufficient if it is in  
 2864 substantially the following form:

CLAIM OF LIEN

2867 State of .....

2868 County of .....

2869 Before me, the undersigned notary public, personally appeared  
 2870 ....., who was duly sworn and says that he/she is the  
 2871 ..... of ....., whose address is.....; and that the

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2872 following described motor vehicle:  
 2873 ... (Description of motor vehicle) ...  
 2874 owned by ....., whose address is ....., has accrued  
 2875 \$..... in fees for a reasonable tow, for storage, and for  
 2876 parking, if applicable; that the lienor served its notice to the  
 2877 owner, the insurance company insuring the motor vehicle  
 2878 ~~notwithstanding the provisions of s. 627.736, Florida Statutes,~~  
 2879 and all persons of record claiming a lien against the motor  
 2880 vehicle on ....., ... (year) ..., by.....

2881 ... (Signature) ...  
 2882 Sworn to (or affirmed) and subscribed before me this .... day of  
 2883 ....., ... (year) ..., by ... (name of person making statement) ....  
 2884 ... (Signature of Notary Public) ... ... (Print, Type, or Stamp  
 2885 Commissioned name of Notary Public) ...  
 2886 Personally Known...OR Produced...as identification.

2887  
 2888 However, the negligent inclusion or omission of any information  
 2889 in this claim of lien which does not prejudice the owner does  
 2890 not constitute a default that operates to defeat an otherwise  
 2891 valid lien.

2892 (d) The claim of lien must ~~shall~~ be served on the owner of  
 2893 the motor vehicle, the insurance company insuring the motor  
 2894 vehicle, ~~notwithstanding the provisions of s. 627.736,~~ and all  
 2895 persons of record claiming a lien against the motor vehicle. If  
 2896 attempts to notify the owner, the insurance company insuring the  
 2897 motor vehicle ~~notwithstanding the provisions of s. 627.736,~~ or  
 2898 lienholders are not successful, the requirement of notice by  
 2899 mail is ~~shall be~~ considered met. The claim of lien must ~~shall~~ be  
 2900 so served before recordation.

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2901 (e) The claim of lien must ~~shall~~ be recorded with the clerk  
 2902 of court in the county where the airport is located. The  
 2903 recording of the claim of lien is ~~shall be~~ constructive notice  
 2904 to all persons of the contents and effect of such claim. The  
 2905 lien attaches ~~shall attach~~ at the time of recordation and takes  
 2906 ~~shall take~~ priority as of that time.

2907 Section 58. Paragraphs (a), (b), and (c) of subsection (4)  
 2908 of section 713.78, Florida Statutes, are amended to read:

2909 713.78 Liens for recovering, towing, or storing vehicles  
 2910 and vessels.—

2911 (4) (a) A towing-storage operator who comes into possession  
 2912 of a vehicle or vessel pursuant to paragraph (2) (b), and who  
 2913 claims a lien for recovery, towing, or storage services, must  
 2914 give notice, by certified mail, pursuant to subsection (16), to  
 2915 the registered owner, the insurance company insuring the vehicle  
 2916 or vessel ~~notwithstanding s. 627.736~~, and all persons claiming a  
 2917 lien thereon, as disclosed by the records in the Department of  
 2918 Highway Safety and Motor Vehicles or as disclosed by the records  
 2919 of any corresponding agency in any other state in which the  
 2920 vehicle or vessel is identified through a records check of the  
 2921 National Motor Vehicle Title Information System or an equivalent  
 2922 commercially available system as being titled or registered.

2923 (b) When a law enforcement agency, county, or municipality  
 2924 authorizes the removal of a vehicle or vessel, or a towing  
 2925 service, garage, repair shop, or automotive service, storage, or  
 2926 parking place notifies a law enforcement agency of possession of  
 2927 a vehicle or vessel pursuant to s. 715.07(2) (a)2., if an  
 2928 approved third-party service cannot obtain the vehicle's or  
 2929 vessel's owner, lienholder, and insurer information or last

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2930 state of record pursuant to subsection (16), then the person in  
2931 charge of the towing service, garage, repair shop, or automotive  
2932 service, storage, or parking place must request such information  
2933 from the law enforcement agency of the jurisdiction where the  
2934 vehicle or vessel is stored. The law enforcement agency to which  
2935 the request was made must contact the Department of Highway  
2936 Safety and Motor Vehicles, or the appropriate agency of the  
2937 state of registration, if known, within 24 hours through the  
2938 medium of electronic communications, giving the full description  
2939 of the vehicle or vessel. Upon receipt of the full description  
2940 of the vehicle or vessel, the department must search its files  
2941 to determine the owner's name, the insurance company insuring  
2942 the vehicle or vessel, and whether any person has filed a lien  
2943 upon the vehicle or vessel as provided in s. 319.27(2) and (3)  
2944 and notify the applicable law enforcement agency within 72  
2945 hours. The person in charge of the towing service, garage,  
2946 repair shop, or automotive service, storage, or parking place  
2947 must request such information from the applicable law  
2948 enforcement agency within 5 days after the date of storage and  
2949 must provide the information to the approved third-party service  
2950 in order to transmit notices as required under subsection (16).  
2951 The department may release the insurance company information to  
2952 the requestor ~~notwithstanding s. 627.736.~~

2953 (c) The notice of lien must be sent by an approved third-  
2954 party service by certified mail to the registered owner, the  
2955 insurance company insuring the vehicle ~~notwithstanding s.~~  
2956 ~~627.736~~, and all other persons claiming a lien thereon within 5  
2957 business days, excluding a Saturday, Sunday, or federal legal  
2958 holiday, after the date of storage of the vehicle or vessel. The

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2959 notice must state all of the following:

2960 1. If the claim of lien is for a vehicle, the last 8 digits  
2961 of the vehicle identification number of the vehicle subject to  
2962 the lien, or, if the claim of lien is for a vessel, the hull  
2963 identification number of the vessel subject to the lien, clearly  
2964 printed in the delivery address box and on the outside of the  
2965 envelope sent to the registered owner and all other persons  
2966 claiming an interest in or lien on the vehicle or vessel.

2967 2. The name, physical address, and telephone number of the  
2968 lienor, and the entity name, as registered with the Division of  
2969 Corporations, of the business where the towing and storage  
2970 occurred, which must also appear on the outside of the envelope  
2971 sent to the registered owner and all other persons claiming an  
2972 interest in or lien on the vehicle or vessel.

2973 3. The fact of possession of the vehicle or vessel.

2974 4. The name of the person or entity that authorized the  
2975 lienor to take possession of the vehicle or vessel.

2976 5. That a lien as provided in paragraph (2) (b) is claimed.

2977 6. That charges have accrued and include an itemized  
2978 statement of the amount thereof.

2979 7. That the lien is subject to enforcement under law and  
2980 that the owner or lienholder, if any, has the right to initiate  
2981 judicial proceedings as set forth in subsection (5).

2982 8. That any vehicle or vessel that remains unclaimed, or  
2983 for which the charges for recovery, towing, or storage services  
2984 remain unpaid, may be sold free of all prior liens 35 days after  
2985 the vehicle or vessel is stored by the lienor if the vehicle or  
2986 vessel is an older model or 57 days after the vehicle or vessel  
2987 is stored by the lienor if the vehicle or vessel is a newer

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2988 model.

2989 9. The address at which the vehicle or vessel is physically  
2990 located.

2991 Section 59. Paragraph (a) of subsection (1), paragraph (c)  
2992 of subsection (7), paragraphs (a), (b), and (c) of subsection  
2993 (8), and subsections (9) and (10) of section 817.234, Florida  
2994 Statutes, are amended to read:

2995 817.234 False and fraudulent insurance claims.—

2996 (1)(a) A person commits insurance fraud punishable as  
2997 provided in subsection (11) if that person, with the intent to  
2998 injure, defraud, or deceive any insurer:

2999 1. Presents or causes to be presented any written or oral  
3000 statement as part of, or in support of, a claim for payment or  
3001 other benefit pursuant to an insurance policy or a health  
3002 maintenance organization subscriber or provider contract,  
3003 knowing that such statement contains ~~any~~ false, incomplete, or  
3004 misleading information concerning any fact or thing material to  
3005 such claim;

3006 2. Prepares or makes any written or oral statement that is  
3007 intended to be presented to an ~~any~~ insurer in connection with,  
3008 or in support of, any claim for payment or other benefit  
3009 pursuant to an insurance policy or a health maintenance  
3010 organization subscriber or provider contract, knowing that such  
3011 statement contains ~~any~~ false, incomplete, or misleading  
3012 information concerning any fact or thing material to such claim;

3013 3.a. Knowingly presents, causes to be presented, or  
3014 prepares or makes with knowledge or belief that it will be  
3015 presented to an ~~any~~ insurer, a purported insurer, a servicing  
3016 corporation, an insurance broker, or an insurance agent, or any



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3017 employee or agent thereof, ~~any~~ false, incomplete, or misleading  
3018 information or a written or oral statement as part of, or in  
3019 support of, an application for the issuance of, or the rating  
3020 of, any insurance policy, or a health maintenance organization  
3021 subscriber or provider contract; or

3022 b. Knowingly conceals information concerning any fact  
3023 material to such application; or

3024 4. Knowingly presents, causes to be presented, or prepares  
3025 or makes with knowledge or belief that it will be presented to  
3026 any insurer a claim for payment or other benefit under medical  
3027 payments coverage in a motor vehicle ~~a personal injury~~  
3028 ~~protection~~ insurance policy if the person knows that the payee  
3029 knowingly submitted a false, misleading, or fraudulent  
3030 application or other document when applying for licensure as a  
3031 health care clinic, seeking an exemption from licensure as a  
3032 health care clinic, or demonstrating compliance with part X of  
3033 chapter 400.

3034 (7)

3035 ~~(c) An insurer, or any person acting at the direction of or~~  
3036 ~~on behalf of an insurer, may not change an opinion in a mental~~  
3037 ~~or physical report prepared under s. 627.736(7) or direct the~~  
3038 ~~physician preparing the report to change such opinion; however,~~  
3039 ~~this provision does not preclude the insurer from calling to the~~  
3040 ~~attention of the physician errors of fact in the report based~~  
3041 ~~upon information in the claim file. Any person who violates this~~  
3042 ~~paragraph commits a felony of the third degree, punishable as~~  
3043 ~~provided in s. 775.082, s. 775.083, or s. 775.084.~~

3044 (8) (a) It is unlawful for any person intending to defraud  
3045 any other person to solicit or cause to be solicited any

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3046 business from a person involved in a motor vehicle accident for  
3047 the purpose of making, adjusting, or settling motor vehicle tort  
3048 claims or claims for benefits under medical payments coverage in  
3049 a motor vehicle insurance policy. A ~~personal injury protection~~  
3050 ~~benefits required by s. 627.736.~~ Any person who violates the  
3051 ~~provisions of~~ this paragraph commits a felony of the second  
3052 degree, punishable as provided in s. 775.082, s. 775.083, or s.  
3053 775.084. A person ~~who is~~ convicted of a violation of this  
3054 subsection must ~~shall~~ be sentenced to a minimum term of  
3055 imprisonment of 2 years.

3056 (b) A person may not solicit or cause to be solicited any  
3057 business from a person involved in a motor vehicle accident by  
3058 any means of communication other than advertising directed to  
3059 the public for the purpose of making motor vehicle tort claims  
3060 or claims for benefits under medical payments coverage in a  
3061 motor vehicle insurance policy ~~personal injury protection~~  
3062 ~~benefits required by s. 627.736,~~ within 60 days after the  
3063 occurrence of the motor vehicle accident. A ~~Any~~ person who  
3064 violates this paragraph commits a felony of the third degree,  
3065 punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

3066 (c) A lawyer, health care practitioner as defined in s.  
3067 456.001, or owner or medical director of a clinic required to be  
3068 licensed pursuant to s. 400.9905 may not, at any time after 60  
3069 days have elapsed from the occurrence of a motor vehicle  
3070 accident, solicit or cause to be solicited any business from a  
3071 person involved in a motor vehicle accident by means of in  
3072 person or telephone contact at the person's residence, for the  
3073 purpose of making motor vehicle tort claims or claims for  
3074 benefits under medical payments coverage in a motor vehicle

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3075 insurance policy. A personal injury protection benefits required  
3076 by s. 627.736. Any person who violates this paragraph commits a  
3077 felony of the third degree, punishable as provided in s.  
3078 775.082, s. 775.083, or s. 775.084.

3079 (9) A person may not organize, plan, or knowingly  
3080 participate in an intentional motor vehicle crash or a scheme to  
3081 create documentation of a motor vehicle crash that did not occur  
3082 for the purpose of making motor vehicle tort claims or claims  
3083 for benefits under medical payments coverage in a motor vehicle  
3084 insurance policy. A personal injury protection benefits as  
3085 required by s. 627.736. Any person who violates this subsection  
3086 commits a felony of the second degree, punishable as provided in  
3087 s. 775.082, s. 775.083, or s. 775.084. A person ~~who is~~ convicted  
3088 of a violation of this subsection ~~shall~~ must be sentenced to a  
3089 minimum term of imprisonment of 2 years.

3090 (10) A licensed health care practitioner ~~who is~~ found  
3091 guilty of insurance fraud under this section for an act relating  
3092 to a motor vehicle personal injury protection insurance policy  
3093 must lose ~~loses~~ his or her license to practice for 5 years and  
3094 may not receive reimbursement under medical payments coverage in  
3095 a motor vehicle insurance policy for personal injury protection  
3096 benefits for 10 years from the date that his or her license is  
3097 suspended.

3098 Section 60. For the 2025-2026 fiscal year, the sum of  
3099 \$83,651 in nonrecurring funds is appropriated from the Insurance  
3100 Regulatory Trust Fund to the Office of Insurance Regulation for  
3101 the purpose of implementing this act. This section shall take  
3102 effect July 1, 2025.

3103 Section 61. Except as otherwise expressly provided in this

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3104 act and except for this section, which shall take effect upon  
3105 this act becoming a law, this act shall take effect July 1,  
3106 2026.