

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; revising
18 construction; amending s. 320.0609, F.S.; conforming a
19 provision to changes made by the act; amending s.
20 320.27, F.S.; defining the term "garage liability
21 insurance"; revising garage liability insurance
22 requirements for motor vehicle dealer license
23 applicants; amending s. 320.771, F.S.; revising garage
24 liability insurance requirements for recreational
25 vehicle dealer license applicants; amending ss.

322.251 and 322.34, F.S.; conforming provisions to changes made by the act; amending s. 324.011, F.S.; revising legislative purpose and intent; amending s. 324.021, F.S.; revising definitions; revising minimum coverage requirements for proof of financial responsibility for specified motor vehicles; defining the term "for-hire passenger transportation vehicle"; amending s. 324.022, F.S.; revising minimum liability coverage requirements for motor vehicle owners or operators; revising authorized methods for meeting such requirements; removing a provision relating to an insurer's duty to defend certain claims; revising the vehicles that are excluded from the definition of the term "motor vehicle"; providing security requirements for certain excluded vehicles; amending s. 324.0221, F.S.; revising coverages that subject a policy to certain insurer reporting and notice requirements; creating s. 324.0222, F.S.; providing that driver license or motor vehicle registration suspensions for failure to maintain required security which are in effect before a specified date remain in full force and effect; authorizing drivers to reinstate suspended licenses or registrations as provided in a specified section; amending s. 324.023, F.S.; conforming cross-references; amending s. 324.031, F.S.; specifying a

51 method of proving financial responsibility by owners
52 or operators of motor vehicles other than for-hire
53 passenger transportation vehicles; revising the
54 required and maximum amounts of a certificate of
55 deposit required to elect a certain method of proof of
56 financial responsibility; revising liability coverage
57 requirements for a person electing to use such method;
58 amending s. 324.032, F.S.; revising financial
59 responsibility requirements for owners or lessees of
60 for-hire passenger transportation vehicles; amending
61 s. 324.051, F.S.; specifying that motorcycles are
62 included in the definition of the term "motor
63 vehicles" for purposes of the section; amending ss.
64 324.071 and 324.091, F.S.; making technical changes;
65 amending s. 324.151, F.S.; revising requirements for
66 motor vehicle liability policies relating to coverage,
67 and exclusion from coverage, for certain drivers and
68 vehicles; providing definitions; amending s. 324.161,
69 F.S.; revising requirements for a certificate of
70 deposit that is required if a person elects a certain
71 method of proving financial responsibility; amending
72 s. 324.171, F.S.; revising the minimum net worth
73 requirements to qualify certain persons as self-
74 insurers; amending s. 324.242, F.S.; conforming
75 provisions to changes made by the act; amending s.

324.251, F.S.; revising a short title and an effective date; amending s. 400.9905, F.S.; revising the definition of the term "clinic"; amending ss. 400.991 and 400.9935, F.S.; conforming provisions to changes made by the act; amending s. 409.901, F.S.; revising the definition of the term "third-party benefit"; amending s. 409.910, F.S.; revising the definition of the term "medical coverage"; amending s. 456.057, F.S.; conforming a provision to changes made by the act; amending s. 456.072, F.S.; revising specified grounds for discipline for certain health professions; defining the term "upcode"; amending s. 626.9541, F.S.; revising certain prohibited acts relating to specified insurance coverage payment requirements; amending s. 626.989, F.S.; revising the definition of the term "fraudulent insurance act"; amending s. 627.06501, F.S.; revising coverages that may provide for a reduction in motor vehicle insurance policy premium charges under certain circumstances; amending s. 627.0651, F.S.; specifying requirements for rate filings for motor vehicle liability policies that implement requirements in effect on a specified date; requiring that such filings be approved through a certain process; amending s. 627.0652, F.S.; revising coverages that must provide for a reduction in premium

charges under certain circumstances; amending s.
627.0653, F.S.; revising coverages that are subject to
premium discounts for specified motor vehicle
equipment; amending s. 627.4132, F.S.; revising
coverages that are subject to a stacking prohibition;
amending s. 627.4137, F.S.; requiring insurers to
disclose certain information at the request of a
claimant's attorney; authorizing a claimant to file an
action under certain circumstances; providing for the
award of reasonable attorney fees and costs under
certain circumstances; amending s. 627.7263, F.S.;
revising coverages that are deemed primary, except
under certain circumstances, for the lessor of a motor
vehicle for lease or rent; revising a notice that is
required if the lessee's coverage is to be primary;
amending s. 627.727, F.S.; revising the legal
liability of an uninsured motorist coverage insurer;
amending s. 627.7275, F.S.; revising required
coverages for a motor vehicle insurance policy;
creating s. 627.7278, F.S.; defining the term "minimum
security requirements"; providing a prohibition,
requirements, applicability, and construction relating
to motor vehicle insurance policies as of a certain
date; requiring insurers to allow certain insureds to
make certain coverage changes, subject to certain

conditions; requiring an insurer to provide, by a specified date, a specified notice to policyholders relating to requirements under the act; amending s. 627.728, F.S.; conforming a provision to changes made by the act; amending s. 627.7295, F.S.; revising the definitions of the terms "policy" and "binder"; revising the coverages of a motor vehicle insurance policy for which a licensed general lines agent may charge a specified fee; amending s. 627.7415, F.S.; revising additional liability insurance requirements for commercial motor vehicles; amending s. 627.747, F.S.; conforming provisions to changes made by the act; amending s. 627.748, F.S.; revising insurance requirements for transportation network company drivers; conforming cross-references; amending ss. 627.7483 and 627.749, F.S.; conforming provisions to changes made by the act; amending s. 627.8405, F.S.; revising the products and the policy for which a premium finance company may not finance costs when sold in combination with an accidental death and dismemberment policy; revising rulemaking authority of the Financial Services Commission; amending ss. 627.915, 628.909, 705.184, and 713.78, F.S.; conforming provisions to changes made by the act; amending s. 817.234, F.S.; revising coverages that are

the basis of specified prohibited false and fraudulent insurance claims; removing provisions relating to prohibited changes in certain mental or physical reports; providing an appropriation; providing effective dates.

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

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

Section 2. Section 627.7407, Florida Statutes, is repealed.

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

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

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

(e) A low-speed autonomous delivery vehicle must be covered by a policy of automobile insurance which provides the coverage required by s. 627.749(2)(a)1. and ~~2.~~ ~~and 3.~~ The coverage requirements of this paragraph may be satisfied by automobile insurance maintained by the owner of a low-speed

176 autonomous delivery vehicle, the owner of the teleoperation
177 system, the remote human operator, or a combination thereof.

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

180 316.646 Security required; proof of security and display
181 thereof.—

182 (1) A ~~Any~~ person required by s. 324.022, s. 324.023, s.
183 324.032, s. 627.7415, s. 627.742, s. 627.748, or s. 627.7483 to
184 maintain liability security for property damage, liability
185 ~~security, required by s. 324.023 to maintain liability security~~
186 ~~for bodily injury, or death, or required by s. 627.733 to~~
187 ~~maintain personal injury protection security on a motor vehicle~~
188 shall have in his or her immediate possession at all times while
189 operating a ~~such~~ motor vehicle proper proof of maintenance of
190 the required security.

191 (a) Such proof must ~~shall~~ be in a uniform paper or
192 electronic format, as prescribed by the department, a valid
193 insurance policy, an insurance policy binder, a certificate of
194 insurance, or such other proof as may be prescribed by the
195 department.

196 (b)1. The act of presenting to a law enforcement officer
197 an electronic device displaying proof of insurance in an
198 electronic format does not constitute consent for the officer to
199 access any information on the device other than the displayed
200 proof of insurance.

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

203 **Section 5. Paragraph (b) of subsection (2) of section**
204 **318.18, Florida Statutes, is amended to read:**

205 318.18 Amount of penalties.—The penalties required for a
206 noncriminal disposition pursuant to s. 318.14 or a criminal
207 offense listed in s. 318.17 are as follows:

208 (2) Thirty dollars for all nonmoving traffic violations
209 and:

210 (b) For all violations of ss. 320.0605, 320.07(1),
211 322.065, and 322.15(1). A ~~Any~~ person ~~who is~~ cited for a
212 violation of s. 320.07(1) must ~~shall~~ be charged a delinquent fee
213 pursuant to s. 320.07(4).

214 1. If a person ~~who is~~ cited for a violation of s. 320.0605
215 or s. 320.07 can show proof of having a valid registration at
216 the time of arrest, the clerk of the court may dismiss the case
217 and may assess a dismissal fee of up to \$10, from which the
218 clerk shall remit \$2.50 to the Department of Revenue for deposit
219 into the General Revenue Fund. A person who finds it impossible
220 or impractical to obtain a valid registration certificate must
221 submit an affidavit detailing the reasons for the impossibility
222 or impracticality. The reasons may include, but are not limited
223 to, the fact that the vehicle was sold, stolen, or destroyed;
224 that the state in which the vehicle is registered does not issue
225 a certificate of registration; or that the vehicle is owned by

another person.

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

3. If a person ~~who is~~ cited for a violation of s. 316.646 can show proof of security as required by s. 324.021(7) ~~s. 627.733~~, issued to the person and valid at the time of arrest, the clerk of the court may dismiss the case and may assess a dismissal fee of up to \$10, from which the clerk shall remit \$2.50 to the Department of Revenue for deposit into the General Revenue Fund. A person who finds it impossible or impractical to obtain proof of security must submit an affidavit detailing the reasons for the impracticality. The reasons may include, but are not limited to, the fact that the vehicle has since been sold, stolen, or destroyed; ~~that the owner or registrant of the vehicle is not required by s. 627.733 to maintain personal injury protection insurance;~~ or that the vehicle is owned by another person.

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

320.02 Registration required; application for registration; forms.—

(5) (a) Proof that bodily injury liability coverage and property damage liability coverage ~~personal injury protection benefits~~ have been purchased if required under s. 324.022, s. 324.032, or s. 627.742 ~~s. 627.733, that property damage liability coverage has been purchased as required under s. 324.022,~~ that bodily injury liability ~~or death~~ coverage has been purchased if required under s. 324.023, and that combined bodily liability insurance and property damage liability insurance have been purchased if required under s. 627.7415 must ~~shall~~ be provided in the manner prescribed by law by the applicant at the time of application for registration of any motor vehicle that is subject to such requirements. The issuing agent may not ~~shall~~ ~~refuse to~~ issue registration if such proof of purchase is not provided. Insurers shall furnish uniform proof-of-purchase cards in a paper or electronic format in a form prescribed by the department and include the name of the insured's insurance company, the coverage identification number, and the make, year, and vehicle identification number of the vehicle insured. The card must contain a statement notifying the applicant of the penalty specified under s. 316.646(4). The card or insurance policy, insurance policy binder, or certificate of insurance or a photocopy of any of these; an affidavit containing the name of the insured's insurance company, the insured's policy number, and the make and year of the vehicle insured; or such other proof as may be prescribed by the department constitutes ~~shall~~

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276 ~~constitute~~ sufficient proof of purchase. If an affidavit is
277 provided as proof, it must be in substantially the following
278 form:

279
280 Under penalty of perjury, I ...(Name of insured)... do hereby
281 certify that I have ...(bodily injury liability and ~~Personal~~
282 ~~Injury Protection~~, property damage liability, ~~and, if required,~~
283 ~~Bodily Injury Liability~~)... insurance currently in effect with
284 ...(Name of insurance company)... under ...(policy number)...
285 covering ...(make, year, and vehicle identification number of
286 vehicle).... ...(Signature of Insured)...

287
288 Such affidavit must include the following warning:

289
290 WARNING: GIVING FALSE INFORMATION IN ORDER TO OBTAIN A VEHICLE
291 REGISTRATION CERTIFICATE IS A CRIMINAL OFFENSE UNDER FLORIDA
292 LAW. ANYONE GIVING FALSE INFORMATION ON THIS AFFIDAVIT IS
293 SUBJECT TO PROSECUTION.

294
295 If an application is made through a licensed motor vehicle
296 dealer as required under s. 319.23, the original or a photocopy
297 ~~photostatic copy~~ of such card, insurance policy, insurance
298 policy binder, or certificate of insurance or the original
299 affidavit from the insured must ~~shall~~ be forwarded by the dealer
300 to the tax collector of the county or the Department of Highway

301 Safety and Motor Vehicles for processing. By executing the
302 ~~aforsaid~~ affidavit, a ~~no~~ licensed motor vehicle dealer is not
303 ~~will be~~ liable in damages for any inadequacy, insufficiency, or
304 falsification of any statement contained therein. ~~A card must~~
305 ~~also indicate the existence of any bodily injury liability~~
306 ~~insurance voluntarily purchased.~~

307 (d) The verifying of ~~proof of personal injury protection~~
308 ~~insurance, proof of property damage liability insurance, proof~~
309 ~~of combined bodily liability insurance and property damage~~
310 ~~liability insurance, or proof of financial responsibility~~
311 ~~insurance~~ and the issuance or failure to issue the motor vehicle
312 registration under ~~the provisions of~~ this chapter may not be
313 construed in any court as a warranty of the reliability or
314 accuracy of the evidence of such proof or as meaning that the
315 provisions of any insurance policy furnished as proof of
316 financial responsibility comply with state law. Neither the
317 department nor any tax collector is liable in damages for any
318 inadequacy, insufficiency, falsification, or unauthorized
319 modification of any item of ~~the proof of personal injury~~
320 ~~protection insurance, proof of property damage liability~~
321 ~~insurance, proof of combined bodily liability insurance and~~
322 ~~property damage liability insurance, or proof of financial~~
323 responsibility before ~~insurance prior to~~, during, or subsequent
324 to the verification of the proof. The issuance of a motor
325 vehicle registration does not constitute prima facie evidence or

326 a presumption of insurance coverage.

327 **Section 7. Paragraph (b) of subsection (1) of section**
328 **320.0609, Florida Statutes, is amended to read:**

329 320.0609 Transfer and exchange of registration license
330 plates; transfer fee.—

331 (1)

332 (b) The transfer of a license plate from a vehicle
333 disposed of to a newly acquired vehicle does not constitute a
334 new registration. The application for transfer must ~~shall~~ be
335 accepted without requiring proof of ~~personal injury protection~~
336 ~~or~~ liability insurance.

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

340 320.27 Motor vehicle dealers.—

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

345 (g) "Garage liability insurance" means, beginning January
346 1, 2027, combined single-limit liability coverage, including
347 property damage and bodily injury liability coverage, in the
348 amount of at least \$60,000.

349 (3) APPLICATION AND FEE.—The ~~application for the license~~
350 application must ~~shall~~ be in such form as may be prescribed by

the department and is ~~shall be~~ subject to such rules ~~with~~
~~respect thereto~~ as may be so prescribed by the department ~~it~~.
Such application must ~~shall~~ be verified by oath or affirmation
and must ~~shall~~ contain a full statement of the name and birth
date of the person or persons applying for the license ~~therefor~~;
the name of the firm or copartnership, with the names and places
of residence of all members ~~thereof~~, if such applicant is a firm
or copartnership; the names and places of residence of the
principal officers, if the applicant is a body corporate or
other artificial body; the name of the state under whose laws
the corporation is organized; the present and former place or
places of residence of the applicant; and the prior business in
which the applicant has been engaged and its ~~the~~ location
~~thereof~~. The ~~Such~~ application must ~~shall~~ describe the exact
location of the place of business and must ~~shall~~ state whether
the place of business is owned by the applicant and when
acquired, or, if leased, a true copy of the lease must ~~shall~~ be
attached to the application. The applicant shall certify that
the location provides an adequately equipped office and is not a
residence; that the location affords sufficient unoccupied space
upon and within which adequately to store all motor vehicles
offered and displayed for sale; and that the location is a
suitable place where the applicant can in good faith carry on
such business and keep and maintain books, records, and files
necessary to conduct such business, which must ~~shall~~ be

376 available at all reasonable hours to inspection by the
377 department or any of its inspectors or other employees. The
378 applicant shall certify that the business of a motor vehicle
379 dealer is the principal business that will ~~which shall~~ be
380 conducted at that location. The application must ~~shall~~ contain a
381 statement that the applicant is either franchised by a
382 manufacturer of motor vehicles, in which case the name of each
383 motor vehicle that the applicant is franchised to sell must
384 ~~shall~~ be included, or an independent (nonfranchised) motor
385 vehicle dealer. The application must ~~shall~~ contain other
386 relevant information as may be required by the department. The
387 applicant shall furnish, including evidence, on a form approved
388 by the department, that the applicant is insured under a garage
389 liability insurance policy or a general liability insurance
390 policy coupled with a business automobile policy having the
391 coverages and limits of garage liability insurance coverage in
392 accordance with paragraph (1)(g), ~~which shall include, at a~~
393 ~~minimum, \$25,000 combined single-limit liability coverage~~
394 ~~including bodily injury and property damage protection and~~
395 ~~\$10,000 personal injury protection.~~ However, a salvage motor
396 vehicle dealer as defined in subparagraph (1)(c)5. is exempt
397 from the requirements for garage liability insurance ~~and~~
398 ~~personal injury protection insurance~~ on those vehicles that
399 cannot be legally operated on roads, highways, or streets in
400 this state. Franchise dealers must submit a garage liability

insurance policy, and all other dealers must submit a garage liability insurance policy or a general liability insurance policy coupled with a business automobile policy. Such policy must ~~shall~~ be for the license period, and evidence of a new or continued policy must ~~shall~~ be delivered to the department at the beginning of each license period. A licensee shall deliver to the department, in the manner prescribed by the department, within 10 calendar days after any renewal or continuation of or change in such policy or within 10 calendar days after any issuance of a new policy, a copy of the renewed, continued, changed, or new policy. Upon making an initial application, the applicant shall pay to the department a fee of \$300 in addition to any other fees required by law. Applicants may choose to extend the licensure period for 1 additional year for a total of 2 years. An initial applicant shall pay to the department a fee of \$300 for the first year and \$75 for the second year, in addition to any other fees required by law. An applicant for renewal shall pay to the department \$75 for a 1-year renewal or \$150 for a 2-year renewal, in addition to any other fees required by law. Upon making an application for a change of location, the applicant ~~person~~ shall pay a fee of \$50 in addition to any other fees now required by law. The department shall, in the case of every application for initial licensure, verify whether certain facts set forth in the application are true. Each applicant, general partner in the case of a

partnership, or corporate officer and director in the case of a corporate applicant shall,~~must~~ file a set of fingerprints with the department for the purpose of determining any prior criminal record or any outstanding warrants. The department shall submit the fingerprints to the Department of Law Enforcement for state processing and forwarding to the Federal Bureau of Investigation for federal processing. The actual cost of state and federal processing must ~~shall~~ be borne by the applicant and is in addition to the fee for licensure. The department may issue a license to an applicant pending the results of the fingerprint investigation, which license is fully revocable if the department subsequently determines that any facts set forth in the application are not true or correctly represented.

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

320.771 License required of recreational vehicle dealers.—

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

(j) Evidence that the applicant is insured under a garage liability insurance policy as defined in s. 320.27(1)(g),~~which shall include, at a minimum, \$25,000 combined single-limit liability coverage, including bodily injury and property damage protection, and \$10,000 personal injury protection, if the~~

applicant is to be licensed as a dealer in, or intends to sell, recreational vehicles. Such policy must be for the license period. Within 10 calendar days after any renewal or continuation of or material change in such policy or issuance of a new policy, the licensee shall deliver to the department, in a manner prescribed by the department, a copy of such renewed, continued, changed, or new policy. However, a garage liability policy is not required for the licensure of a mobile home dealer who sells only park trailers.

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

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

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

(1) All orders of cancellation, suspension, revocation, or disqualification issued under ~~the provisions of~~ this chapter, chapter 318, or chapter 324 must, ~~or ss. 627.732-627.734 shall~~ be given either by personal delivery ~~thereof~~ to the licensee whose license is being canceled, suspended, revoked, or disqualified or by deposit in the United States mail in an

envelope, first class, postage prepaid, addressed to the licensee at his or her last known mailing address furnished to the department. Such mailing by the department constitutes notification, and any failure by the person to receive the mailed order will not affect or stay the effective date or term of the cancellation, suspension, revocation, or disqualification of the licensee's driving privilege.

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

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

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

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

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

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

3. Whether the suspension, revocation, or suspension or revocation equivalent status was made under s. 316.646 ~~or s. 627.733~~, relating to failure to maintain required security, or under s. 322.264, relating to habitual traffic offenders.

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

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

324.011 Legislative intent; purpose of chapter.—

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

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

(b) Promote safety. ~~and~~

(c) Provide financial security requirements for such

owners and ~~or~~ operators whose responsibility it is to recompense others for injury to person or property caused by the operation of a motor vehicle.

(2) The purpose of this chapter is to require every owner or operator of a motor vehicle that is required to be registered in this state to establish, maintain, ~~Therefore, it is required herein that the operator of a motor vehicle involved in a crash or convicted of certain traffic offenses meeting the operative provisions of s. 324.051(2) shall respond for such damages and show proof of financial ability to respond for damages arising out of the ownership, maintenance, or use of a motor vehicle in future accidents as a requisite to owning or operating a motor vehicle in this state his or her future exercise of such privileges.~~

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

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

(1) MOTOR VEHICLE.—Every self-propelled vehicle that is designed and required to be licensed for use upon a highway, including trailers and semitrailers designed for use with such

551 vehicles, except traction engines, road rollers, farm tractors,
552 power shovels, and well drillers, and every vehicle that is
553 propelled by electric power obtained from overhead wires but not
554 operated upon rails, but not including any personal delivery
555 device or mobile carrier as defined in s. 316.003, bicycle,
556 electric bicycle, or moped. ~~However, the term "motor vehicle"~~
557 ~~does not include a motor vehicle as defined in s. 627.732(3)~~
558 ~~when the owner of such vehicle has complied with the~~
559 ~~requirements of ss. 627.730-627.7405, inclusive, unless the~~
560 ~~provisions of s. 324.051 apply; and, in such case, the~~
561 ~~applicable proof of insurance provisions of s. 320.02 apply.~~

562 (7) PROOF OF FINANCIAL RESPONSIBILITY.—Beginning January
563 1, 2027, ~~That~~ proof of ability to respond in damages for
564 liability on account of crashes arising out of the ownership,
565 maintenance, or use of a motor vehicle:

566 (a) With respect to a motor vehicle other than a
567 commercial motor vehicle, nonpublic sector bus, or for-hire
568 passenger transportation vehicle, in the amounts specified in s.
569 324.022(1). ~~in the amount of \$10,000 because of bodily injury~~
570 ~~to, or death of, one person in any one crash;~~

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

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

576 ~~(b)-(d)~~ With respect to commercial motor vehicles ~~and~~
577 ~~nonpublic sector buses~~, in the amounts specified in s. 627.7415
578 ~~ss. 627.7415 and 627.742, respectively.~~

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

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

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

584 (c) *Application.*—

585 1. The limits on liability in subparagraphs (b)2. and 3.
586 do not apply to an owner of motor vehicles that are used for
587 commercial activity in the owner's ordinary course of business,
588 other than a rental company that rents or leases motor vehicles.
589 For purposes of this paragraph, the term "rental company"
590 includes only an entity that is engaged in the business of
591 renting or leasing motor vehicles to the general public and that
592 rents or leases a majority of its motor vehicles to persons with
593 no direct or indirect affiliation with the rental company. The
594 term "rental company" also includes:

595 a. A related rental or leasing company that is a
596 subsidiary of the same parent company as that of the renting or
597 leasing company that rented or leased the vehicle.

598 b. The holder of a motor vehicle title or an equity
599 interest in a motor vehicle title if the title or equity
600 interest is held pursuant to or to facilitate an asset-backed

601 securitization of a fleet of motor vehicles used solely in the
602 business of renting or leasing motor vehicles to the general
603 public and under the dominion and control of a rental company,
604 as described in this subparagraph, in the operation of such
605 rental company's business.

606 2. Furthermore, with respect to commercial motor vehicles
607 as defined in s. 207.002 or s. 320.01(25) ~~s. 627.732~~, the limits
608 on liability in subparagraphs (b)2. and 3. do not apply if, at
609 the time of the incident, the commercial motor vehicle is being
610 used in the transportation of materials found to be hazardous
611 for the purposes of the Hazardous Materials Transportation
612 Authorization Act of 1994, as amended, 49 U.S.C. ss. 5101 et
613 seq., and that is required pursuant to such act to carry
614 placards warning others of the hazardous cargo, unless at the
615 time of lease or rental either:

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

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

624 3.a. A motor vehicle dealer, or a motor vehicle dealer's
625 leasing or rental affiliate, that provides a temporary

626 replacement vehicle at no charge or at a reasonable daily charge
627 to a service customer whose vehicle is being held for repair,
628 service, or adjustment by the motor vehicle dealer is immune
629 from any cause of action and is not liable, vicariously or
630 directly, under general law solely by reason of being the owner
631 of the temporary replacement vehicle for harm to persons or
632 property that arises out of the use, or operation, of the
633 temporary replacement vehicle by any person during the period
634 the temporary replacement vehicle has been entrusted to the
635 motor vehicle dealer's service customer if there is no
636 negligence or criminal wrongdoing on the part of the motor
637 vehicle owner, or its leasing or rental affiliate.

638 b. For purposes of this section, and notwithstanding any
639 other ~~provision of general~~ law, a motor vehicle dealer, or a
640 motor vehicle dealer's leasing or rental affiliate, that gives
641 possession, control, or use of a temporary replacement vehicle
642 to a motor vehicle dealer's service customer may not be adjudged
643 liable in a civil proceeding absent negligence or criminal
644 wrongdoing on the part of the motor vehicle dealer, or the motor
645 vehicle dealer's leasing or rental affiliate, if the motor
646 vehicle dealer or the motor vehicle dealer's leasing or rental
647 affiliate executes a written rental or use agreement and obtains
648 from the person receiving the temporary replacement vehicle a
649 copy of the person's driver license and insurance information
650 reflecting at least the minimum motor vehicle insurance coverage

651 required in the state. Any subsequent determination that the
652 driver license or insurance information provided to the motor
653 vehicle dealer, or the motor vehicle dealer's leasing or rental
654 affiliate, was in any way false, fraudulent, misleading,
655 nonexistent, canceled, not in effect, or invalid does not alter
656 or diminish the protections provided by this section, unless the
657 motor vehicle dealer, or the motor vehicle dealer's leasing or
658 rental affiliate, had actual knowledge thereof at the time
659 possession of the temporary replacement vehicle was provided.

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

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

664 (II) "Motor vehicle dealer's leasing or rental affiliate"
665 means a person who directly or indirectly controls, is
666 controlled by, or is under common control with the motor vehicle
667 dealer.

668 d. For purposes of this subparagraph, the term "service
669 customer" does not include an agent or a principal of a motor
670 vehicle dealer or a motor vehicle dealer's leasing or rental
671 affiliate, and does not include an employee of a motor vehicle
672 dealer or a motor vehicle dealer's leasing or rental affiliate
673 unless the employee was provided a temporary replacement
674 vehicle:

675 (I) While the employee's personal vehicle was being held

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for repair, service, or adjustment by the motor vehicle dealer;

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

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

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

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

324.022 Financial responsibility requirements ~~for property damage.—~~

(1)(a) Beginning January 1, 2027, every owner or operator of a motor vehicle required to be registered in this state shall establish and continuously maintain the ability to respond in damages for liability on account of accidents arising out of the ownership, maintenance, or use of the motor vehicle in the amount of:

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

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

703 (b) The requirements of paragraph (a) ~~this section~~ may be
704 met by one of the methods established in s. 324.031; by self-
705 insuring as authorized by s. 768.28(16); or by maintaining a
706 motor vehicle liability policy that ~~an insurance policy~~
707 ~~providing coverage for property damage liability in the amount~~
708 ~~of at least \$10,000 because of damage to, or destruction of,~~
709 ~~property of others in any one accident arising out of the use of~~
710 ~~the motor vehicle. The requirements of this section may also be~~
711 ~~met by having a policy which provides~~ combined property damage
712 liability and bodily injury liability coverage for any one crash
713 arising out of the ownership, maintenance, or use of a motor
714 vehicle and that conforms to the requirements of s. 324.151 in
715 the amount of at least \$60,000 for every owner or operator
716 subject to the financial responsibility required in paragraph
717 (a) \$30,000 for combined property damage liability and bodily
718 injury liability for any one crash arising out of the use of the
719 motor vehicle. The policy, with respect to coverage for property
720 damage liability, must meet the applicable requirements of s.
721 324.151, subject to the usual policy exclusions that have been
722 approved in policy forms by the Office of Insurance Regulation.
723 ~~No insurer shall have any duty to defend uncovered claims~~
724 ~~irrespective of their joinder with covered claims.~~

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

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

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

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

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

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

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

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

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

(b) "Owner" means the person who holds legal title to a

751 motor vehicle or the debtor or lessee who has the right to
752 possession of a motor vehicle that is the subject of a security
753 agreement or lease with an option to purchase.

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

761 (4) An ~~The~~ owner or registrant of a motor vehicle who is
762 ~~exempt from the requirements of this section if she or he is a~~
763 member of the United States Armed Forces and is called to or on
764 active duty outside the United States in an emergency situation
765 is exempt from this section while he or she. ~~The exemption~~
766 ~~provided by this subsection applies only as long as the member~~
767 ~~of the Armed Forces~~ is on such active duty. This exemption
768 ~~outside the United States and~~ applies only while the vehicle
769 covered by the security is not operated by any person. Upon
770 receipt of a written request by the insured to whom the
771 exemption provided in this subsection applies, the insurer shall
772 cancel the coverages and return any unearned premium or suspend
773 the security required by this section. Notwithstanding s.
774 324.0221(2) ~~s. 324.0221(3)~~, the department may not suspend the
775 registration or operator's license of an ~~any~~ owner or registrant

776 of a motor vehicle during the time she or he qualifies for the
777 ~~an~~ exemption under this subsection. An ~~Any~~ owner or registrant
778 of a motor vehicle who qualifies for the ~~an~~ exemption under this
779 subsection shall immediately notify the department before ~~prior~~
780 ~~to~~ and at the end of the expiration of the exemption.

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

783 324.0221 Reports by insurers to the department; suspension
784 of driver license and vehicle registrations; reinstatement.—

785 (1)(a) Each insurer that has issued a policy providing
786 ~~personal injury protection coverage or property damage~~ liability
787 coverage shall report the cancellation or nonrenewal thereof to
788 the department within 10 days after the processing date or
789 effective date of each cancellation or nonrenewal. Upon the
790 issuance of a policy providing ~~personal injury protection~~
791 ~~coverage or property damage~~ liability coverage to a named
792 insured not previously insured by the insurer during that
793 calendar year, the insurer shall report the issuance of the new
794 policy to the department within 10 days. The report must ~~shall~~
795 be in the form ~~and format~~ and contain any information required
796 by the department and must be provided in a format that is
797 compatible with the data processing capabilities of the
798 department. Failure by an insurer to file proper reports with
799 the department as required by this subsection constitutes a
800 violation of the Florida Insurance Code. These records may ~~shall~~

801 be used by the department only for enforcement and regulatory
802 purposes, including the generation by the department of data
803 regarding compliance by owners of motor vehicles with the
804 requirements for financial responsibility coverage.

805 (b) With respect to an insurance policy providing ~~personal~~
806 ~~injury protection coverage or property damage~~ liability
807 coverage, each insurer shall notify the named insured, or the
808 first-named insured in the case of a commercial fleet policy, in
809 writing that any cancellation or nonrenewal of the policy will
810 be reported by the insurer to the department. The notice must
811 also inform the named insured that failure to maintain bodily
812 injury liability ~~personal injury protection~~ coverage and
813 property damage liability coverage on a motor vehicle when
814 required by law may result in the loss of registration and
815 driving privileges in this state and inform the named insured of
816 the amount of the reinstatement fees required by this section.
817 This notice is for informational purposes only, and an insurer
818 is not civilly liable for failing to provide this notice.

819 (2) The department shall suspend, after due notice and an
820 opportunity to be heard, the registration and driver license of
821 any owner or registrant of a motor vehicle for ~~with respect to~~
822 which security is required under s. 324.022, s. 324.023, s.
823 324.032, s. 627.7415, or s. 627.742 ~~ss. 324.022 and 627.733~~
824 upon:

825 (a) The department's records showing that the owner or

826 registrant of such motor vehicle does ~~did~~ not have the ~~in full~~
827 ~~force and effect when~~ required security in full force and effect
828 ~~that complies with the requirements of ss. 324.022 and 627.733;~~
829 or

830 (b) Notification by the insurer to the department, in a
831 form approved by the department, of cancellation or termination
832 of the required security.

833 **Section 16. Section 324.0222, Florida Statutes, is created**
834 **to read:**

835 324.0222 Application of driver license and registration
836 suspensions for failure to maintain security; reinstatement.—All
837 suspensions of driver licenses or motor vehicle registrations
838 for failure to maintain security as required by law in effect
839 before January 1, 2027, remain in full force and effect after
840 January 1, 2027. A driver may affect reinstatement of a
841 suspended driver license or registration as provided under s.
842 324.0221.

843 **Section 17. Section 324.023, Florida Statutes, is amended**
844 **to read:**

845 324.023 Financial responsibility for bodily injury or
846 death.—In addition to any other financial responsibility
847 required by law, every owner or operator of a motor vehicle that
848 is required to be registered in this state, or that is located
849 within this state, and who, regardless of adjudication of guilt,
850 has been found guilty of or entered a plea of guilty or nolo

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851 | contendere to a charge of driving under the influence under s.
852 | 316.193 after October 1, 2007, shall, by one of the methods
853 | established in s. 324.031(1)(a) or (b) ~~s. 324.031(1) or (2)~~,
854 | establish and maintain the ability to respond in damages for
855 | liability on account of accidents arising out of the ownership,
856 | maintenance, or use of a motor vehicle in the amount of \$100,000
857 | because of bodily injury to, or death of, one person in any one
858 | crash and, subject to such limits for one person, in the amount
859 | of \$300,000 because of bodily injury to, or death of, two or
860 | more persons in any one crash and in the amount of \$50,000
861 | because of property damage in any one crash. If the owner or
862 | operator chooses to establish and maintain such ability by
863 | furnishing a certificate of deposit pursuant to s. 324.031(1)(b)
864 | ~~s. 324.031(2)~~, such certificate of deposit must be at least
865 | \$350,000. Such higher limits must be carried for a minimum
866 | period of 3 years. If the owner or operator has not been
867 | convicted of driving under the influence or a felony traffic
868 | offense for a period of 3 years from the date of reinstatement
869 | of driving privileges for a violation of s. 316.193, the owner
870 | or operator is ~~shall be~~ exempt from this section.

871 | **Section 18. Section 324.031, Florida Statutes, is amended**
872 | **to read:**

873 | 324.031 Manner of proving financial responsibility.—

874 | (1) ~~The owner or operator of a taxicab, limousine, jitney,~~
875 | ~~or any other for-hire passenger transportation vehicle may prove~~

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

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

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

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

(2) ~~Beginning January 1, 2027, any person, including any firm, partnership, association, corporation, or other person, other than a natural person, electing to use the method of proof specified in paragraph (1)(b) subsection (2) shall do both of the following:~~

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

(b) ~~In addition, any such person, other than a natural person, shall~~ Maintain insurance providing coverage that meets

the requirements of s. 324.151 and has ~~in excess of~~ limits of:

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

2. At least \$300,000 for combined bodily injury liability and property damage liability for any one crash
~~\$10,000/20,000/10,000 or \$30,000 combined single limits, and such excess insurance shall provide minimum limits of \$125,000/250,000/50,000 or \$300,000 combined single limits. These increased limits shall not affect the requirements for proving financial responsibility under s. 324.032(1).~~

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

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

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

926 (a) One hundred twenty-five thousand dollars for bodily
927 injury to, or the death of, one person in any one crash and,
928 subject to such limits for one person, in the amount of \$250,000
929 for bodily injury to, or the death of, two or more persons in
930 any one crash; and ~~A person who is either the owner or a lessee~~
931 ~~required to maintain insurance under s. 627.733(1)(b) and who~~
932 ~~operates one or more taxicabs, limousines, jitneys, or any other~~
933 ~~for-hire passenger transportation vehicles may prove financial~~
934 ~~responsibility by furnishing satisfactory evidence of holding a~~
935 ~~motor vehicle liability policy, but with minimum limits of~~
936 ~~\$125,000/250,000/50,000.~~

937 (b) Fifty thousand dollars for damage to, or destruction
938 of, property of others in any one crash ~~A person who is either~~
939 ~~the owner or a lessee required to maintain insurance under s.~~
940 ~~324.021(9)(b) and who operates limousines, jitneys, or any other~~
941 ~~for-hire passenger vehicles, other than taxicabs, may prove~~
942 ~~financial responsibility by furnishing satisfactory evidence of~~
943 ~~holding a motor vehicle liability policy as defined in s.~~
944 ~~324.031.~~

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

951 (3) An owner or a lessee who ~~is required to maintain~~
952 ~~insurance under s. 324.021(9)(b) and who~~ operates at least 300
953 ~~taxicabs, limousines, jitneys, or any other~~ for-hire passenger
954 transportation vehicles may provide financial responsibility by
955 complying with ~~the provisions of~~ s. 324.171, which must ~~such~~
956 ~~compliance to~~ be demonstrated by maintaining at its principal
957 place of business an audited financial statement, prepared in
958 accordance with generally accepted accounting principles, and
959 providing to the department a certification issued by a
960 certified public accountant that the applicant's net worth is at
961 least equal to the requirements of s. 324.171 as determined by
962 the Office of Insurance Regulation of the Financial Services
963 Commission, including claims liabilities in an amount certified
964 as adequate by a Fellow of the Casualty Actuarial Society.

965
966 Upon request by the department, the applicant shall ~~must~~ provide
967 the department at the applicant's principal place of business in
968 this state access to the applicant's underlying financial
969 information and financial statements that provide the basis of
970 the certified public accountant's certification. The applicant
971 shall reimburse the requesting department for all reasonable
972 costs incurred by it in reviewing the supporting information.
973 The maximum amount of self-insurance permissible under this
974 subsection is \$300,000 and must be stated on a per-occurrence
975 basis, and the applicant shall maintain adequate excess

insurance issued by an authorized or eligible insurer licensed or approved by the Office of Insurance Regulation. All risks self-insured ~~shall~~ remain with the owner or lessee providing it, and the risks are not transferable to any other person, unless a policy complying with subsections (1) and (2) ~~subsection (1)~~ is obtained.

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

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

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

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

1001 2. The motor vehicle was owned by the United States
1002 Government, this state, or any political subdivision of this
1003 state or any municipality therein.

1004 3. Such operator or owner has secured a duly acknowledged
1005 written agreement providing for release from liability by all
1006 parties injured as the result of said crash and has complied
1007 with one of the provisions of s. 324.031.

1008 4. Such operator or owner has deposited with the
1009 department security to conform with s. 324.061 when applicable
1010 and has complied with one of the provisions of s. 324.031.

1011 5. One year has elapsed since such owner or operator was
1012 suspended pursuant to subsection (3), the owner or operator has
1013 complied with one of the provisions of s. 324.031, and no bill
1014 of complaint of which the department has notice has been filed
1015 in a court of competent jurisdiction.

1016 (b) This subsection does ~~shall~~ not apply:

1017 1. To such operator or owner if such operator or owner had
1018 in effect at the time of such crash or traffic conviction a
1019 motor vehicle ~~an automobile~~ liability policy with respect to all
1020 of the registered motor vehicles owned by such operator or
1021 owner.

1022 2. To such operator, if not the owner of such motor
1023 vehicle, if there was in effect at the time of such crash or
1024 traffic conviction a motor vehicle ~~an automobile~~ liability
1025 policy or bond with respect to his or her operation of motor

vehicles not owned by him or her.

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

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

A ~~No such~~ policy or bond is not ~~shall be~~ effective under this subsection unless it contains limits of not less than those specified in s. 324.021(7).

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

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

324.071 Reinstatement; renewal of license; reinstatement fee.—An ~~Any~~ operator or owner whose license or registration has been suspended pursuant to s. 324.051(2), s. 324.072, s. 324.081, or s. 324.121 may effect its reinstatement upon compliance with ~~the provisions of~~ s. 324.051(2)(a)3. or 4., or s. 324.081(2) and (3), as the case may be, and with one of the provisions of s. 324.031 and upon payment to the department of a nonrefundable reinstatement fee of \$15. Only one such fee may ~~shall~~ be paid by any one person regardless ~~irrespective~~ of the

number of licenses and registrations to be then reinstated or issued to such person. ~~All~~ Such fees must ~~shall~~ be deposited in ~~to~~ a department trust fund. If ~~When~~ the reinstatement of any license or registration is effected by compliance with s. 324.051(2)(a)3. or 4., the department may ~~shall~~ not renew the license or registration within ~~a period of~~ 3 years after ~~from~~ such reinstatement, and no ~~nor shall any~~ other license or registration may be issued in the name of such person, unless the operator continues ~~is continuing~~ to comply with ~~one of the provisions of~~ s. 324.031.

Section 22. Subsection (1) of section 324.091, Florida Statutes, is amended to read:

324.091 Notice to department; notice to insurer.—

(1) Each owner and operator involved in a crash or conviction case within the purview of this chapter shall furnish evidence of ~~automobile liability insurance or~~ motor vehicle liability insurance within 14 days after the date of the mailing of notice of crash by the department in the form and manner as it may designate. Upon receipt of evidence that a ~~an automobile liability policy or~~ motor vehicle liability policy was in effect at the time of the crash or conviction case, the department shall forward to the insurer such information for verification in a method as determined by the department. The insurer shall respond to the department within 20 days after the notice as to whether ~~or not~~ such information is valid. If the department

determines that a ~~an automobile liability policy or~~ motor vehicle liability policy was not in effect and did not provide coverage for both the owner and the operator, it must ~~shall~~ take action as it is authorized to do under this chapter.

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

324.151 Motor vehicle liability policies; required provisions.—

(1) A motor vehicle liability policy that serves as ~~to be~~ proof of financial responsibility under s. 324.031(1)(a) must ~~s. 324.031(1) shall~~ be issued to owners or operators of motor vehicles under the following provisions:

(a) A motor vehicle ~~An owner's~~ liability insurance policy issued to an owner of a motor vehicle required to be registered in this state must designate by explicit description or by appropriate reference all motor vehicles for ~~with respect to~~ which coverage is thereby granted. The policy, must insure the person or persons ~~owner~~ named therein, and, unless ~~except for a~~ named driver ~~excluded~~ under s. 627.747, must insure any resident relative of a named insured ~~other person as operator using such motor vehicle or motor vehicles with the express or implied permission of such owner against loss~~ from the liability imposed by law for damage arising out of the ownership, maintenance, or use of any such motor vehicle ~~or motor vehicles within the United States or the Dominion of Canada, subject to limits,~~

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~~exclusive of interest and costs with respect to each such motor vehicle as is provided for under s. 324.021(7). The policy must also insure any person operating an insured motor vehicle with the express or implied permission of a named insured against loss from the liability imposed by law for damage arising out of the ownership, maintenance, or use of any motor vehicle, unless that person was excluded under s. 627.747. However, the insurer may include provisions in its policy excluding liability coverage for a motor vehicle not designated as an insured vehicle on the policy if such motor vehicle does not qualify as a newly acquired vehicle or as a temporary substitute vehicle and was owned by the insured or was furnished for an insured's regular use for more than 30 consecutive days before the event giving rise to the claim.~~ Insurers may make available, with respect to property damage liability coverage, a deductible amount not to exceed \$500. In the event of a property damage loss covered by a policy containing a property damage deductible provision, the insurer shall pay to the third-party claimant the amount of any property damage liability settlement or judgment, subject to policy limits, as if no deductible existed.

(b) A motor vehicle liability policy issued to a person who does not own a ~~An operator's~~ motor vehicle must ~~liability policy of insurance shall~~ insure the person or persons named therein against loss from the liability imposed ~~upon him or her~~ by law for damages arising out of the ownership, maintenance, or

1126 use ~~by the person~~ of any motor vehicle not owned by him or her,
1127 ~~with the same territorial limits and subject to the same limits~~
1128 ~~of liability as referred to above with respect to an owner's~~
1129 ~~policy of liability insurance.~~

1130 (c) All such motor vehicle liability policies must provide
1131 liability coverage with limits, exclusive of interest and costs,
1132 greater than or equal to the limits specified under s.
1133 324.021(7) for accidents occurring within the United States and
1134 Canada. The policies must ~~shall~~ state the name and address of
1135 the named insured, the coverage afforded by the policy, the
1136 premium charged therefor, the policy period, and the limits of
1137 liability, and must ~~shall~~ contain an agreement or be endorsed
1138 that insurance is provided in accordance with the coverage
1139 defined in this chapter ~~as respects bodily injury and death or~~
1140 ~~property damage or both~~ and is subject to ~~all provisions of this~~
1141 chapter. The said policies must ~~shall~~ also contain a provision
1142 that the satisfaction by an insured of a judgment for such
1143 injury or damage may ~~shall~~ not be a condition precedent to the
1144 right or duty of the insurance carrier to make payment on
1145 account of such injury or damage, and must ~~shall~~ also contain a
1146 provision that bankruptcy or insolvency of the insured or of the
1147 insured's estate does ~~shall~~ not relieve the insurance carrier of
1148 any of its obligations under the ~~said~~ policy.

1149 (2) ~~The provisions of~~ This section is ~~shall~~ not be
1150 applicable to any motor vehicle ~~automobile~~ liability policy

1151 unless ~~and until~~ it is furnished as proof of financial
1152 responsibility for the future pursuant to s. 324.031, and then
1153 applies only from and after the date the said policy is so
1154 furnished and thereafter.

1155 (3) As used in this section, the term:

1156 (a) "Newly acquired vehicle" means a vehicle owned by a
1157 named insured or a resident relative of the named insured which
1158 was acquired no more than 30 days before an accident.

1159 (b) "Resident relative" means a person related to a named
1160 insured by any degree by blood, marriage, or adoption, including
1161 a ward or foster child, who makes his or her home in the same
1162 family unit or residence as the named insured, regardless of
1163 whether he or she temporarily lives elsewhere.

1164 (c) "Temporary substitute vehicle" means any motor vehicle
1165 that is not owned by the named insured and that is temporarily
1166 used with the permission of the owner as a substitute for the
1167 owned motor vehicle designated on the policy when the owned
1168 vehicle is withdrawn from normal use because of breakdown,
1169 repair, servicing, loss, or destruction.

1170 **Section 24. Section 324.161, Florida Statutes, is amended**
1171 **to read:**

1172 324.161 Proof of financial responsibility; deposit.—If a
1173 person elects to prove his or her financial responsibility under
1174 the method of proof specified in s. 324.031(1)(b), he or she
1175 annually must obtain and submit to the department proof of a

1176 certificate of deposit in the amount required under s.
1177 324.031(2) from a financial institution insured by the Federal
1178 Deposit Insurance Corporation or the National Credit Union
1179 Administration ~~Annually, before any certificate of insurance may~~
1180 ~~be issued to a person, including any firm, partnership,~~
1181 ~~association, corporation, or other person, other than a natural~~
1182 ~~person, proof of a certificate of deposit of \$30,000 issued and~~
1183 ~~held by a financial institution must be submitted to the~~
1184 ~~department.~~ A power of attorney will be issued to and held by
1185 the department, and may be executed upon a judgment issued
1186 against such person making the deposit, for damages for ~~because~~
1187 ~~of~~ bodily injury to or death of any person or for damages for
1188 ~~because of~~ injury to or destruction of property resulting from
1189 the use or operation of any motor vehicle occurring after such
1190 deposit was made. Money so deposited is ~~shall~~ not be subject to
1191 attachment or execution unless such attachment or execution
1192 arises ~~shall arise~~ out of a lawsuit ~~suit~~ for such damages ~~as~~
1193 ~~aforsaid.~~

1194 **Section 25. Subsections (1) and (2) of section 324.171,**
1195 **Florida Statutes, are amended to read:**

1196 324.171 Self-insurer.—

1197 (1) A ~~Any~~ person may qualify as a self-insurer by
1198 obtaining a certificate of self-insurance from the department.
1199 ~~which may, in its discretion and~~ Upon application of such a
1200 person, the department may issue a ~~said~~ certificate of self-

insurance to an applicant who satisfies ~~when such person has~~
~~satisfied~~ the requirements of this section. Effective January 1,
2027 to qualify as a self-insurer under this section:

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

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

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

2. Maintain sufficient net worth, in an amount determined
by the department, to be financially responsible for potential
losses. The department, with the assistance of the Office of
Insurance Regulation of the Financial Services Commission, shall
annually determine the minimum net worth sufficient to satisfy
this subparagraph ~~as determined annually by the department,~~
~~pursuant to rules adopted promulgated by the department, with~~
~~the assistance of the Office of Insurance Regulation of the~~
~~Financial Services Commission, to be financially responsible for~~
~~potential losses. The rules must consider any shall take into~~
~~consideration~~ excess insurance carried by the applicant. The
department's determination must ~~shall~~ be based upon reasonable
actuarial principles considering the frequency, severity, and

loss development of claims incurred by casualty insurers writing coverage on the type of motor vehicles for which a certificate of self-insurance is desired.

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

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

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

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

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

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

(b) An insurance policy number.

(3) The department shall provide ~~personal injury protection and property damage~~ liability insurance policy numbers to department-approved third parties that provide data

collection services to an insurer of any person involved in such accident.

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

324.251 Short title.—This chapter may be cited as the "Financial Responsibility Law of 2026 ~~1955~~" and is ~~shall become~~ effective at 12:01 a.m., January 1, 2027 ~~October 1, 1955~~.

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

400.9905 Definitions.—

(4) (a) "Clinic" means an entity where health care services are provided to individuals and which tenders charges for reimbursement for such services, including a mobile clinic and a portable equipment provider. As used in this part, the term does not include and the licensure requirements of this part do not apply to:

1. ~~(a)~~ Entities licensed or registered by the state under chapter 395; entities licensed or registered by the state and providing only health care services within the scope of services authorized under their respective licenses under ss. 383.30-383.332, chapter 390, chapter 394, chapter 397, this chapter except part X, chapter 429, chapter 463, chapter 465, chapter 466, chapter 478, chapter 484, or chapter 651; end-stage renal disease providers authorized under 42 C.F.R. part 494; providers certified and providing only health care services within the

scope of services authorized under their respective certifications under 42 C.F.R. part 485, subpart B, subpart H, or subpart J; providers certified and providing only health care services within the scope of services authorized under their respective certifications under 42 C.F.R. part 486, subpart C; providers certified and providing only health care services within the scope of services authorized under their respective certifications under 42 C.F.R. part 491, subpart A; providers certified by the Centers for Medicare and Medicaid Services under the federal Clinical Laboratory Improvement Amendments and the federal rules adopted thereunder; or any entity that provides neonatal or pediatric hospital-based health care services or other health care services by licensed practitioners solely within a hospital licensed under chapter 395.

2.~~(b)~~ Entities that own, directly or indirectly, entities licensed or registered by the state pursuant to chapter 395; entities that own, directly or indirectly, entities licensed or registered by the state and providing only health care services within the scope of services authorized pursuant to their respective licenses under ss. 383.30-383.332, chapter 390, chapter 394, chapter 397, this chapter except part X, chapter 429, chapter 463, chapter 465, chapter 466, chapter 478, chapter 484, or chapter 651; end-stage renal disease providers authorized under 42 C.F.R. part 494; providers certified and providing only health care services within the scope of services

1301 authorized under their respective certifications under 42 C.F.R.
1302 part 485, subpart B, subpart H, or subpart J; providers
1303 certified and providing only health care services within the
1304 scope of services authorized under their respective
1305 certifications under 42 C.F.R. part 486, subpart C; providers
1306 certified and providing only health care services within the
1307 scope of services authorized under their respective
1308 certifications under 42 C.F.R. part 491, subpart A; providers
1309 certified by the Centers for Medicare and Medicaid Services
1310 under the federal Clinical Laboratory Improvement Amendments and
1311 the federal rules adopted thereunder; or any entity that
1312 provides neonatal or pediatric hospital-based health care
1313 services by licensed practitioners solely within a hospital
1314 licensed under chapter 395.

1315 3.(e) Entities that are owned, directly or indirectly, by
1316 an entity licensed or registered by the state pursuant to
1317 chapter 395; entities that are owned, directly or indirectly, by
1318 an entity licensed or registered by the state and providing only
1319 health care services within the scope of services authorized
1320 pursuant to their respective licenses under ss. 383.30-383.332,
1321 chapter 390, chapter 394, chapter 397, this chapter except part
1322 X, chapter 429, chapter 463, chapter 465, chapter 466, chapter
1323 478, chapter 484, or chapter 651; end-stage renal disease
1324 providers authorized under 42 C.F.R. part 494; providers
1325 certified and providing only health care services within the

scope of services authorized under their respective certifications under 42 C.F.R. part 485, subpart B, subpart H, or subpart J; providers certified and providing only health care services within the scope of services authorized under their respective certifications under 42 C.F.R. part 486, subpart C; providers certified and providing only health care services within the scope of services authorized under their respective certifications under 42 C.F.R. part 491, subpart A; providers certified by the Centers for Medicare and Medicaid Services under the federal Clinical Laboratory Improvement Amendments and the federal rules adopted thereunder; or any entity that provides neonatal or pediatric hospital-based health care services by licensed practitioners solely within a hospital under chapter 395.

4.~~(d)~~ Entities that are under common ownership, directly or indirectly, with an entity licensed or registered by the state pursuant to chapter 395; entities that are under common ownership, directly or indirectly, with an entity licensed or registered by the state and providing only health care services within the scope of services authorized pursuant to their respective licenses under ss. 383.30-383.332, chapter 390, chapter 394, chapter 397, this chapter except part X, chapter 429, chapter 463, chapter 465, chapter 466, chapter 478, chapter 484, or chapter 651; end-stage renal disease providers authorized under 42 C.F.R. part 494; providers certified and

1351 providing only health care services within the scope of services
1352 authorized under their respective certifications under 42 C.F.R.
1353 part 485, subpart B, subpart H, or subpart J; providers
1354 certified and providing only health care services within the
1355 scope of services authorized under their respective
1356 certifications under 42 C.F.R. part 486, subpart C; providers
1357 certified and providing only health care services within the
1358 scope of services authorized under their respective
1359 certifications under 42 C.F.R. part 491, subpart A; providers
1360 certified by the Centers for Medicare and Medicaid Services
1361 under the federal Clinical Laboratory Improvement Amendments and
1362 the federal rules adopted thereunder; or any entity that
1363 provides neonatal or pediatric hospital-based health care
1364 services by licensed practitioners solely within a hospital
1365 licensed under chapter 395.

1366 5.~~(e)~~ An entity that is exempt from federal taxation under
1367 26 U.S.C. s. 501(c)(3) or (4), an employee stock ownership plan
1368 under 26 U.S.C. s. 409 that has a board of trustees at least
1369 two-thirds of which are Florida-licensed health care
1370 practitioners and provides only physical therapy services under
1371 physician orders, any community college or university clinic,
1372 and any entity owned or operated by the federal or state
1373 government, including agencies, subdivisions, or municipalities
1374 thereof.

1375 6.~~(f)~~ A sole proprietorship, group practice, partnership,

1376 or corporation that provides health care services by physicians
1377 covered by s. 627.419, that is directly supervised by one or
1378 more of such physicians, and that is wholly owned by one or more
1379 of those physicians or by a physician and the spouse, parent,
1380 child, or sibling of that physician.

1381 7.~~(g)~~ A sole proprietorship, group practice, partnership,
1382 or corporation that provides health care services by licensed
1383 health care practitioners under chapter 457, chapter 458,
1384 chapter 459, chapter 460, chapter 461, chapter 462, chapter 463,
1385 chapter 466, chapter 467, chapter 480, chapter 484, chapter 486,
1386 chapter 490, chapter 491, or part I, part III, part X, part
1387 XIII, or part XIV of chapter 468, or s. 464.012, and that is
1388 wholly owned by one or more licensed health care practitioners,
1389 or the licensed health care practitioners set forth in this
1390 subparagraph ~~paragraph~~ and the spouse, parent, child, or sibling
1391 of a licensed health care practitioner if one of the owners who
1392 is a licensed health care practitioner is supervising the
1393 business activities and is legally responsible for the entity's
1394 compliance with all federal and state laws. However, a health
1395 care practitioner may not supervise services beyond the scope of
1396 the practitioner's license, except that, for the purposes of
1397 this part, a clinic owned by a licensee in s. 456.053(3)(b)
1398 which provides only services authorized pursuant to s.
1399 456.053(3)(b) may be supervised by a licensee specified in s.
1400 456.053(3)(b).

1401 8.~~(h)~~ Clinical facilities affiliated with an accredited
1402 medical school at which training is provided for medical
1403 students, residents, or fellows.

1404 9.~~(i)~~ Entities that provide only oncology or radiation
1405 therapy services by physicians licensed under chapter 458 or
1406 chapter 459 or entities that provide oncology or radiation
1407 therapy services by physicians licensed under chapter 458 or
1408 chapter 459 which are owned by a corporation whose shares are
1409 publicly traded on a recognized stock exchange.

1410 10.~~(j)~~ Clinical facilities affiliated with a college of
1411 chiropractic accredited by the Council on Chiropractic Education
1412 at which training is provided for chiropractic students.

1413 11.~~(k)~~ Entities that provide licensed practitioners to
1414 staff emergency departments or to deliver anesthesia services in
1415 facilities licensed under chapter 395 and that derive at least
1416 90 percent of their gross annual revenues from the provision of
1417 such services. Entities claiming an exemption from licensure
1418 under this subparagraph ~~paragraph~~ must provide documentation
1419 demonstrating compliance.

1420 12.~~(l)~~ Orthotic, prosthetic, pediatric cardiology, or
1421 perinatology clinical facilities or anesthesia clinical
1422 facilities that are not otherwise exempt under subparagraph 1.
1423 or subparagraph 11. ~~paragraph (a) or paragraph (k)~~ and that are
1424 a publicly traded corporation or are wholly owned, directly or
1425 indirectly, by a publicly traded corporation. As used in this

1426 subparagraph ~~paragraph~~, a publicly traded corporation is a
1427 corporation that issues securities traded on an exchange
1428 registered with the United States Securities and Exchange
1429 Commission as a national securities exchange.

1430 13.~~(m)~~ Entities that are owned by a corporation that has
1431 \$250 million or more in total annual sales of health care
1432 services provided by licensed health care practitioners where
1433 one or more of the persons responsible for the operations of the
1434 entity is a health care practitioner who is licensed in this
1435 state and who is responsible for supervising the business
1436 activities of the entity and is responsible for the entity's
1437 compliance with state law for purposes of this part.

1438 14.~~(n)~~ Entities that employ 50 or more licensed health
1439 care practitioners licensed under chapter 458 or chapter 459
1440 where the billing for medical services is under a single tax
1441 identification number. The application for exemption under this
1442 subparagraph must include ~~subsection shall contain information~~
1443 ~~that includes:~~ the name, residence, and business address and
1444 telephone ~~phone~~ number of the entity that owns the practice; a
1445 complete list of the names and contact information of all the
1446 officers and directors of the corporation; the name, residence
1447 address, business address, and medical license number of each
1448 licensed Florida health care practitioner employed by the
1449 entity; the corporate tax identification number of the entity
1450 seeking an exemption; a listing of health care services to be

provided by the entity at the health care clinics owned or operated by the entity; and a certified statement prepared by an independent certified public accountant which states that the entity and the health care clinics owned or operated by the entity have not received payment for health care services under medical payments ~~personal injury protection insurance~~ coverage for the preceding year. If the agency determines that an entity that ~~which~~ is exempt under this subparagraph ~~subsection~~ has received payments for medical services under medical payments ~~personal injury protection insurance~~ coverage, the agency may deny or revoke the exemption from licensure under this subparagraph ~~subsection~~.

15. ~~(e)~~ Entities that are, directly or indirectly, under the common ownership of or that are subject to common control by a mutual insurance holding company, as defined in s. 628.703, with an entity issued a certificate of authority under chapter 624 or chapter 641 which has \$1 billion or more in total annual sales in this state.

16. ~~(f)~~ Entities that are owned by an entity that is a behavioral health care service provider in at least five other states; that, together with its affiliates, have \$90 million or more in total annual revenues associated with the provision of behavioral health care services; and wherein one or more of the persons responsible for the operations of the entity is a health care practitioner who is licensed in this state, who is

1476 responsible for supervising the business activities of the
1477 entity, and who is responsible for the entity's compliance with
1478 state law for purposes of this part.

1479 17.-(a) Medicaid providers.

1480 (b) Notwithstanding paragraph (a) this subsection, an
1481 entity is shall be deemed a clinic and must be licensed under
1482 this part in order to receive medical payments coverage
1483 reimbursement unless the entity is:

1484 1. Wholly owned by a physician licensed under chapter 458
1485 or chapter 459 or by the physician and the spouse, parent,
1486 child, or sibling of the physician;

1487 2. Wholly owned by a dentist licensed under chapter 466 or
1488 by the dentist and the spouse, parent, child, or sibling of the
1489 dentist;

1490 3. Wholly owned by a chiropractic physician licensed under
1491 chapter 460 or by the chiropractic physician and the spouse,
1492 parent, child, or sibling of the chiropractic physician;

1493 4. A hospital or an ambulatory surgical center licensed
1494 under chapter 395;

1495 5. An entity that wholly owns or is wholly owned, directly
1496 or indirectly, by a hospital licensed under chapter 395;

1497 6. A clinical facility affiliated with an accredited
1498 medical school at which training is provided for medical
1499 students, residents, or fellows;

1500 7. Certified under 42 C.F.R. part 485, subpart H; or

1501 8. Owned by a publicly traded corporation, either directly
1502 or indirectly through its subsidiaries, which has \$250 million
1503 or more in total annual sales of health care services provided
1504 by licensed health care practitioners, if one or more of the
1505 persons responsible for the operations of the entity are health
1506 care practitioners who are licensed in this state and who are
1507 responsible for supervising the business activities of the
1508 entity and the entity's compliance with state law for purposes
1509 of this subsection under the Florida Motor Vehicle No-Fault Law,
1510 ss. 627.730-627.7405, unless exempted under s. 627.736(5)(h).

1511 **Section 29. Subsection (5) of section 400.991, Florida**
1512 **Statutes, is amended to read:**

1513 400.991 License requirements; background screenings;
1514 prohibitions.—

1515 (5) All agency forms for licensure application or
1516 exemption from licensure under this part must contain the
1517 following statement:

1518
1519 INSURANCE FRAUD NOTICE.—A person commits a fraudulent
1520 insurance act, as defined in s. 626.989, Florida
1521 Statutes, if the person ~~who~~ knowingly submits a false,
1522 misleading, or fraudulent application or other
1523 document when applying for licensure as a health care
1524 clinic, seeking an exemption from licensure as a
1525 health care clinic, or demonstrating compliance with

part X of chapter 400, Florida Statutes, with the intent to use the license, exemption from licensure, or demonstration of compliance to provide services or seek reimbursement under a motor vehicle liability policy's medical payments coverage ~~the Florida Motor Vehicle No-Fault Law~~, commits a fraudulent insurance act, as defined in s. 626.989, Florida Statutes. A person who presents a claim for benefits under medical payments coverage ~~personal injury protection benefits~~ knowing that the payee knowingly submitted such health care clinic application or document commits insurance fraud, as defined in s. 817.234, Florida Statutes.

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

400.9935 Clinic responsibilities.—

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

(g) Conduct systematic reviews of clinic billings to ensure that the billings are not fraudulent or unlawful. Upon discovery of an unlawful charge, the medical director or clinic director shall take immediate corrective action. If the clinic performs only the technical component of magnetic resonance imaging, static radiographs, computed tomography, or positron

emission tomography, and provides the professional interpretation of such services, in a fixed facility that is accredited by a national accrediting organization that is approved by the Centers for Medicare and Medicaid Services for magnetic resonance imaging and advanced diagnostic imaging services and if, in the preceding quarter, the percentage of scans performed by that clinic which was billed to motor vehicle ~~all personal injury protection~~ insurance carriers under medical payments coverage was less than 15 percent, the chief financial officer of the clinic may, in a written acknowledgment provided to the agency, assume the responsibility for the conduct of the systematic reviews of clinic billings to ensure that the billings are not fraudulent or unlawful.

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

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

(28) "Third-party benefit" means any benefit that is or may be available at any time through contract, court award, judgment, settlement, agreement, or any arrangement between a third party and any person or entity, including, without limitation, a Medicaid recipient, a provider, another third party, an insurer, or the agency, for any Medicaid-covered injury, illness, goods, or services, including costs of medical

services related thereto, for bodily ~~personal~~ injury or for death of the recipient, but specifically excluding ~~policies of~~ life insurance policies on the recipient, unless available under terms of the policy to pay medical expenses before ~~prior to~~ death. The term includes, without limitation, collateral, as defined in this section; health insurance; any benefit under a health maintenance organization, a preferred provider arrangement, a prepaid health clinic, liability insurance, uninsured motorist insurance, or medical payments coverage; ~~or personal injury protection coverage~~, medical benefits under workers' compensation; and any obligation under law or equity to provide medical support.

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

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

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

(f) Notwithstanding any provision in this section to the contrary, in the event of an action in tort against a third party in which the recipient or his or her legal representative

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is a party which results in a judgment, award, or settlement from a third party, the amount recovered shall be distributed as follows:

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

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

3. For purposes of calculating the agency's recovery of medical assistance benefits paid, the fee for services of an attorney retained by the recipient or his or her legal representative shall be calculated at 25 percent of the judgment, award, or settlement.

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

Section 33. Paragraph (k) of subsection (2) of section

1626 **456.057, Florida Statutes, is amended to read:**

1627 456.057 Ownership and control of patient records; report
1628 or copies of records to be furnished; disclosure of
1629 information.—

1630 (2) As used in this section, the terms "records owner,"
1631 "health care practitioner," and "health care practitioner's
1632 employer" do not include any of the following persons or
1633 entities; furthermore, the following persons or entities are not
1634 authorized to acquire or own medical records, but are authorized
1635 under the confidentiality and disclosure requirements of this
1636 section to maintain those documents required by the part or
1637 chapter under which they are licensed or regulated:

1638 ~~(k) Persons or entities practicing under s. 627.736(7).~~

1639 **Section 34. Paragraphs (ee) and (ff) of subsection (1) of**
1640 **section 456.072, Florida Statutes, are amended to read:**

1641 456.072 Grounds for discipline; penalties; enforcement.—

1642 (1) The following acts shall constitute grounds for which
1643 the disciplinary actions specified in subsection (2) may be
1644 taken:

1645 (ee) With respect to making a medical payments coverage
1646 ~~personal injury protection~~ claim ~~as required by s. 627.736,~~
1647 intentionally submitting a claim, statement, or bill that has
1648 been upcoded. As used in this paragraph, the term "upcode" means
1649 to submit a billing code that would result in a greater payment
1650 amount than would be paid using a billing code that accurately

describes the services performed. The term does not include an otherwise lawful bill by a magnetic resonance imaging facility which globally combines both technical and professional components, if the amount of the global bill is not more than the components if billed separately; however, payment of such a bill constitutes payment in full for all components of such service "upcoded" as defined in s. 627.732.

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

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

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

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

(i) *Unfair claim settlement practices.*—

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

2. Making a material misrepresentation ~~made~~ to an insured

1676 or any other person having an interest in the proceeds payable
1677 under such contract or policy, for the purpose and with the
1678 intent of effecting settlement of such claims, loss, or damage
1679 under such contract or policy on less favorable terms than those
1680 provided in, and contemplated by, such contract or policy;

1681 3. Committing or performing with such frequency as to
1682 indicate a general business practice any of the following:

1683 a. Failing to adopt and implement standards for the proper
1684 investigation of claims;

1685 b. Misrepresenting pertinent facts or insurance policy
1686 provisions relating to coverages at issue;

1687 c. Failing to acknowledge and act promptly upon
1688 communications with respect to claims;

1689 d. Denying claims without conducting reasonable
1690 investigations based upon available information;

1691 e. Failing to affirm or deny full or partial coverage of
1692 claims, and, as to partial coverage, the dollar amount or extent
1693 of coverage, or failing to provide a written statement that the
1694 claim is being investigated, upon the written request of the
1695 insured within 30 days after proof-of-loss statements have been
1696 completed;

1697 f. Failing to promptly provide a reasonable explanation in
1698 writing to the insured of the basis in the insurance policy, in
1699 relation to the facts or applicable law, for denial of a claim
1700 or for the offer of a compromise settlement;

1701 g. Failing to promptly notify the insured of any
1702 additional information necessary for the processing of a claim;

1703 h. Failing to clearly explain the nature of the requested
1704 information and the reasons why such information is necessary;

1705 or

1706 i. ~~Failing to pay personal injury protection insurance~~
1707 ~~claims within the time periods required by s. 627.736(4)(b). The~~
1708 ~~office may order the insurer to pay restitution to a~~
1709 ~~policyholder, medical provider, or other claimant, including~~
1710 ~~interest at a rate consistent with the amount set forth in s.~~
1711 ~~55.03(1), for the time period within which an insurer fails to~~
1712 ~~pay claims as required by law. Restitution is in addition to any~~
1713 ~~other penalties allowed by law, including, but not limited to,~~
1714 ~~the suspension of the insurer's certificate of authority; or~~

1715 j. Altering or amending an insurance adjuster's report
1716 without:

1717 (I) Providing a detailed explanation as to why any change
1718 that has the effect of reducing the estimate of the loss was
1719 made; and

1720 (II) Including on the report or as an addendum to the
1721 report a detailed list of all changes made to the report and the
1722 identity of the person who ordered each change; or

1723 (III) Retaining all versions of the report, and including
1724 within each such version, for each change made within such
1725 version of the report, the identity of each person who made or

ordered such change; or

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

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

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

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

Notwithstanding any other provision of law, this provision shall

not be deemed to prohibit the charging and collection, by surplus lines agents licensed under part VIII of this chapter, of the amount of applicable state and federal taxes, or fees as authorized by s. 626.916(2), in addition to the premium required by the insurer or the charging and collection, by licensed agents, of the exact amount of any discount or other such fee charged by a credit card facility in connection with the use of a credit card, as authorized by subparagraph (q)3., in addition to the premium required by the insurer. This subparagraph shall not be construed to prohibit collection of a premium for a universal life or a variable or indeterminate value insurance policy made in accordance with the terms of the contract.

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

b. An insurer which imposes and collects such a surcharge or which refuses to renew such policy shall, in conjunction with the notice of premium due or notice of nonrenewal, notify the

1776 named insured that he or she is entitled to reimbursement of
1777 such amount or renewal of the policy under the conditions listed
1778 below and will subsequently reimburse him or her or renew the
1779 policy, if the named insured demonstrates that the operator
1780 involved in the accident was:

1781 (I) Lawfully parked;

1782 (II) Reimbursed by, or on behalf of, a person responsible
1783 for the accident or has a judgment against such person;

1784 (III) Struck in the rear by another vehicle headed in the
1785 same direction and was not convicted of a moving traffic
1786 violation in connection with the accident;

1787 (IV) Hit by a "hit-and-run" driver, if the accident was
1788 reported to the proper authorities within 24 hours after
1789 discovering the accident;

1790 (V) Not convicted of a moving traffic violation in
1791 connection with the accident, but the operator of the other
1792 automobile involved in such accident was convicted of a moving
1793 traffic violation;

1794 (VI) Finally adjudicated not to be liable by a court of
1795 competent jurisdiction;

1796 (VII) In receipt of a traffic citation which was dismissed
1797 or nolle prossed; or

1798 (VIII) Not at fault as evidenced by a written statement
1799 from the insured establishing facts demonstrating lack of fault
1800 which are not rebutted by information in the insurer's file from

1801 which the insurer in good faith determines that the insured was
1802 substantially at fault.

1803 c. In addition to the other provisions of this
1804 subparagraph, an insurer may not fail to renew a policy if the
1805 insured has had only one accident in which he or she was at
1806 fault within the current 3-year period. However, an insurer may
1807 nonrenew a policy for reasons other than accidents in accordance
1808 with s. 627.728. This subparagraph does not prohibit nonrenewal
1809 of a policy under which the insured has had three or more
1810 accidents, regardless of fault, during the most recent 3-year
1811 period.

1812 4. Imposing or requesting an additional premium for, or
1813 refusing to renew, a policy for motor vehicle insurance solely
1814 because the insured committed a noncriminal traffic infraction
1815 as described in s. 318.14 unless the infraction is:

1816 a. A second infraction committed within an 18-month
1817 period, or a third or subsequent infraction committed within a
1818 36-month period.

1819 b. A violation of s. 316.183, when such violation is a
1820 result of exceeding the lawful speed limit by more than 15 miles
1821 per hour.

1822 5. Upon the request of the insured, the insurer and
1823 licensed agent shall supply to the insured the complete proof of
1824 fault or other criteria which justifies the additional charge or
1825 cancellation.

1826 6. No insurer shall impose or request an additional
1827 premium for motor vehicle insurance, cancel or refuse to issue a
1828 policy, or refuse to renew a policy because the insured or the
1829 applicant is a handicapped or physically disabled person, so
1830 long as such handicap or physical disability does not
1831 substantially impair such person's mechanically assisted driving
1832 ability.

1833 7. No insurer may cancel or otherwise terminate any
1834 insurance contract or coverage, or require execution of a
1835 consent to rate endorsement, during the stated policy term for
1836 the purpose of offering to issue, or issuing, a similar or
1837 identical contract or coverage to the same insured with the same
1838 exposure at a higher premium rate or continuing an existing
1839 contract or coverage with the same exposure at an increased
1840 premium.

1841 8. No insurer may issue a nonrenewal notice on any
1842 insurance contract or coverage, or require execution of a
1843 consent to rate endorsement, for the purpose of offering to
1844 issue, or issuing, a similar or identical contract or coverage
1845 to the same insured at a higher premium rate or continuing an
1846 existing contract or coverage at an increased premium without
1847 meeting any applicable notice requirements.

1848 9. No insurer shall, with respect to premiums charged for
1849 motor vehicle insurance, unfairly discriminate solely on the
1850 basis of age, sex, marital status, or scholastic achievement.

1851 10. Imposing or requesting an additional premium for motor
1852 vehicle comprehensive or uninsured motorist coverage solely
1853 because the insured was involved in a motor vehicle accident or
1854 was convicted of a moving traffic violation.

1855 11. No insurer shall cancel or issue a nonrenewal notice
1856 on any insurance policy or contract without complying with any
1857 applicable cancellation or nonrenewal provision required under
1858 the Florida Insurance Code.

1859 12. No insurer shall impose or request an additional
1860 premium, cancel a policy, or issue a nonrenewal notice on any
1861 insurance policy or contract because of any traffic infraction
1862 when adjudication has been withheld and no points have been
1863 assessed pursuant to s. 318.14(9) and (10). However, this
1864 subparagraph does not apply to traffic infractions involving
1865 accidents in which the insurer has incurred a loss due to the
1866 fault of the insured.

1867 **Section 36. Paragraph (a) of subsection (1) of section**
1868 **626.989, Florida Statutes, is amended to read:**

1869 626.989 Investigation by department or Division of
1870 Criminal Investigations; compliance; immunity; confidential
1871 information; reports to division; division investigator's power
1872 of arrest.—

1873 (1) For the purposes of this section:

1874 (a) A person commits a "fraudulent insurance act" if the
1875 person:

1876 1. Knowingly and with intent to defraud presents, causes
1877 to be presented, or prepares with knowledge or belief that it
1878 will be presented, to or by an insurer, self-insurer, self-
1879 insurance fund, servicing corporation, purported insurer,
1880 broker, or any agent thereof, any written statement as part of,
1881 or in support of, an application for the issuance of, or the
1882 rating of, any insurance policy, or a claim for payment or other
1883 benefit pursuant to any insurance policy, which the person knows
1884 to contain materially false information concerning any fact
1885 material thereto or if the person conceals, for the purpose of
1886 misleading another, information concerning any fact material
1887 thereto.

1888 2. Knowingly submits:

1889 a. A false, misleading, or fraudulent application or other
1890 document when applying for licensure as a health care clinic,
1891 seeking an exemption from licensure as a health care clinic, or
1892 demonstrating compliance with part X of chapter 400 with an
1893 intent to use the license, exemption from licensure, or
1894 demonstration of compliance to provide services or seek
1895 reimbursement under a motor vehicle liability policy's medical
1896 payments coverage ~~the Florida Motor Vehicle No-Fault Law~~.

1897 b. A claim for payment or other benefit under a motor
1898 vehicle liability policy's medical payments coverage, ~~pursuant~~
1899 ~~to a personal injury protection insurance policy under the~~
1900 ~~Florida Motor Vehicle No-Fault Law~~ if the person knows that the

payee knowingly submitted a false, misleading, or fraudulent application or other document when applying for licensure as a health care clinic, seeking an exemption from licensure as a health care clinic, or demonstrating compliance with part X of chapter 400.

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

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

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

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

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

(15) Rate filings for motor vehicle liability policies that implement the financial responsibility requirements of s. 324.022 in effect January 1, 2027, except for commercial motor vehicle insurance policies exempt under paragraph (14) (a), must reflect such financial responsibility requirements and may be approved only through the file and use process in accordance with paragraph (1) (a).

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

627.0652 Insurance discounts for certain persons completing safety course.—

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

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

627.0653 Insurance discounts for specified motor vehicle equipment.—

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

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

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

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

627.4132 Stacking of coverages prohibited.—If an insured or named insured is protected by any type of motor vehicle

insurance policy providing primary bodily injury and property damage ~~for liability, personal injury protection, or other~~ coverage, the policy must ~~shall~~ provide that the insured or named insured is protected only to the extent of the coverage she or he has on the vehicle involved in the accident. However, if none of the insured's or named insured's vehicles are ~~is~~ involved in the accident, coverage is available only to the extent of coverage on any one of the vehicles with applicable coverage. Coverage on any other vehicles may ~~shall~~ not be added to or stacked upon that coverage. This section does not ~~apply~~:

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

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

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

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- 2001 (a) The name of the insurer.
 2002 (b) The name of each insured.
 2003 (c) The limits of the liability coverage.
 2004 (d) A statement of any policy or coverage defense which
 2005 such insurer reasonably believes is available to such insurer at
 2006 the time of filing such statement.
 2007 (e) A copy of the policy.

2008
 2009 In addition, the insured, or her or his insurance agent, upon
 2010 written request of the claimant or the claimant's attorney,
 2011 shall disclose the name and coverage of each known insurer to
 2012 the claimant and shall forward such request for information as
 2013 required by this subsection to all affected insurers. The
 2014 insurer shall then supply the information required in this
 2015 subsection to the claimant within 30 days after ~~of~~ receipt of
 2016 such request. If an insurer fails to timely comply with this
 2017 subsection, the claimant may file an action in a court of
 2018 competent jurisdiction to enforce this section. If the court
 2019 determines that the insurer violated this subsection, the
 2020 claimant is entitled to an award of reasonable attorney fees and
 2021 costs, payable by the insurer.

2022 **Section 43. Section 627.7263, Florida Statutes, is amended**
 2023 **to read:**

2024 627.7263 Rental and leasing driver's insurance to be
 2025 primary; exception.—

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

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

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

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

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

(1) A ~~No~~ motor vehicle liability ~~insurance~~ policy that
~~which~~ provides bodily injury liability coverage may not ~~shall~~ be
 delivered or issued for delivery in this state with respect to
 any specifically insured or identified motor vehicle registered

or principally garaged in this state unless uninsured motor vehicle coverage is provided therein or supplemental thereto for the protection of persons insured thereunder who are legally entitled to recover damages from owners or operators of uninsured motor vehicles because of bodily injury, sickness, or disease, including death, resulting therefrom. However, the coverage required under this section is not applicable if ~~when~~, or to the extent that, an insured named in the policy makes a written rejection of the coverage on behalf of all insureds under the policy. If ~~When~~ a motor vehicle is leased for ~~a period of~~ 1 year or longer and the lessor of such vehicle, by the terms of the lease contract, provides liability coverage on the leased vehicle, the lessee of such vehicle has ~~shall have~~ the sole privilege to reject uninsured motorist coverage or to select lower limits than the bodily injury liability limits, regardless of whether the lessor is qualified as a self-insurer pursuant to s. 324.171. Unless an insured, or a lessee having the privilege of rejecting uninsured motorist coverage, requests such coverage or requests higher uninsured motorist limits in writing, the coverage or such higher uninsured motorist limits need not be provided in or supplemental to any other policy that ~~which~~ renews, extends, changes, supersedes, or replaces an existing policy with the same bodily injury liability limits when an insured or lessee had rejected the coverage. When an insured or lessee has initially selected limits of uninsured motorist

coverage lower than her or his bodily injury liability limits, higher limits of uninsured motorist coverage need not be provided in or supplemental to any other policy that ~~which~~ renews, extends, changes, supersedes, or replaces an existing policy with the same bodily injury liability limits unless an insured requests higher uninsured motorist coverage in writing. The rejection or selection of lower limits must ~~shall~~ be made on a form approved by the office. The form must ~~shall~~ fully advise the applicant of the nature of the coverage and must ~~shall~~ state that the coverage is equal to bodily injury liability limits unless lower limits are requested or the coverage is rejected. The heading of the form must ~~shall~~ be in 12-point bold type and must ~~shall~~ state: "You are electing not to purchase certain valuable coverage that ~~which~~ protects you and your family or you are purchasing uninsured motorist limits less than your bodily injury liability limits when you sign this form. Please read carefully." If this form is signed by a named insured, it will be conclusively presumed that there was an informed, knowing rejection of coverage or election of lower limits on behalf of all insureds. The insurer shall notify the named insured at least annually of her or his options as to the coverage required by this section. Such notice must ~~shall~~ be part of, and attached to, the notice of premium, must ~~shall~~ provide for a means to allow the insured to request such coverage, and must ~~shall~~ be given in a manner approved by the office. Receipt of this notice

2101 does not constitute an affirmative waiver of the insured's right
2102 to uninsured motorist coverage if ~~where~~ the insured has not
2103 signed a selection or rejection form. The coverage described
2104 under this section must ~~shall~~ be over and above, but may ~~shall~~
2105 not duplicate, the benefits available to an insured under any
2106 workers' compensation law, ~~personal injury protection benefits,~~
2107 disability benefits law, or similar law; under any automobile
2108 medical payments ~~expense~~ coverage; under any motor vehicle
2109 liability insurance coverage; or from the owner or operator of
2110 the uninsured motor vehicle or any other person or organization
2111 jointly or severally liable together with such owner or operator
2112 for the accident, ~~+~~ and such coverage must ~~shall~~ cover any ~~the~~
2113 difference, ~~if any,~~ between the sum of such benefits and the
2114 damages sustained, up to the maximum amount of such coverage
2115 provided under this section. The amount of coverage available
2116 under this section may ~~shall~~ not be reduced by a setoff against
2117 any coverage, including liability insurance. Such coverage does
2118 ~~shall~~ not inure directly or indirectly to the benefit of any
2119 workers' compensation or disability benefits carrier or any
2120 person or organization qualifying as a self-insurer under any
2121 workers' compensation or disability benefits law or similar law.
2122 (7) The legal liability of an uninsured motorist coverage
2123 insurer includes ~~does not include~~ damages in tort for pain,
2124 suffering, disability, physical impairment, disfigurement,
2125 mental anguish, ~~and~~ inconvenience, and the loss of capacity for

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the enjoyment of life experienced in the past and to be
experienced in the future ~~unless the injury or disease is~~
~~described in one or more of paragraphs (a) - (d) of s. 627.737(2).~~

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

627.7275 Required coverages in motor vehicle insurance
policies; availability to certain applicants liability.—

(1) A motor vehicle insurance policy ~~providing personal~~
~~injury protection as set forth in s. 627.736~~ may not be
delivered or issued for delivery in this state for a ~~with~~
~~respect to any~~ specifically insured or identified motor vehicle
registered or principally garaged in this state must provide
bodily injury liability coverage and ~~unless the policy also~~
~~provides coverage for~~ property damage liability coverage as
required under ss. 324.022 and 324.151 ~~by s. 324.022.~~

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

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

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

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

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

(d) An insurer issuing a policy subject to this section may cancel the policy if, during the policy term, the named

insured, or any other operator who resides in the same household or customarily operates an automobile insured under the policy, has his or her driver license suspended or revoked.

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

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

627.7278 Applicability and construction; notice to policyholders.—

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

(2) Effective January 1, 2027:

(a) Motor vehicle insurance policies issued or renewed on or after January 1, 2027, may not include personal injury protection.

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

(c) A motor vehicle insurance policy issued before January 1, 2027, which provides personal injury protection and property

damage liability coverage that meets the requirements of s.
324.022 on December 31, 2026, but that does not meet minimum
security requirements in effect on or after January 1, 2027, is
deemed to meet minimum security requirements until such policy
is renewed, nonrenewed, or canceled on or after January 1, 2027.
Sections 400.9905, 400.991, 456.057, 456.072, 626.9541(1)(i),
627.7263, 627.727, 627.730-627.7405, 627.748, and 817.234,
Florida Statutes 2025, remain in full force and effect for motor
vehicle accidents covered under a policy issued under the
Florida Motor Vehicle No-Fault Law before January 1, 2027, until
the policy is renewed, nonrenewed, or canceled on or after
January 1, 2027.

(3) An insurer shall allow each insured who has a new or
renewal policy providing personal injury protection which
becomes effective before January 1, 2027, and whose policy does
not meet minimum security requirements on or after January 1,
2027, to change coverages so as to eliminate personal injury
protection. Any reduction in the premium must be refunded by the
insurer. The insurer may not impose on the insured an additional
fee or charge that applies solely to a change in coverage;
however, the insurer may charge an additional required premium
that is actuarially indicated.

(4) By October 1, 2026, each motor vehicle insurer shall
provide notice of this section to each motor vehicle insurance
policyholder who is subject to this section. The notice is

2226 subject to approval by the office and must clearly inform the
2227 policyholder that:

2228 (a) The Florida Motor Vehicle No-Fault Law is repealed
2229 effective January 1, 2027, and that on or after that date, the
2230 insured is no longer required to maintain personal injury
2231 protection insurance coverage, that personal injury protection
2232 insurance coverage is no longer available for purchase in this
2233 state, and that new or renewal policies issued on or after that
2234 date will not contain that coverage.

2235 (b) Effective January 1, 2027, a person subject to the
2236 financial responsibility requirements of s. 324.022 must
2237 maintain minimum security requirements that enable the person to
2238 respond in damages for liability on account of accidents arising
2239 out of the ownership, maintenance, or use of a motor vehicle in
2240 the following amounts:

2241 1. Twenty-five thousand dollars for bodily injury to, or
2242 the death of, one person in any one crash and, subject to such
2243 limits for one person, in the amount of \$50,000 for bodily
2244 injury to, or the death of, two or more persons in any one
2245 crash; and

2246 2. Ten thousand dollars for damage to, or destruction of,
2247 the property of others in any one crash.

2248 (c) Bodily injury liability coverage protects the insured,
2249 up to the coverage limits, against loss if the insured is
2250 legally responsible for bodily injury to, or the death of,

2251 others in a motor vehicle crash.

2252 (d) The policyholder may obtain uninsured and underinsured
2253 motorist coverage that provides benefits, up to the limits of
2254 such coverage, to a policyholder or other insured entitled to
2255 recover damages for bodily injury, sickness, disease, or death
2256 resulting from a motor vehicle crash involving an uninsured or
2257 underinsured owner or operator of a motor vehicle.

2258 (e) If the policyholder's new or renewal motor vehicle
2259 insurance policy is effective before January 1, 2027, and
2260 contains personal injury protection and property damage
2261 liability coverage as required by state law before January 1,
2262 2027, but does not meet minimum security requirements on or
2263 after January 1, 2027, the policy is deemed to meet minimum
2264 security requirements until it is renewed, nonrenewed, or
2265 canceled on or after January 1, 2027.

2266 (f) A policyholder whose new or renewal policy becomes
2267 effective before January 1, 2027, but does not meet minimum
2268 security requirements on or after January 1, 2027, may change
2269 coverages under the policy so as to eliminate personal injury
2270 protection and to obtain coverage providing minimum security
2271 requirements, including bodily injury liability coverage, which
2272 are effective on or after January 1, 2027.

2273 (g) If the policyholder has any questions, he or she
2274 should contact the person named at the telephone number provided
2275 in the notice.

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2276 **Section 47. Paragraph (a) of subsection (1) of section**
2277 **627.728, Florida Statutes, is amended to read:**

2278 627.728 Cancellations; nonrenewals.—

2279 (1) As used in this section, the term:

2280 (a) "Policy" means the bodily injury and property damage
2281 liability, ~~personal injury protection~~, medical payments,
2282 comprehensive, collision, and uninsured motorist coverage
2283 portions of a policy of motor vehicle insurance delivered or
2284 issued for delivery in this state:

2285 1. Insuring a natural person as named insured or one or
2286 more related individuals who are residents ~~resident~~ of the same
2287 household; and

2288 2. Insuring only a motor vehicle of the private passenger
2289 type or station wagon type which is not used as a public or
2290 livery conveyance for passengers or rented to others; or
2291 insuring any other four-wheel motor vehicle having a load
2292 capacity of 1,500 pounds or less which is not used in the
2293 occupation, profession, or business of the insured other than
2294 farming; other than any policy issued under an automobile
2295 insurance assigned risk plan or covering garage, automobile
2296 sales agency, repair shop, service station, or public parking
2297 place operation hazards.

2298
2299 The term "policy" does not include a binder as defined in s.
2300 627.420 unless the duration of the binder period exceeds 60

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2301 days.

2302 **Section 48. Subsection (1), paragraph (a) of subsection**
2303 **(5), and subsections (6) and (7) of section 627.7295, Florida**
2304 **Statutes, are amended to read:**

2305 627.7295 Motor vehicle insurance contracts.—

2306 (1) As used in this section, the term:

2307 (a) "Policy" means a motor vehicle insurance policy that
2308 provides bodily injury liability ~~personal injury protection~~
2309 coverage and, property damage liability coverage, ~~or both~~.

2310 (b) "Binder" means a binder that provides motor vehicle
2311 bodily injury liability coverage ~~personal injury protection~~ and
2312 property damage liability coverage.

2313 (5)(a) A licensed general lines agent may charge a per-
2314 policy fee of up to ~~not to exceed~~ \$10 to cover the
2315 administrative costs of the agent associated with selling the
2316 motor vehicle insurance policy if the policy provides ~~covers~~
2317 only bodily injury liability coverage ~~personal injury protection~~
2318 ~~coverage as provided by s. 627.736~~ and property damage liability
2319 coverage under ~~as provided by~~ s. 627.7275 and if no other
2320 insurance is sold or issued in conjunction with or collateral to
2321 the policy. The fee is not ~~considered~~ part of the premium.

2322 (6) If a motor vehicle owner's driver license, license
2323 plate, and registration have previously been suspended pursuant
2324 to s. 316.646 ~~or s. 627.733~~, an insurer may cancel a new policy
2325 only as provided in s. 627.7275.

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

(a) This subsection does not apply:

1. If an insured or member of the insured's family is renewing or replacing a policy or a binder for such policy written by the same insurer or a member of the same insurer group. ~~This subsection does not apply~~

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

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

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

2351 1. All policy payments to an insurer are paid pursuant to
2352 an automatic electronic funds transfer payment plan from an
2353 agent, a managing general agent, or a premium finance company
2354 and if the policy includes, at a minimum, bodily injury
2355 liability coverage and ~~personal injury protection pursuant to~~
2356 ~~ss. 627.730-627.7405; motor vehicle property damage liability~~
2357 coverage under ~~pursuant to s. 627.7275; or and bodily injury~~
2358 ~~liability in at least the amount of \$10,000 because of bodily~~
2359 ~~injury to, or death of, one person in any one accident and in~~
2360 ~~the amount of \$20,000 because of bodily injury to, or death of,~~
2361 ~~two or more persons in any one accident. This subsection and~~
2362 ~~subsection (4) do not apply if~~

2363 2. An insured has had a policy in effect for at least 6
2364 months, the insured's agent is terminated by the insurer that
2365 issued the policy, and the insured obtains coverage on the
2366 policy's renewal date with a new company through the terminated
2367 agent.

2368 **Section 49. Section 627.7415, Florida Statutes, is amended**
2369 **to read:**

2370 627.7415 Commercial motor vehicles; additional liability
2371 insurance coverage.—Beginning January 1, 2027, commercial motor
2372 vehicles, as defined in s. 207.002 or s. 320.01, operated upon
2373 the roads and highways of this state must ~~shall~~ be insured with
2374 the following minimum levels of combined bodily liability
2375 insurance and property damage liability insurance in addition to

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any other insurance requirements:

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

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

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

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

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

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

627.747 Named driver exclusion.—

(1) A private passenger motor vehicle policy may exclude the following coverages for all claims or suits resulting from the operation of a motor vehicle by an identified individual who is not a named insured, provided the identified individual is

named on the declarations page or by endorsement and the named insured consents in writing to such exclusion:

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

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

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

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

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

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

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

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

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

627.748 Transportation network companies.—

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

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

1. Automobile insurance that provides:

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

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

~~c.~~ Uninsured and underinsured vehicle coverage as required by s. 627.727.

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

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

b. Automobile insurance maintained by the TNC; or

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

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

~~1.~~ automobile insurance that provides:

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2451 a. A Primary automobile liability coverage of at least \$1
2452 million for death, bodily injury, and property damage; and

2453 b. ~~Personal injury protection benefits that meet the~~
2454 ~~minimum coverage amounts required of a limousine under ss.~~
2455 ~~627.730-627.7405; and~~

2456 ~~e.~~ Uninsured and underinsured vehicle coverage as required
2457 by s. 627.727.

2458 2. The coverage requirements of this paragraph may be
2459 satisfied by any of the following:

2460 a. Automobile insurance maintained by the TNC driver or
2461 the TNC vehicle owner;

2462 b. Automobile insurance maintained by the TNC; or

2463 c. A combination of sub-subparagraphs a. and b.

2464 (g) Insurance satisfying the requirements under this
2465 subsection is deemed to satisfy the financial responsibility
2466 requirement for a motor vehicle under chapter 324 ~~and the~~
2467 ~~security required under s. 627.733~~ for any period when the TNC
2468 driver is logged onto the digital network or engaged in a
2469 prearranged ride.

2470 (8) TRANSPORTATION NETWORK COMPANY AND INSURER;
2471 DISCLOSURE; EXCLUSIONS.—

2472 (a) Before a TNC driver is allowed to accept a request for
2473 a prearranged ride on the digital network, the TNC must disclose
2474 in writing to the TNC driver:

2475 1. The insurance coverage, including the types of coverage

2476 and the limits for each coverage, which the TNC provides while
2477 the TNC driver uses a TNC vehicle in connection with the TNC's
2478 digital network.

2479 2. That the TNC driver's own automobile insurance policy
2480 might not provide any coverage while the TNC driver is logged on
2481 to the digital network or is engaged in a prearranged ride,
2482 depending on the terms of the TNC driver's own automobile
2483 insurance policy.

2484 3. That the provision of rides for compensation which are
2485 not prearranged rides subjects the driver to the coverage
2486 requirements imposed under s. 324.032(1) and (2) and that
2487 failure to meet such coverage requirements subjects the TNC
2488 driver to penalties provided in s. 324.221, up to and including
2489 a misdemeanor of the second degree.

2490 (b)1. An insurer that provides an automobile liability
2491 insurance policy under this part may exclude any and all
2492 coverage afforded under the policy issued to an owner or
2493 operator of a TNC vehicle while driving that vehicle for any
2494 loss or injury that occurs while a TNC driver is logged on to a
2495 digital network or while a TNC driver provides a prearranged
2496 ride. Exclusions imposed under this subsection are limited to
2497 coverage while a TNC driver is logged on to a digital network or
2498 while a TNC driver provides a prearranged ride. This right to
2499 exclude all coverage may apply to any coverage included in an
2500 automobile insurance policy, including, but not limited to:

2501 a. Liability coverage for bodily injury and property
2502 damage;

2503 b. Uninsured and underinsured motorist coverage;

2504 c. Medical payments coverage;

2505 d. Comprehensive physical damage coverage; and

2506 e. Collision physical damage coverage; ~~and~~

2507 ~~f. Personal injury protection.~~

2508 2. The exclusions described in subparagraph 1. apply
2509 notwithstanding any requirement under chapter 324. These
2510 exclusions do not affect or diminish coverage otherwise
2511 available for permissive drivers or resident relatives under the
2512 personal automobile insurance policy of the TNC driver or owner
2513 of the TNC vehicle who are not occupying the TNC vehicle at the
2514 time of loss. This section does not require that a personal
2515 automobile insurance policy provide coverage while the TNC
2516 driver is logged on to a digital network, while the TNC driver
2517 is engaged in a prearranged ride, or while the TNC driver
2518 otherwise uses a vehicle to transport riders for compensation.

2519 3. This section must not be construed to require an
2520 insurer to use any particular policy language or reference to
2521 this section in order to exclude any ~~and all~~ coverage for any
2522 loss or injury that occurs while a TNC driver is logged on to a
2523 digital network or while a TNC driver provides a prearranged
2524 ride.

2525 4. This section does not preclude an insurer from

2526 providing primary or excess coverage for the TNC driver's
2527 vehicle by contract or endorsement.

2528 (16) LUXURY GROUND TRANSPORTATION NETWORK COMPANIES.—

2529 (b) An entity may elect, upon written notification to the
2530 department, to be regulated as a luxury ground TNC. A luxury
2531 ground TNC must:

2532 1. Comply with all of the requirements of this section
2533 applicable to a TNC, including subsection (17), which do not
2534 conflict with subparagraph 2. or which do not prohibit the
2535 company from connecting riders to drivers who operate for-hire
2536 vehicles as defined in s. 320.01(15), including limousines and
2537 luxury sedans and excluding taxicabs.

2538 2. Maintain insurance coverage as required by subsection
2539 (7). However, if a prospective luxury ground TNC satisfies
2540 minimum financial responsibility through compliance with s.
2541 324.032(3) ~~s. 324.032(2)~~ by using self-insurance when it gives
2542 the department written notification of its election to be
2543 regulated as a luxury ground TNC, the luxury ground TNC may use
2544 self-insurance to meet the insurance requirements of subsection
2545 (7), so long as such self-insurance complies with s. 324.032(3)
2546 ~~s. 324.032(2)~~ and provides the limits of liability required by
2547 subsection (7).

2548 **Section 52. Subsection (2) and paragraphs (a) and (c) of**
2549 **subsection (3) of section 627.7483, Florida Statutes, are**
2550 **amended to read:**

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2551 627.7483 Peer-to-peer car sharing; insurance
2552 requirements.—

2553 (2) INSURANCE COVERAGE REQUIREMENTS.—

2554 (a)1. A peer-to-peer car-sharing program shall ensure
2555 that, during each car-sharing period, the shared vehicle owner
2556 and the shared vehicle driver are insured under a motor vehicle
2557 insurance policy that provides all of the following:

2558 a. Property damage liability coverage and bodily injury
2559 liability coverage that meet or exceed ~~meets~~ the minimum
2560 coverage amounts required under s. 324.022.

2561 b. ~~Bodily injury liability coverage limits as described in~~
2562 ~~s. 324.021(7)(a) and (b).~~

2563 c. ~~Personal injury protection benefits that meet the~~
2564 ~~minimum coverage amounts required under s. 627.736.~~

2565 d. ~~Uninsured and underinsured vehicle coverage as required~~
2566 ~~under s. 627.727.~~

2567 2. The peer-to-peer car-sharing program shall also ensure
2568 that the motor vehicle insurance policy under subparagraph 1.:

2569 a. Recognizes that the shared vehicle insured under the
2570 policy is made available and used through a peer-to-peer car-
2571 sharing program; or

2572 b. Does not exclude the use of a shared vehicle by a
2573 shared vehicle driver.

2574 (b)1. The insurance described under paragraph (a) may be
2575 satisfied by a motor vehicle insurance policy maintained by:

2576 a. A shared vehicle owner;
2577 b. A shared vehicle driver;
2578 c. A peer-to-peer car-sharing program; or
2579 d. A combination of a shared vehicle owner, a shared
2580 vehicle driver, and a peer-to-peer car-sharing program.

2581 2. The insurance policy maintained in subparagraph 1.
2582 which satisfies the insurance requirements under paragraph (a)
2583 is primary during each car-sharing period. If a claim occurs
2584 during the car-sharing period in another state with minimum
2585 financial responsibility limits higher than those limits
2586 required under chapter 324, the coverage maintained under
2587 paragraph (a) satisfies the difference in minimum coverage
2588 amounts up to the applicable policy limits.

2589 3.a. If the insurance maintained by a shared vehicle owner
2590 or shared vehicle driver in accordance with subparagraph 1. has
2591 lapsed or does not provide the coverage required under paragraph
2592 (a), the insurance maintained by the peer-to-peer car-sharing
2593 program must provide the coverage required under paragraph (a),
2594 beginning with the first dollar of a claim, and must defend such
2595 claim, except under circumstances as set forth in subparagraph
2596 (3) (a)2.

2597 b. Coverage under a motor vehicle insurance policy
2598 maintained by the peer-to-peer car-sharing program must not be
2599 dependent on another motor vehicle insurer first denying a
2600 claim, and another motor vehicle insurance policy is not

required to first deny a claim.

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

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

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

(II) Liability of the shared vehicle owner;

(III) Liability of the shared vehicle driver;

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

(V) Damage, loss, or injury to persons or property to satisfy the ~~personal injury protection~~ and uninsured and underinsured motorist coverage requirements of this section.

e. Insurance required under paragraph (a), when maintained by a peer-to-peer car-sharing program, may be provided by an insurer authorized to do business in this state which is a member of the Florida Insurance Guaranty Association or an eligible surplus lines insurer that has a superior, excellent, exceptional, or equivalent financial strength rating by a rating

agency acceptable to the office. A peer-to-peer car-sharing program is not transacting in insurance when it maintains the insurance required under this section.

(3) LIABILITIES AND INSURANCE EXCLUSIONS.—

(a) *Liability*.—

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

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

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

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

3. The insurer, insurers, or peer-to-peer car-sharing program providing coverage under paragraph (2)(a) shall assume

primary liability for a claim when:

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

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

(c) *Exclusions in motor vehicle insurance policies.*—An authorized insurer that writes motor vehicle liability insurance in this state may exclude any coverage and the duty to defend or indemnify for any claim under a shared vehicle owner's motor vehicle insurance policy, including, but not limited to:

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

This paragraph does not invalidate or limit any exclusion contained in a motor vehicle insurance policy, including any insurance policy in use or approved for use which excludes

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coverage for motor vehicles made available for rent, sharing, or hire or for any business use. This paragraph does not invalidate, limit, or restrict an insurer's ability under existing law to underwrite, cancel, or nonrenew any insurance policy.

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

627.749 Autonomous vehicles; insurance requirements.—

(2) INSURANCE REQUIREMENTS.—

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

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

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

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

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

627.8405 Prohibited acts; financing companies.—~~A~~ No premium finance company ~~shall~~, in a premium finance agreement or other agreement, may not finance the cost of or otherwise provide for the collection or remittance of dues, assessments,

fees, or other periodic payments of money for the cost of:

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

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

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

This section also applies to premium financing by any insurance agent or insurance company under part XVI. The commission shall adopt rules to assure disclosure, at the time of sale, of

coverages financed ~~with personal injury protection~~ and shall prescribe the form of such disclosure.

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

627.915 Insurer experience reporting.—

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

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

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

(c) Policyholder dividends incurred.

(d) Expenses for other acquisition and general expense.

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

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

(g) Losses paid.

(h) Losses unpaid.

(i) Loss adjustment expenses paid.

(j) Loss adjustment expenses unpaid.

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

628.909 Applicability of other laws.—

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

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

(b) Chapter 625, part II.

(c) Chapter 626, part IX.

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

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~~(e)~~ Chapter 628.

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

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

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

(c) Chapter 626, part IX.

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

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

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

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

(2) The airport director or the director's designee shall contact the Department of Highway Safety and Motor Vehicles to notify that department that the airport has possession of the abandoned or derelict motor vehicle and to determine the name and address of the owner of the motor vehicle, the insurance company insuring the motor vehicle, ~~notwithstanding the~~

~~provisions of s. 627.736,~~ and any person who has filed a lien on the motor vehicle. Within 7 business days after receipt of the information, the director or the director's designee shall send notice by certified mail, return receipt requested, to the owner of the motor vehicle, the insurance company insuring the motor vehicle, ~~notwithstanding the provisions of s. 627.736,~~ and all persons of record claiming a lien against the motor vehicle. The notice must ~~shall~~ state the fact of possession of the motor vehicle, that charges for reasonable towing, storage, and parking fees, if any, have accrued and the amount thereof, that a lien as provided in subsection (6) will be claimed, that the lien is subject to enforcement pursuant to law, that the owner or lienholder, if any, has the right to a hearing as set forth in subsection (4), and that any motor vehicle which, at the end of 30 calendar days after receipt of the notice, has not been removed from the airport upon payment in full of all accrued charges for reasonable towing, storage, and parking fees, if any, may be disposed of as provided in s. 705.182(2)(a), (b), (d), or (e), including, but not limited to, the motor vehicle being sold free of all prior liens after 35 calendar days after the time the motor vehicle is stored if any prior liens on the motor vehicle are more than 5 years of age or after 50 calendar days after the time the motor vehicle is stored if any prior liens on the motor vehicle are 5 years of age or less.

(6) The airport pursuant to this section or, if used, a

licensed independent wrecker company pursuant to s. 713.78 shall have a lien on an abandoned or derelict motor vehicle for all reasonable towing, storage, and accrued parking fees, if any, except that a no storage fee may not ~~shall~~ be charged if the motor vehicle is stored less than 6 hours. As a prerequisite to perfecting a lien under this section, the airport director or the director's designee must serve a notice in accordance with subsection (2) on the owner of the motor vehicle, the insurance company insuring the motor vehicle, ~~notwithstanding the provisions of s. 627.736,~~ and all persons of record claiming a lien against the motor vehicle. If attempts to notify the owner, the insurance company insuring the motor vehicle, ~~notwithstanding the provisions of s. 627.736,~~ or lienholders are not successful, the requirement of notice by mail is ~~shall be~~ considered met. Serving of the notice does not dispense with recording the claim of lien.

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

1. The name and address of the airport.
2. The name of the owner of the motor vehicle, the insurance company insuring the motor vehicle, ~~notwithstanding the provisions of s. 627.736,~~ and all persons of record claiming a lien against the motor vehicle.
3. The costs incurred from reasonable towing, storage, and

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parking fees, if any.

4. A description of the motor vehicle sufficient for identification.

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

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

CLAIM OF LIEN

State of

County of

Before me, the undersigned notary public, personally appeared, who was duly sworn and says that he/she is the of, whose address is.....; and that the following described motor vehicle:

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

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

...(Signature)...

Sworn to (or affirmed) and subscribed before me this day of

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....., ...(year)..., by ...(name of person making statement)....
...(Signature of Notary Public)... ...(Print, Type, or Stamp
Commissioned name of Notary Public)..
Personally Known....OR Produced....as identification.

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

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

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

Section 58. Paragraphs (a), (b), and (c) of subsection (4)

2901 **of section 713.78, Florida Statutes, are amended to read:**

2902 713.78 Liens for recovering, towing, or storing vehicles
2903 and vessels.—

2904 (4)(a) A towing-storage operator who comes into possession
2905 of a vehicle or vessel pursuant to paragraph (2)(b), and who
2906 claims a lien for recovery, towing, or storage services, must
2907 give notice, by certified mail, pursuant to subsection (16), to
2908 the registered owner, the insurance company insuring the vehicle
2909 or vessel ~~notwithstanding s. 627.736~~, and all persons claiming a
2910 lien thereon, as disclosed by the records in the Department of
2911 Highway Safety and Motor Vehicles or as disclosed by the records
2912 of any corresponding agency in any other state in which the
2913 vehicle or vessel is identified through a records check of the
2914 National Motor Vehicle Title Information System or an equivalent
2915 commercially available system as being titled or registered.

2916 (b) When a law enforcement agency, county, or municipality
2917 authorizes the removal of a vehicle or vessel, or a towing
2918 service, garage, repair shop, or automotive service, storage, or
2919 parking place notifies a law enforcement agency of possession of
2920 a vehicle or vessel pursuant to s. 715.07(2)(a)2., if an
2921 approved third-party service cannot obtain the vehicle's or
2922 vessel's owner, lienholder, and insurer information or last
2923 state of record pursuant to subsection (16), then the person in
2924 charge of the towing service, garage, repair shop, or automotive
2925 service, storage, or parking place must request such information

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

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

2951 holiday, after the date of storage of the vehicle or vessel. The
2952 notice must state all of the following:

2953 1. If the claim of lien is for a vehicle, the last 8
2954 digits of the vehicle identification number of the vehicle
2955 subject to the lien, or, if the claim of lien is for a vessel,
2956 the hull identification number of the vessel subject to the
2957 lien, clearly printed in the delivery address box and on the
2958 outside of the envelope sent to the registered owner and all
2959 other persons claiming an interest in or lien on the vehicle or
2960 vessel.

2961 2. The name, physical address, and telephone number of the
2962 lienor, and the entity name, as registered with the Division of
2963 Corporations, of the business where the towing and storage
2964 occurred, which must also appear on the outside of the envelope
2965 sent to the registered owner and all other persons claiming an
2966 interest in or lien on the vehicle or vessel.

2967 3. The fact of possession of the vehicle or vessel.

2968 4. The name of the person or entity that authorized the
2969 lienor to take possession of the vehicle or vessel.

2970 5. That a lien as provided in paragraph (2)(b) is claimed.

2971 6. That charges have accrued and include an itemized
2972 statement of the amount thereof.

2973 7. That the lien is subject to enforcement under law and
2974 that the owner or lienholder, if any, has the right to initiate
2975 judicial proceedings as set forth in subsection (5).

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2976 8. That any vehicle or vessel that remains unclaimed, or
2977 for which the charges for recovery, towing, or storage services
2978 remain unpaid, may be sold free of all prior liens 35 days after
2979 the vehicle or vessel is stored by the lienor if the vehicle or
2980 vessel is an older model or 57 days after the vehicle or vessel
2981 is stored by the lienor if the vehicle or vessel is a newer
2982 model.

2983 9. The address at which the vehicle or vessel is
2984 physically located.

2985 **Section 59. Paragraph (a) of subsection (1), paragraph (c)**
2986 **of subsection (7), paragraphs (a), (b), and (c) of subsection**
2987 **(8), and subsections (9) and (10) of section 817.234, Florida**
2988 **Statutes, are amended to read:**

2989 817.234 False and fraudulent insurance claims.—

2990 (1)(a) A person commits insurance fraud punishable as
2991 provided in subsection (11) if that person, with the intent to
2992 injure, defraud, or deceive any insurer:

2993 1. Presents or causes to be presented any written or oral
2994 statement as part of, or in support of, a claim for payment or
2995 other benefit pursuant to an insurance policy or a health
2996 maintenance organization subscriber or provider contract,
2997 knowing that such statement contains ~~any~~ false, incomplete, or
2998 misleading information concerning any fact or thing material to
2999 such claim;

3000 2. Prepares or makes any written or oral statement that is

intended to be presented to an ~~any~~ insurer in connection with, or in support of, any claim for payment or other benefit pursuant to an insurance policy or a health maintenance organization subscriber or provider contract, knowing that such statement contains ~~any~~ false, incomplete, or misleading information concerning any fact or thing material to such claim;

3.a. Knowingly presents, causes to be presented, or prepares or makes with knowledge or belief that it will be presented to an ~~any~~ insurer, a purported insurer, a servicing corporation, an insurance broker, or an insurance agent, or any employee or agent thereof, ~~any~~ false, incomplete, or misleading information or a written or oral statement as part of, or in support of, an application for the issuance of, or the rating of, any insurance policy, or a health maintenance organization subscriber or provider contract; or

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

4. Knowingly presents, causes to be presented, or prepares or makes with knowledge or belief that it will be presented to any insurer a claim for payment or other benefit under medical payments coverage in a motor vehicle ~~a personal injury protection~~ insurance policy if the person knows that the payee knowingly submitted a false, misleading, or fraudulent application or other document when applying for licensure as a health care clinic, seeking an exemption from licensure as a

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

(7)

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

(8)(a) It is unlawful for any person intending to defraud any other person to solicit or cause to be solicited any business from a person involved in a motor vehicle accident for the purpose of making, adjusting, or settling motor vehicle tort claims or claims for benefits under medical payments coverage in a motor vehicle insurance policy. ~~A personal injury protection benefits required by s. 627.736. Any person who violates the provisions of this paragraph commits a felony of the second degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084. A person who is convicted of a violation of this subsection must shall be sentenced to a minimum term of imprisonment of 2 years.~~

(b) A person may not solicit or cause to be solicited any

3051 business from a person involved in a motor vehicle accident by
3052 any means of communication other than advertising directed to
3053 the public for the purpose of making motor vehicle tort claims
3054 or claims for benefits under medical payments coverage in a
3055 motor vehicle insurance policy ~~personal injury protection~~
3056 ~~benefits required by s. 627.736,~~ within 60 days after the
3057 occurrence of the motor vehicle accident. A ~~Any~~ person who
3058 violates this paragraph commits a felony of the third degree,
3059 punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

3060 (c) A lawyer, health care practitioner as defined in s.
3061 456.001, or owner or medical director of a clinic required to be
3062 licensed pursuant to s. 400.9905 may not, at any time after 60
3063 days have elapsed from the occurrence of a motor vehicle
3064 accident, solicit or cause to be solicited any business from a
3065 person involved in a motor vehicle accident by means of in
3066 person or telephone contact at the person's residence, for the
3067 purpose of making motor vehicle tort claims or claims for
3068 benefits under medical payments coverage in a motor vehicle
3069 insurance policy. ~~A personal injury protection benefits required~~
3070 ~~by s. 627.736.~~ ~~Any~~ person who violates this paragraph commits a
3071 felony of the third degree, punishable as provided in s.
3072 775.082, s. 775.083, or s. 775.084.

3073 (9) A person may not organize, plan, or knowingly
3074 participate in an intentional motor vehicle crash or a scheme to
3075 create documentation of a motor vehicle crash that did not occur

3076 for the purpose of making motor vehicle tort claims or claims
3077 for benefits under medical payments coverage in a motor vehicle
3078 insurance policy. A ~~personal injury protection benefits as~~
3079 ~~required by s. 627.736. Any~~ person who violates this subsection
3080 commits a felony of the second degree, punishable as provided in
3081 s. 775.082, s. 775.083, or s. 775.084. A person ~~who is~~ convicted
3082 of a violation of this subsection must ~~shall~~ be sentenced to a
3083 minimum term of imprisonment of 2 years.

3084 (10) A licensed health care practitioner ~~who is~~ found
3085 guilty of insurance fraud under this section for an act relating
3086 to a motor vehicle ~~personal injury protection~~ insurance policy
3087 must lose ~~loses~~ his or her license to practice for 5 years and
3088 may not receive reimbursement under medical payments coverage in
3089 a motor vehicle insurance policy ~~for personal injury protection~~
3090 ~~benefits~~ for 10 years from the date that his or her license is
3091 suspended.

3092 **Section 60.** For the 2026-2027 fiscal year, the sum of
3093 \$83,651 in nonrecurring funds is appropriated from the Insurance
3094 Regulatory Trust Fund to the Office of Insurance Regulation for
3095 the purpose of implementing this act. This section shall take
3096 effect January 1, 2027.

3097 **Section 61.** Except as otherwise expressly provided in this
3098 act and except for this section, which shall take effect upon
3099 this act becoming a law, this act shall take effect January 1,
3100 2027.