

1                   A bill to be entitled  
2           An act relating to motor vehicle liability insurance;  
3           amending s. 324.011, F.S.; revising legislative intent  
4           with respect to financial responsibility for the  
5           damages caused by the operation of a motor vehicle;  
6           amending ss. 324.021 and 324.022, F.S.; increasing  
7           financial responsibility limits with respect to bodily  
8           injury or death; conforming provisions to changes made  
9           by the act; amending s. 324.0221, F.S.; requiring  
10          insurers to submit information to the Department of  
11          Highway Safety and Motor Vehicles and to notify  
12          insureds about bodily injury insurance rather than  
13          personal injury protection coverage; amending s.  
14          324.031, F.S.; increasing the financial responsibility  
15          limits for motor vehicle liability; amending s.  
16          324.071, F.S.; conforming provisions to changes made  
17          by the act; amending s. 324.161, F.S.; increasing the  
18          amount required for a surety bond or deposit; amending  
19          s. 324.171, F.S.; revising the required threshold  
20          limit for self-insurers; repealing s. 627.730, F.S.,  
21          providing a citation to the Florida Motor Vehicle No-  
22          Fault Law; repealing s. 627.731, F.S., relating to the  
23          purpose of the No-Fault Law; repealing s. 627.7311,  
24          F.S., relating to the effect of law on personal injury  
25          protection policies; amending s. 627.732, F.S.;  
26          deleting definitions relating to the no-fault law;

27 amending s. 627.733, F.S.; deleting security  
28 requirements with respect to no-fault coverage to  
29 substitute security requirements under ch. 324, F.S.;  
30 amending s. 627.734, F.S.; conforming cross-  
31 references; renumbering and amending s. 627.7401,  
32 F.S.; applying notice requirements to bodily injury  
33 and property damage liability security instead of  
34 personal injury protection; creating s. 627.7355,  
35 F.S.; requiring all claims relating to personal injury  
36 to be brought in a single action; repealing s.  
37 627.736, F.S., relating to personal injury protection  
38 benefits; repealing s. 627.737, F.S., relating to  
39 exemption from tort liability for persons maintaining  
40 personal injury protection coverage; repealing s.  
41 627.739, F.S., relating to personal injury protection  
42 deductibles; repealing s. 627.7403, F.S., relating to  
43 the mandatory joinder of derivative claims; repealing  
44 s. 627.7405, F.S., relating to the insurers' right of  
45 reimbursement; repealing s. 627.7407, F.S., relating  
46 to the application of the No-Fault Law; repealing ss.  
47 15 and 16 of chapter 2012-197, Laws of Florida,  
48 requiring the Office of Insurance Regulation to  
49 contract for a study and perform a data call relating  
50 to changes made to the No-Fault Law in 2012; amending  
51 ss. 318.18, 320.02, 320.0609, 320.27, 320.771,  
52 322.251, 400.9905, 400.991, 400.9935, 409.901,

53 409.910, 456.057, 456.072, 626.9541, 626.989,  
 54 626.9895, 627.06501, 627.0652, 627.0653, 627.4132,  
 55 627.6482, 627.7263, 627.727, 627.7275, 627.728,  
 56 627.7295, 627.8405, 627.915, 628.909, 705.184, 713.78,  
 57 and 817.234 F.S.; conforming provisions to changes  
 58 made by the act by removing references to personal  
 59 injury protection and the Florida Motor Vehicle No-  
 60 Fault Law; making technical changes; conforming cross-  
 61 references; providing for the termination of personal  
 62 injury protection policies and the requirement for  
 63 maintaining minimum security requirements that allow a  
 64 person to respond to property damage and bodily injury  
 65 by a certain date; requiring the insurer to notify the  
 66 insured about such changes by a certain date;  
 67 providing for applicability of suspensions for failure  
 68 to maintain security; providing effective dates.

69

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

71

72 Section 1. Section 324.011, Florida Statutes, is amended  
 73 to read:

74 324.011 Legislative intent and purpose of chapter.—It is  
 75 the intent of this chapter that the privilege of owning and  
 76 operating a motor vehicle be exercised ~~to recognize the existing~~  
 77 ~~privilege to own or operate a motor vehicle on the public~~  
 78 ~~streets and highways of this state when such vehicles are used~~

79 | with due consideration for others and their property in order,  
 80 | ~~and~~ to promote safety and provide financial security  
 81 | requirements for ~~such~~ owners or operators whose responsibility  
 82 | it is to recompense others for injury to person or property  
 83 | caused by the operation of a motor vehicle. Therefore, this  
 84 | chapter requires ~~it is required herein~~ that the owner or  
 85 | operator of a motor vehicle establish, maintain, ~~involved in a~~  
 86 | ~~crash or convicted of certain traffic offenses meeting the~~  
 87 | ~~operative provisions of s. 324.051(2) shall respond for such~~  
 88 | ~~damages~~ and show proof of financial ability to respond for  
 89 | damages arising out of the use of a motor vehicle ~~in future~~  
 90 | ~~accidents~~ as a requisite to his or her ~~future~~ exercise of such  
 91 | privileges.

92 | Section 2. Subsections (1) and (7) of section 324.021,  
 93 | Florida Statutes, are amended to read:

94 | 324.021 Definitions; minimum insurance required.—The  
 95 | following words and phrases when used in this chapter shall, for  
 96 | the purpose of this chapter, have the meanings respectively  
 97 | ascribed to them in this section, except in those instances  
 98 | where the context clearly indicates a different meaning:

99 | (1) MOTOR VEHICLE.—A ~~Every~~ self-propelled vehicle that  
 100 | ~~which~~ is designed and required to be licensed for use upon a  
 101 | highway, including trailers and semitrailers designed for use  
 102 | with such vehicles, except for traction engines, road rollers,  
 103 | farm tractors, power shovels, and well drillers, and a ~~every~~  
 104 | vehicle that ~~which~~ is propelled by electric power obtained from

105 | overhead wires but not operated upon rails, but not including a  
 106 | any bicycle or moped. ~~However, the term "motor vehicle" shall~~  
 107 | ~~not include any motor vehicle as defined in s. 627.732(3) when~~  
 108 | ~~the owner of such vehicle has complied with the requirements of~~  
 109 | ~~ss. 627.730-627.7405, inclusive, unless the provisions of s.~~  
 110 | ~~324.051 apply; and, in such case, the applicable proof of~~  
 111 | ~~insurance provisions of s. 320.02 apply.~~

112 | (7) PROOF OF FINANCIAL RESPONSIBILITY. ~~That~~ Proof of  
 113 | ability to respond in damages for liability on account of  
 114 | crashes arising out of the use of a motor vehicle:

115 | (a) In the amount of \$25,000 ~~for \$10,000~~ ~~because of~~ bodily  
 116 | injury to, or the death of, one person in any one crash. ~~†~~

117 | (b) Subject to the ~~such~~ limits for one person under  
 118 | paragraph (a), in the amount of \$50,000 ~~for \$20,000~~ ~~because of~~  
 119 | bodily injury to, or the death of, two or more persons in any  
 120 | one crash. ~~†~~

121 | (c) In the amount of \$10,000 ~~for damage~~ ~~because of injury~~  
 122 | to, or destruction of, the property of others in any one crash. ~~†~~  
 123 | and

124 | (d) With respect to commercial motor vehicles and  
 125 | nonpublic sector buses, in the amounts specified in ss. 627.7415  
 126 | and 627.742, respectively.

127 | Section 3. Section 324.022, Florida Statutes, is amended  
 128 | to read:

129 | 324.022 Financial responsibility requirements ~~for property~~  
 130 | ~~damage.~~-

131           (1) (a) ~~The Every~~ owner or operator of a motor vehicle  
 132 required to be registered in this state shall establish and  
 133 maintain the ability to respond in damages for liability on  
 134 account of accidents arising out of the use of the motor vehicle  
 135 in the amount of:

136           1. Ten thousand dollars for ~~\$10,000 because of~~ damage to,  
 137 or destruction of, property of others in any one crash.

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

143           (b) The requirements of this section may be met by one of  
 144 the methods established in s. 324.031; by self-insuring as  
 145 authorized by s. 768.28(16); or by maintaining an insurance  
 146 policy providing coverage in at least the amounts for bodily  
 147 injury liability coverage and property damage coverage specified  
 148 in paragraph (a) ~~for property damage liability in the amount of~~  
 149 ~~at least \$10,000 because of damage to, or destruction of,~~  
 150 ~~property of others in any one accident arising out of the use of~~  
 151 ~~the motor vehicle.~~ The requirements of this section may also be  
 152 met by having a policy that ~~which~~ provides coverage in the  
 153 amount of at least \$60,000 ~~\$30,000~~ for combined property damage  
 154 liability and bodily injury liability for any one crash arising  
 155 out of the use of the motor vehicle.

156           (c) The policy, with respect to coverage for property

157 | damage liability and bodily injury liability, must meet the  
 158 | applicable requirements of s. 324.151, subject to the usual  
 159 | policy exclusions that have been approved in policy forms by the  
 160 | Office of Insurance Regulation.

161 | (d) An ~~no~~ insurer does not shall have a any duty to defend  
 162 | uncovered claims regardless irrespective of the insurer's their  
 163 | joinder with covered claims.

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

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

- 170 | 1. A mobile home.
- 171 | 2. A motor vehicle that is used in mass transit and  
 172 | designed to transport more than five passengers, exclusive of  
 173 | the operator of the motor vehicle, and that is owned by a  
 174 | municipality, transit authority, or political subdivision of the  
 175 | state.

176 | 3. A school bus as defined in s. 1006.25.

177 | 4. A vehicle providing for-hire transportation that is  
 178 | subject to ~~the provisions of~~ s. 324.031. The owner of a taxicab  
 179 | shall maintain security as required under s. 324.032(1).

180 | (b) "Owner" means the person who holds legal title to a  
 181 | motor vehicle or the debtor or lessee who has the right to  
 182 | possession of a motor vehicle that is the subject of a security

183 agreement or lease with an option to purchase.

184 (3) Each nonresident owner or registrant of a motor  
 185 vehicle that, whether operated or not, has been physically  
 186 present within this state for more than 90 days during the  
 187 preceding 365 days shall maintain security as required by  
 188 subsection (1), which ~~that~~ is in effect continuously throughout  
 189 the period the motor vehicle remains within this state.

190 (4) An ~~The~~ owner or registrant of a motor vehicle who is  
 191 ~~exempt from the requirements of this section if she or he is a~~  
 192 member of the United States Armed Forces and is called to or on  
 193 active duty outside the United States in an emergency situation  
 194 is exempt from this section. The exemption ~~provided by this~~  
 195 ~~subsection~~ applies only as long as the member of the armed  
 196 forces is on ~~such~~ active duty outside the United States and  
 197 applies only while the vehicle covered by the security is not  
 198 operated by any person. Upon receipt of a written request by the  
 199 insured to whom the exemption ~~provided in this subsection~~  
 200 applies, the insurer shall cancel the coverages and return any  
 201 unearned premium or suspend the security required by this  
 202 section. Notwithstanding s. 324.0221(2) ~~324.0221(3)~~, the  
 203 department may not suspend the registration or operator's  
 204 license of an ~~any~~ owner or registrant of a motor vehicle during  
 205 the time she or he qualifies for the ~~an~~ exemption ~~under this~~  
 206 ~~subsection~~. An ~~Any~~ owner or registrant of a motor vehicle who  
 207 qualifies for the ~~an~~ exemption ~~under this subsection~~ shall  
 208 immediately notify the department before ~~prior to~~ and at the end



209 of the expiration of the exemption.

210 Section 4. Subsections (1) and (2) of section 324.0221,  
211 Florida Statutes, are amended to read:

212 324.0221 Reports by insurers to the department; suspension  
213 of driver license and vehicle registrations; reinstatement.—

214 (1)(a) Each insurer that has issued a policy providing  
215 bodily injury liability ~~personal injury protection~~ coverage or  
216 property damage liability coverage shall report the cancellation  
217 or nonrenewal thereof to the department within 10 days after the  
218 processing date or effective date of each cancellation or  
219 nonrenewal. Upon the issuance of a policy providing bodily  
220 injury liability ~~personal injury protection~~ coverage or property  
221 damage liability coverage to a named insured not previously  
222 insured by the insurer during that calendar year, the insurer  
223 shall report the issuance of the new policy to the department  
224 within 10 days. The report must ~~shall~~ be in the form ~~and format~~  
225 and contain any information required by the department and must  
226 be provided in a format that is compatible with the data  
227 processing capabilities of the department. Failure by an insurer  
228 to file proper reports with the department as required by this  
229 subsection constitutes a violation of the Florida Insurance  
230 Code. These records shall be used by the department only for  
231 enforcement and regulatory purposes, including the generation by  
232 the department of data regarding compliance by owners of motor  
233 vehicles with the requirements for financial responsibility  
234 coverage.

235 (b) With respect to an insurance policy providing bodily  
 236 injury liability ~~personal injury protection~~ coverage or property  
 237 damage liability coverage, each insurer shall notify the named  
 238 insured, or the first-named insured in the case of a commercial  
 239 fleet policy, in writing that any cancellation or nonrenewal of  
 240 the policy will be reported by the insurer to the department.  
 241 The notice must also inform the named insured that failure to  
 242 maintain bodily injury liability ~~personal injury protection~~  
 243 coverage and property damage liability coverage on a motor  
 244 vehicle when required by law may result in the loss of  
 245 registration and driving privileges in this state and inform the  
 246 named insured of the amount of the reinstatement fees required  
 247 by this section. This notice is for informational purposes only,  
 248 and an insurer is not civilly liable for failing to provide this  
 249 notice.

250 (2) The department shall suspend, after due notice and an  
 251 opportunity to be heard, the registration and driver license of  
 252 any owner or registrant of a motor vehicle with respect to which  
 253 security is required under ss. 324.022 and 627.733 upon:

254 (a) The department's records showing that the owner or  
 255 registrant of such motor vehicle did not have the ~~in full force~~  
 256 ~~and effect when~~ required security in full force and effect ~~that~~  
 257 ~~complies with the requirements of ss. 324.022 and 627.733; or~~

258 (b) Notification by the insurer to the department, in a  
 259 form approved by the department, of cancellation or termination  
 260 of the required security.

261 Section 5. Section 324.031, Florida Statutes, is amended  
 262 to read:

263 324.031 Manner of proving financial responsibility.—The  
 264 owner or operator of a taxicab, limousine, jitney, or any other  
 265 for-hire passenger transportation vehicle may prove financial  
 266 responsibility by providing satisfactory evidence of holding a  
 267 motor vehicle liability policy as defined in s. 324.021(8) or s.  
 268 324.151, which ~~policy~~ is issued by an insurance carrier that  
 269 ~~which~~ is a member of the Florida Insurance Guaranty Association.  
 270 The operator or owner of any other vehicle may prove his or her  
 271 financial responsibility by:

272 (1) Furnishing satisfactory evidence of holding such a  
 273 motor vehicle liability policy ~~as defined in ss. 324.021(8) and~~  
 274 ~~324.151;~~

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

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

279  
 280 Any person, including a ~~any~~ firm, partnership, association,  
 281 corporation, or other person, other than a natural person,  
 282 electing to use the method of proof specified in subsection (2)  
 283 shall furnish a certificate of deposit equal to the number of  
 284 vehicles owned times \$60,000 ~~\$30,000~~, to a maximum of \$240,000  
 285 ~~\$120,000~~; in addition, any such person, other than a natural  
 286 person, shall maintain insurance providing coverage in excess of

287 limits of \$25,000/50,000/10,000 ~~\$10,000/20,000/10,000~~ or \$60,000  
 288 ~~\$30,000~~ combined single limits, and such excess insurance shall  
 289 provide minimum limits of \$125,000/250,000/50,000 or \$300,000  
 290 combined single limits. These increased limits do ~~shall~~ not  
 291 affect the requirements for proving financial responsibility  
 292 under s. 324.032(1).

293 Section 6. Section 324.071, Florida Statutes, is amended  
 294 to read:

295 324.071 Reinstatement; renewal of license; reinstatement  
 296 fee.—An ~~Any~~ operator or owner whose license or registration has  
 297 been suspended pursuant to s. 324.051(2), s. 324.072, s.  
 298 324.081, or s. 324.121 may effect its reinstatement upon  
 299 compliance with ~~the provisions of~~ s. 324.051(2) (a)3. or 4., or  
 300 s. 324.081(2) and (3), as the case may be, and with one of the  
 301 provisions of s. 324.031 and upon payment to the department of a  
 302 nonrefundable reinstatement fee as specified in s. 324.0221 ~~of~~  
 303 ~~\$15~~. Only one such fee shall be paid by any one person  
 304 regardless ~~irrespective~~ of the number of licenses and  
 305 registrations to be ~~then~~ reinstated or issued to such person.  
 306 ~~All~~ Such fees shall be deposited to a department trust fund. If  
 307 ~~When~~ the reinstatement of any license or registration is  
 308 effected by compliance with s. 324.051(2) (a)3. or 4., the  
 309 department may ~~shall~~ not renew the license or registration  
 310 within ~~a period of~~ 3 years after ~~from~~ such reinstatement, nor  
 311 may ~~shall~~ any other license or registration be issued in the  
 312 name of such person, unless the operator continues ~~is continuing~~

313 to comply with one of the provisions of s. 324.031.

314 Section 7. Section 324.161, Florida Statutes, is amended  
315 to read:

316 324.161 Proof of financial responsibility; deposit.—Proof  
317 of a certificate of deposit of \$60,000 issued and held by a  
318 financial institution shall be submitted annually to the  
319 department ~~Annually,~~ before a ~~any~~ certificate of insurance may  
320 be issued to a person, including a ~~any~~ firm, partnership,  
321 association, corporation, or other person, other than a natural  
322 person, ~~proof of a certificate of deposit of \$30,000 issued and~~  
323 ~~held by a financial institution must be submitted to the~~  
324 ~~department.~~ A power of attorney will be issued to and held by  
325 the department and may be executed upon a judgment issued  
326 against such person making the deposit, for damages for ~~because~~  
327 ~~of~~ bodily injury to or death of any person or for damages or  
328 ~~because of~~ injury to or destruction of property resulting from  
329 the use or operation of a ~~any~~ motor vehicle occurring after such  
330 deposit was made. Money so deposited is ~~shall~~ not ~~be~~ subject to  
331 attachment or execution unless such attachment or execution  
332 shall arise out of a suit for such damages ~~as aforesaid.~~

333 Section 8. Subsections (1) and (2) of section 324.171,  
334 Florida Statutes, are amended to read:

335 324.171 Self-insurer.—

336 (1) A ~~Any~~ person may qualify as a self-insurer by  
337 obtaining a certificate of self-insurance from the department.  
338 ~~which may, in its discretion and~~ Upon application of such a

339 | person, the department may issue a ~~said~~ certificate if the  
 340 | applicant of self-insurance when such person has satisfied the  
 341 | requirements of this section ~~to qualify as a self-insurer under~~  
 342 | ~~this section:~~

343 |         (a) A private individual with private passenger vehicles  
 344 | must ~~shall~~ possess a net unencumbered worth of at least \$60,000  
 345 | ~~\$40,000~~.

346 |         (b) A person, including any firm, partnership,  
 347 | association, corporation, or other person, other than a natural  
 348 | person, must ~~shall~~:

349 |             1. Possess a net unencumbered worth of at least \$60,000  
 350 | ~~\$40,000~~ for the first motor vehicle and \$30,000 ~~\$20,000~~ for each  
 351 | additional motor vehicle; or

352 |             2. Maintain sufficient net worth, as determined annually  
 353 | by the department, ~~pursuant to rules adopted~~ promulgated by the  
 354 | department, with the assistance of the Office of Insurance  
 355 | Regulation of the Financial Services Commission, to be  
 356 | financially responsible for potential losses. The rules must  
 357 | consider any ~~shall take into consideration~~ excess insurance  
 358 | carried by the applicant. The department's determination shall  
 359 | be based upon reasonable actuarial principles considering the  
 360 | frequency, severity, and loss development of claims incurred by  
 361 | casualty insurers writing coverage on the type of motor vehicles  
 362 | for which a certificate of self-insurance is desired.

363 |         (c) The owner of a commercial motor vehicle, as defined in  
 364 | s. 207.002 or s. 320.01, may qualify as a self-insurer subject

365 to the standards provided ~~for~~ in subparagraph (b)2.

366 (2) The self-insurance certificate must ~~shall~~ provide  
 367 limits of liability insurance in the amounts specified under s.  
 368 324.021(7) or s. 627.7415 ~~and shall provide personal injury~~  
 369 ~~protection coverage under s. 627.733(3)(b).~~

370 Section 9. Section 627.730, Florida Statutes, is repealed.

371 Section 10. Section 627.731, Florida Statutes, is  
 372 repealed.

373 Section 11. Section 627.7311, Florida Statutes, is  
 374 repealed.

375 Section 12. Section 627.732, Florida Statutes, is amended  
 376 to read:

377 627.732 Definitions.—As used in ss. 627.733-627.7355  
 378 ~~627.730-627.7405~~, the term:

379 (1) ~~(10)~~ "Knowingly" means that a person, with respect to  
 380 information, has actual knowledge of the information; acts in  
 381 deliberate ignorance of the truth or falsity of the information;  
 382 or acts in reckless disregard of the information, and proof of  
 383 specific intent to defraud is not required.

384 ~~(1) "Broker" means any person not possessing a license~~  
 385 ~~under chapter 395, chapter 400, chapter 429, chapter 458,~~  
 386 ~~chapter 459, chapter 460, chapter 461, or chapter 641 who~~  
 387 ~~charges or receives compensation for any use of medical~~  
 388 ~~equipment and is not the 100-percent owner or the 100-percent~~  
 389 ~~lessee of such equipment. For purposes of this section, such~~  
 390 ~~owner or lessee may be an individual, a corporation, a~~

391 ~~partnership, or any other entity and any of its 100-percent-~~  
392 ~~owned affiliates and subsidiaries. For purposes of this~~  
393 ~~subsection, the term "lessee" means a long-term lessee under a~~  
394 ~~capital or operating lease, but does not include a part-time~~  
395 ~~lessee. The term "broker" does not include a hospital or~~  
396 ~~physician management company whose medical equipment is~~  
397 ~~ancillary to the practices managed, a debt collection agency, or~~  
398 ~~an entity that has contracted with the insurer to obtain a~~  
399 ~~discounted rate for such services; nor does the term include a~~  
400 ~~management company that has contracted to provide general~~  
401 ~~management services for a licensed physician or health care~~  
402 ~~facility and whose compensation is not materially affected by~~  
403 ~~the usage or frequency of usage of medical equipment or an~~  
404 ~~entity that is 100-percent owned by one or more hospitals or~~  
405 ~~physicians. The term "broker" does not include a person or~~  
406 ~~entity that certifies, upon request of an insurer, that:~~  
407 ~~(a) It is a clinic licensed under ss. 400.990-400.995;~~  
408 ~~(b) It is a 100-percent owner of medical equipment; and~~  
409 ~~(c) The owner's only part-time lease of medical equipment~~  
410 ~~for personal injury protection patients is on a temporary basis~~  
411 ~~not to exceed 30 days in a 12-month period, and such lease is~~  
412 ~~solely for the purposes of necessary repair or maintenance of~~  
413 ~~the 100-percent-owned medical equipment or pending the arrival~~  
414 ~~and installation of the newly purchased or a replacement for the~~  
415 ~~100-percent-owned medical equipment, or for patients for whom,~~  
416 ~~because of physical size or claustrophobia, it is determined by~~



417 ~~the medical director or clinical director to be medically~~  
418 ~~necessary that the test be performed in medical equipment that~~  
419 ~~is open style. The leased medical equipment cannot be used by~~  
420 ~~patients who are not patients of the registered clinic for~~  
421 ~~medical treatment of services. Any person or entity making a~~  
422 ~~false certification under this subsection commits insurance~~  
423 ~~fraud as defined in s. 817.234. However, the 30-day period~~  
424 ~~provided in this paragraph may be extended for an additional 60~~  
425 ~~days as applicable to magnetic resonance imaging equipment if~~  
426 ~~the owner certifies that the extension otherwise complies with~~  
427 ~~this paragraph.~~

428 ~~(2) "Medically necessary" refers to a medical service or~~  
429 ~~supply that a prudent physician would provide for the purpose of~~  
430 ~~preventing, diagnosing, or treating an illness, injury, disease,~~  
431 ~~or symptom in a manner that is:~~

432 ~~(a) In accordance with generally accepted standards of~~  
433 ~~medical practice;~~

434 ~~(b) Clinically appropriate in terms of type, frequency,~~  
435 ~~extent, site, and duration; and~~

436 ~~(c) Not primarily for the convenience of the patient,~~  
437 ~~physician, or other health care provider.~~

438 (2)~~(3)~~ "Motor vehicle" means any self-propelled vehicle  
439 that ~~with four or more wheels which~~ is of a type both designed  
440 and required to be licensed for use on the highways of this  
441 state and any trailer or semitrailer designed for use with such  
442 vehicle and includes:

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443 (a) A "private passenger motor vehicle," which is any  
444 motor vehicle which is a sedan, station wagon, or jeep-type  
445 vehicle and, if not used primarily for occupational,  
446 professional, or business purposes, a motor vehicle of the  
447 pickup, panel, van, camper, or motor home type.

448 (b) A "commercial motor vehicle," which is any motor  
449 vehicle which is not a private passenger motor vehicle.

450

451 The term "motor vehicle" does not include a mobile home or any  
452 motor vehicle which is used in mass transit, other than public  
453 school transportation, and designed to transport more than five  
454 passengers exclusive of the operator of the motor vehicle and  
455 which is owned by a municipality, a transit authority, or a  
456 political subdivision of the state.

457 ~~(4) "Named insured" means a person, usually the owner of a~~  
458 ~~vehicle, identified in a policy by name as the insured under the~~  
459 ~~policy.~~

460 (3)~~(5)~~ "Owner" means a person who holds the legal title to  
461 a motor vehicle; or, in the event a motor vehicle is the subject  
462 of a security agreement or lease with an option to purchase with  
463 the debtor or lessee having the right to possession, then the  
464 debtor or lessee shall be deemed the owner ~~for the purposes of~~  
465 ~~ss. 627.730-627.7405.~~

466 ~~(6) "Relative residing in the same household" means a~~  
467 ~~relative of any degree by blood or by marriage who usually makes~~  
468 ~~her or his home in the same family unit, whether or not~~

469 temporarily living elsewhere.

470 ~~(7) "Certify" means to swear or attest to being true or~~  
471 ~~represented in writing.~~

472 ~~(8) "Immediate personal supervision," as it relates to the~~  
473 ~~performance of medical services by nonphysicians not in a~~  
474 ~~hospital, means that an individual licensed to perform the~~  
475 ~~medical service or provide the medical supplies must be present~~  
476 ~~within the confines of the physical structure where the medical~~  
477 ~~services are performed or where the medical supplies are~~  
478 ~~provided such that the licensed individual can respond~~  
479 ~~immediately to any emergencies if needed.~~

480 ~~(9) "Incident," with respect to services considered as~~  
481 ~~incident to a physician's professional service, for a physician~~  
482 ~~licensed under chapter 458, chapter 459, chapter 460, or chapter~~  
483 ~~461, if not furnished in a hospital, means such services must be~~  
484 ~~an integral, even if incidental, part of a covered physician's~~  
485 ~~service.~~

486 ~~(11) "Lawful" or "lawfully" means in substantial~~  
487 ~~compliance with all relevant applicable criminal, civil, and~~  
488 ~~administrative requirements of state and federal law related to~~  
489 ~~the provision of medical services or treatment.~~

490 ~~(12) "Hospital" means a facility that, at the time~~  
491 ~~services or treatment were rendered, was licensed under chapter~~  
492 ~~395.~~

493 ~~(13) "Properly completed" means providing truthful,~~  
494 ~~substantially complete, and substantially accurate responses as~~

495 ~~to all material elements to each applicable request for~~  
496 ~~information or statement by a means that may lawfully be~~  
497 ~~provided and that complies with this section, or as agreed by~~  
498 ~~the parties.~~

499 ~~(14) "Upcoding" means an action that submits a billing~~  
500 ~~code that would result in payment greater in amount than would~~  
501 ~~be paid using a billing code that accurately describes the~~  
502 ~~services performed. The term does not include an otherwise~~  
503 ~~lawful bill by a magnetic resonance imaging facility, which~~  
504 ~~globally combines both technical and professional components, if~~  
505 ~~the amount of the global bill is not more than the components if~~  
506 ~~billed separately; however, payment of such a bill constitutes~~  
507 ~~payment in full for all components of such service.~~

508 ~~(15) "Unbundling" means an action that submits a billing~~  
509 ~~code that is properly billed under one billing code, but that~~  
510 ~~has been separated into two or more billing codes, and would~~  
511 ~~result in payment greater in amount than would be paid using one~~  
512 ~~billing code.~~

513 ~~(16) "Emergency medical condition" means a medical~~  
514 ~~condition manifesting itself by acute symptoms of sufficient~~  
515 ~~severity, which may include severe pain, such that the absence~~  
516 ~~of immediate medical attention could reasonably be expected to~~  
517 ~~result in any of the following:~~

518 ~~(a) Serious jeopardy to patient health.~~

519 ~~(b) Serious impairment to bodily functions.~~

520 ~~(c) Serious dysfunction of any bodily organ or part.~~

521       ~~(17) "Entity wholly owned" means a proprietorship, group~~  
522 ~~practice, partnership, or corporation that provides health care~~  
523 ~~services rendered by licensed health care practitioners and in~~  
524 ~~which licensed health care practitioners are the business owners~~  
525 ~~of all aspects of the business entity, including, but not~~  
526 ~~limited to, being reflected as the business owners on the title~~  
527 ~~or lease of the physical facility, filing taxes as the business~~  
528 ~~owners, being account holders on the entity's bank account,~~  
529 ~~being listed as the principals on all incorporation documents~~  
530 ~~required by this state, and having ultimate authority over all~~  
531 ~~personnel and compensation decisions relating to the entity.~~  
532 ~~However, this definition does not apply to an entity that is~~  
533 ~~wholly owned, directly or indirectly, by a hospital licensed~~  
534 ~~under chapter 395.~~

535       Section 13. Section 627.733, Florida Statutes, is amended  
536 to read:

537       627.733 Required security.—

538       (1) (a) The ~~Every~~ owner or registrant of a motor vehicle,  
539 other than a motor vehicle used as a school bus as defined in s.  
540 1006.25 or limousine, required to be registered and licensed in  
541 this state shall maintain security as required by this section  
542 ~~subsection (3)~~ in effect continuously throughout the  
543 registration or licensing period.

544       (b) Notwithstanding paragraph (a), an ~~Every~~ owner or  
545 registrant of a motor vehicle used as a taxicab shall ~~not be~~  
546 governed by paragraph (1) (a) but shall maintain security as

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547 required under s. 324.032(1), ~~and s. 627.737 shall not apply to~~  
548 ~~any motor vehicle used as a taxicab.~~

549 (2) A ~~Every~~ nonresident owner or registrant of a motor  
550 vehicle that ~~which~~, whether operated or not, has been physically  
551 present within this state for more than 90 days during the  
552 preceding 365 days shall ~~thereafter~~ maintain security as  
553 required by this section ~~defined by subsection (3)~~ in effect  
554 ~~continuously~~ throughout the period the ~~such~~ motor vehicle  
555 remains within this state.

556 (3) Such security must ~~shall~~ be provided:

557 (a) By an insurance policy delivered or issued for  
558 delivery in this state by an authorized or eligible motor  
559 vehicle liability insurer that ~~which~~ provides the security  
560 required under s. 324.022 ~~the benefits and exemptions contained~~  
561 ~~in ss. 627.730-627.7405.~~ A ~~Any~~ policy of insurance that  
562 provides, or is represented or sold as providing, the security  
563 required in this section is hereunder ~~shall be~~ deemed to provide  
564 insurance for the payment of the required benefits; or

565 (b) By any other method authorized by s. 324.031(2) or (3)  
566 and approved by the Department of Highway Safety and Motor  
567 Vehicles as providing ~~affording~~ security equivalent to that  
568 afforded by a policy of insurance or by self-insuring as  
569 authorized by s. 768.28(16). ~~The person filing such security~~  
570 ~~shall have all of the obligations and rights of an insurer under~~  
571 ~~ss. 627.730-627.7405.~~

572 ~~(4) An owner of a motor vehicle with respect to which~~

573 ~~security is required by this section who fails to have such~~  
574 ~~security in effect at the time of an accident shall have no~~  
575 ~~immunity from tort liability, but shall be personally liable for~~  
576 ~~the payment of benefits under s. 627.736. With respect to such~~  
577 ~~benefits, such an owner shall have all of the rights and~~  
578 ~~obligations of an insurer under ss. 627.730-627.7405.~~

579 (4)~~(5)~~ ~~In addition to other persons who are not required~~  
580 ~~to provide required security as required under this section and~~  
581 ~~s. 324.022,~~ The owner or registrant of a motor vehicle who is  
582 ~~exempt from such requirements if she or he is~~ a member of the  
583 United States Armed Forces and is called to or on active duty  
584 outside the United States in an emergency situation is exempt  
585 from this section. The exemption ~~provided by this subsection~~  
586 applies only as long as the member of the armed forces is on  
587 ~~such~~ active duty outside the United States and applies only  
588 while the vehicle covered by the security required by this  
589 section and s. 324.022 is not operated by any person. Upon  
590 receipt of a written request by the insured to whom the  
591 exemption ~~provided in this subsection~~ applies, the insurer shall  
592 cancel the coverages and return any unearned premium or suspend  
593 the security required by this section and s. 324.022.  
594 Notwithstanding s. 324.0221(2), the Department of Highway Safety  
595 and Motor Vehicles may not suspend the registration or  
596 operator's license of an ~~any~~ owner or registrant of a motor  
597 vehicle during the time she or he qualifies for the ~~an~~ exemption  
598 ~~under this subsection~~. An Any owner or registrant of a motor

599 | vehicle who qualifies for the ~~an~~ exemption ~~under this subsection~~  
 600 | shall immediately notify the department before ~~prior to~~ and at  
 601 | the end of the expiration of the exemption.

602 | Section 14. Section 627.734, Florida Statutes, is amended  
 603 | to read:

604 | 627.734 Proof of security; security requirements;  
 605 | penalties.—

606 | (1) The provisions of chapter 324 that ~~which~~ pertain to  
 607 | the method of giving and maintaining proof of financial  
 608 | responsibility and which govern and define a motor vehicle  
 609 | liability policy ~~shall~~ apply to filing and maintaining proof of  
 610 | security required under s. 627.733 ~~by ss. 627.730-627.7405~~.

611 | (2) A ~~Any~~ person who:

612 | (a) Gives information required in a report ~~or otherwise as~~  
 613 | ~~provided for in ss. 627.730-627.7405~~, knowing or having reason  
 614 | to believe that such information is false;

615 | (b) Forges or, without authority, signs ~~any~~ evidence of  
 616 | proof of security; or

617 | (c) Files, or offers for filing, ~~any~~ such evidence of  
 618 | proof, knowing or having reason to believe that it is forged or  
 619 | signed without authority,

620 |  
 621 | commits ~~is guilty of~~ a misdemeanor of the first degree,  
 622 | punishable as provided in s. 775.082 or s. 775.083.

623 | Section 15. Section 627.7401, Florida Statutes, is  
 624 | renumbered as section 627.7341, Florida Statutes, and amended to



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625 read:

626 627.7341 ~~627.7401~~ Notification of security requirements  
627 ~~insured's rights.~~

628 (1) The commission, by rule, shall adopt a form for  
629 notifying the notification of insureds of the security required  
630 under s. 627.733 and the proof of security requirement under s.  
631 627.734 ~~their right to receive personal injury protection~~  
632 ~~benefits under the Florida Motor Vehicle No-Fault Law. The~~ Such  
633 notice must ~~shall~~ include:

634 (a) A description of the benefits provided by bodily  
635 injury liability coverage and property damage liability coverage  
636 ~~personal injury protection, including, but not limited to, the~~  
637 ~~specific types of services for which medical benefits are paid,~~  
638 ~~disability benefits, death benefits, significant exclusions from~~  
639 ~~and limitations on personal injury protection benefits, when~~  
640 ~~payments are due, how benefits are coordinated with other~~  
641 ~~insurance benefits that the insured may have, penalties and~~  
642 ~~interest that may be imposed on insurers for failure to make~~  
643 ~~timely payments of benefits, and rights of parties regarding~~  
644 ~~disputes as to benefits.~~

645 (b) An advisory informing insureds that, ÷

646 ~~1.~~ pursuant to s. 626.9892, the Department of Financial  
647 Services may pay rewards of up to \$25,000 to persons providing  
648 information leading to the arrest and conviction of persons  
649 committing crimes investigated by the Division of Insurance  
650 Fraud arising from violations of s. 440.105, s. 624.15, s.

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651 626.9541, s. 626.989, or s. 817.234.

652 ~~2. Pursuant to s. 627.736(5)(c)1., if the insured notifies~~  
653 ~~the insurer of a billing error, the insured may be entitled to a~~  
654 ~~certain percentage of a reduction in the amount paid by the~~  
655 ~~insured's motor vehicle insurer.~~

656 (c) A notice that solicitation of a person injured in a  
657 motor vehicle crash for purposes of filing ~~personal injury~~  
658 ~~protection or~~ tort claims could be a violation of s. 817.234, s  
659 817.505, or the rules regulating The Florida Bar and should be  
660 immediately reported to the Division of Insurance Fraud ~~if such~~  
661 ~~conduct has taken place.~~

662 (2) Each insurer issuing a policy in this state providing  
663 the security required under s. 627.733 shall ~~personal injury~~  
664 ~~protection benefits must~~ mail or deliver the notice as specified  
665 in subsection (1) to an insured within 21 days after receiving  
666 notice from the insured ~~notice~~ of an automobile accident or  
667 claim involving ~~personal injury to~~ an insured who is covered  
668 under the policy. The office may allow an insurer up to 30 days  
669 of additional time to provide the notice ~~specified in subsection~~  
670 ~~(1) not to exceed 30 days,~~ upon a showing by the insurer that an  
671 emergency justifies an extension of time.

672 (3) The notice required by this section does not alter or  
673 modify the terms of the insurance contract or other security  
674 requirements of this part ~~act~~.

675 Section 16. Section 627.7355, Florida Statutes, is created  
676 to read:

677        627.7355 Motor vehicle insurance claims brought in a  
678 single action.—In an action in which the owner, registrant,  
679 operator, or occupant of a motor vehicle, to which security has  
680 been provided pursuant to s. 627.733, is claiming personal  
681 injury, all claims arising out of the plaintiff's injuries,  
682 including all derivative claims, shall be brought together,  
683 unless good cause is shown why such claims should be brought  
684 separately.

685        Section 17. Section 627.736, Florida Statutes, is  
686 repealed.

687        Section 18. Section 627.737, Florida Statutes, is  
688 repealed.

689        Section 19. Section 627.739, Florida Statutes, is  
690 repealed.

691        Section 20. Section 627.7403, Florida Statutes, is  
692 repealed.

693        Section 21. Section 627.7405, Florida Statutes, is  
694 repealed.

695        Section 22. Section 627.7407, Florida Statutes, is  
696 repealed.

697        Section 23. Sections 15 and 16 of chapter 2012-197, Laws  
698 of Florida, are repealed.

699        Section 24. Paragraph (b) of subsection (2) of section  
700 318.18, Florida Statutes, is amended to read:

701        318.18 Amount of penalties.—The penalties required for a  
702 noncriminal disposition pursuant to s. 318.14 or a criminal

703 offense listed in s. 318.17 are as follows:

704 (2) Thirty dollars for all nonmoving traffic violations  
705 and:

706 (b) For all violations of ss. 320.0605, 320.07(1),  
707 322.065, and 322.15(1). A ~~Any~~ person who is cited for a  
708 violation of s. 320.07(1) shall be charged a delinquent fee  
709 pursuant to s. 320.07(4).

710 1. If a person who is cited for a violation of s. 320.0605  
711 or s. 320.07 can show proof of having a valid registration at  
712 the time of arrest, the clerk of the court may dismiss the case  
713 and may assess a dismissal fee of up to \$10. A person who finds  
714 it impossible or impractical to obtain a valid registration  
715 certificate must submit an affidavit detailing the reasons for  
716 the impossibility or impracticality. The reasons may include,  
717 but are not limited to, the fact that the vehicle was sold,  
718 stolen, or destroyed; that the state in which the vehicle is  
719 registered does not issue a certificate of registration; or that  
720 the vehicle is owned by another person.

721 2. If a person who is cited for a violation of s. 322.03,  
722 s. 322.065, or s. 322.15 can show a driver license issued to him  
723 or her and valid at the time of arrest, the clerk of the court  
724 may dismiss the case and may assess a dismissal fee of up to  
725 \$10.

726 3. If a person who is cited for a violation of s. 316.646  
727 can show proof of security as required by s. 627.733, issued to  
728 the person and valid at the time of arrest, the clerk of the

729 court may dismiss the case and may assess a dismissal fee of up  
 730 to \$10. A person who finds it impossible or impractical to  
 731 obtain proof of security must submit an affidavit detailing the  
 732 reasons for the impracticality. The reasons may include, but are  
 733 not limited to, the fact that the vehicle has since been sold,  
 734 stolen, or destroyed, ; ~~that the owner or registrant of the~~  
 735 ~~vehicle is not required by s. 627.733 to maintain personal~~  
 736 ~~injury protection insurance;~~ or that the vehicle is owned by  
 737 another person.

738 Section 25. Paragraphs (a) and (d) of subsection (5) of  
 739 section 320.02, Florida Statutes, are amended to read:

740 320.02 Registration required; application for  
 741 registration; forms.—

742 (5) (a) Proof that bodily injury liability and property  
 743 damage liability coverage ~~personal injury protection~~ benefits  
 744 have been purchased if required under ss. 324.022 and s.  
 745 ~~627.733, that property damage liability coverage has been~~  
 746 ~~purchased as required under s. 324.022,~~ that bodily injury or  
 747 death coverage has been purchased if required under s. 324.023,  
 748 and that combined bodily liability insurance and property damage  
 749 liability insurance have been purchased if required under s.  
 750 627.7415 shall be provided in the manner prescribed by law by  
 751 the applicant at the time of application for registration of any  
 752 motor vehicle that is subject to such requirements. The issuing  
 753 agent may not ~~shall refuse to~~ issue registration if such proof  
 754 of purchase is not provided. Insurers shall furnish uniform

755 proof-of-purchase cards in a paper or electronic format in a  
 756 form prescribed by the department and include the name of the  
 757 insured's insurance company, the coverage identification number,  
 758 and the make, year, and vehicle identification number of the  
 759 vehicle insured. The card must contain a statement notifying the  
 760 applicant of the penalty specified under s. 316.646(4). The card  
 761 or insurance policy, insurance policy binder, or certificate of  
 762 insurance or a photocopy of any of these; an affidavit  
 763 containing the name of the insured's insurance company, the  
 764 insured's policy number, and the make and year of the vehicle  
 765 insured; or such other proof as may be prescribed by the  
 766 department constitutes ~~shall constitute~~ sufficient proof of  
 767 purchase. If an affidavit is provided as proof, it must be in  
 768 substantially the following form:

769 Under penalty of perjury, I ...(Name of insured)... do hereby  
 770 certify that I have ...(Personal Injury Protection, Property  
 771 Damage Liability, and, ~~if required,~~ Bodily Injury Liability)...  
 772 Insurance currently in effect with ...(Name of insurance  
 773 company)... under ...(policy number)... covering ...(make, year,  
 774 and vehicle identification number of vehicle).... ...(Signature  
 775 of Insured)...

776 The ~~Such~~ affidavit must include the following warning:  
 777 WARNING: GIVING FALSE INFORMATION IN ORDER TO OBTAIN A VEHICLE  
 778 REGISTRATION CERTIFICATE IS A CRIMINAL OFFENSE UNDER FLORIDA  
 779 LAW. ANYONE GIVING FALSE INFORMATION ON THIS AFFIDAVIT IS  
 780 SUBJECT TO PROSECUTION.

781 If an application is made through a licensed motor vehicle  
 782 dealer as required under s. 319.23, the original or a  
 783 photostatic copy of such card, insurance policy, insurance  
 784 policy binder, or certificate of insurance or the original  
 785 affidavit from the insured shall be forwarded by the dealer to  
 786 the tax collector of the county or the Department of Highway  
 787 Safety and Motor Vehicles for processing. By executing the  
 788 ~~aforesaid~~ affidavit, the ~~no~~ licensed motor vehicle dealer will  
 789 not be liable in damages for any inadequacy, insufficiency, or  
 790 falsification of any statement contained therein. ~~A card must~~  
 791 ~~also indicate the existence of any bodily injury liability~~  
 792 ~~insurance voluntarily purchased.~~

793 (d) The verifying of proof of ~~personal injury protection~~  
 794 ~~insurance, proof of~~ property damage liability insurance, proof  
 795 of combined bodily liability insurance and property damage  
 796 liability insurance, or proof of financial responsibility  
 797 insurance and the issuance or failure to issue the motor vehicle  
 798 registration under ~~the provisions of~~ this chapter is ~~may not be~~  
 799 ~~construed in any court as~~ a warranty of the reliability or  
 800 accuracy of the evidence of such proof. Neither the department  
 801 nor a ~~any~~ tax collector is liable in damages for any inadequacy,  
 802 insufficiency, falsification, or unauthorized modification of  
 803 any item of the proof of ~~personal injury protection insurance,~~  
 804 ~~proof of~~ property damage liability insurance, proof of combined  
 805 bodily liability insurance and property damage liability  
 806 insurance, or proof of financial responsibility insurance before

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807 ~~prior to~~, during, or after ~~subsequent to~~ the verification of the  
 808 proof. The issuance of a motor vehicle registration does not  
 809 constitute prima facie evidence or a presumption of insurance  
 810 coverage.

811 Section 26. Paragraph (b) of subsection (1) of section  
 812 320.0609, Florida Statutes, is amended to read:

813 320.0609 Transfer and exchange of registration license  
 814 plates; transfer fee.—

815 (1)

816 (b) The transfer of a license plate from a vehicle  
 817 disposed of to a newly acquired vehicle does not constitute a  
 818 new registration. The application for transfer shall be accepted  
 819 without requiring proof of ~~personal injury protection or~~  
 820 liability insurance.

821 Section 27. Subsection (3) of section 320.27, Florida  
 822 Statutes, is amended to read:

823 320.27 Motor vehicle dealers.—

824 (3) APPLICATION AND FEE.—~~The application for the license~~  
 825 application shall be in such form as may be prescribed by the  
 826 department and is ~~shall be~~ subject to such rules ~~with respect~~  
 827 ~~thereto~~ as may be ~~so~~ prescribed by the department ~~it~~. The ~~Such~~  
 828 application shall be verified by oath or affirmation and must  
 829 ~~shall~~ contain a full statement of the name and birth date of the  
 830 person or persons applying for the license ~~therefor~~; the name of  
 831 the firm or copartnership, with the names and places of  
 832 residence of all members ~~thereof~~, if such applicant is a firm or



833 copartnership; the names and places of residence of the  
 834 principal officers, if the applicant is a body corporate or  
 835 other artificial body; the name of the state under whose laws  
 836 the corporation is organized; the present and former place or  
 837 places of residence of the applicant; and the prior business in  
 838 which the applicant has been engaged and its ~~the~~ location  
 839 ~~thereof~~. The ~~Such~~ application must ~~shall~~ describe the exact  
 840 location of the place of business and ~~shall~~ state whether the  
 841 place of business is owned by the applicant and when acquired,  
 842 or, if leased, a true copy of the lease shall be attached to the  
 843 application. The applicant shall certify that the location  
 844 provides an adequately equipped office and is not a residence;  
 845 that the location affords sufficient unoccupied space upon and  
 846 within which adequately to store all motor vehicles offered and  
 847 displayed for sale; and that the location is a suitable place  
 848 where the applicant can in good faith carry on such business and  
 849 keep and maintain books, records, and files necessary to conduct  
 850 such business, which shall be available at all reasonable hours  
 851 to inspection by the department or any of its inspectors or  
 852 other employees. The applicant shall certify that the business  
 853 of a motor vehicle dealer is the principal business that will  
 854 ~~which shall~~ be conducted at that location. The application must  
 855 ~~shall~~ contain a statement that the applicant is ~~either~~  
 856 franchised by a manufacturer of motor vehicles, in which case  
 857 the name of each motor vehicle that the applicant is franchised  
 858 to sell must ~~shall~~ be included, or an independent

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859 (nonfranchised) motor vehicle dealer. The application must ~~shall~~  
860 contain other relevant information as may be required by the  
861 department, including evidence that the applicant is insured  
862 under a garage liability insurance policy or a general liability  
863 insurance policy coupled with a business automobile policy,  
864 which includes ~~shall include~~, at a minimum, \$60,000 ~~\$25,000~~  
865 combined single-limit liability coverage including bodily injury  
866 and property damage protection ~~and \$10,000 personal injury~~  
867 ~~protection~~. However, a salvage motor vehicle dealer as defined  
868 in subparagraph (1)(c)5. is exempt from the requirements for  
869 garage liability insurance ~~and personal injury protection~~  
870 ~~insurance~~ on those vehicles that cannot be legally operated on  
871 roads, highways, or streets in this state. Franchise dealers  
872 must submit a garage liability insurance policy, and all other  
873 dealers must submit a garage liability insurance policy or a  
874 general liability insurance policy coupled with a business  
875 automobile policy. Such policy shall be for the license period,  
876 and evidence of a new or continued policy shall be delivered to  
877 the department at the beginning of each license period. Upon  
878 making initial application, the applicant shall pay to the  
879 department a fee of \$300 in addition to any other fees required  
880 by law. Applicants may choose to extend the licensure period for  
881 1 additional year for a total of 2 years. An initial applicant  
882 shall pay to the department a fee of \$300 for the first year and  
883 \$75 for the second year, in addition to any other fees required  
884 by law. An applicant for renewal shall pay to the department \$75

885 for a 1-year renewal or \$150 for a 2-year renewal, in addition  
886 to any other fees required by law. Upon making an application  
887 for a change of location, the applicant ~~person~~ shall pay a fee  
888 of \$50 in addition to any other fees now required by law. The  
889 department shall, in the case of every application for initial  
890 licensure, verify whether certain facts set forth in the  
891 application are true. Each applicant, general partner in the  
892 case of a partnership, or corporate officer and director in the  
893 case of a corporate applicant, must file a set of fingerprints  
894 with the department for the purpose of determining any prior  
895 criminal record or any outstanding warrants. The department  
896 shall submit the fingerprints to the Department of Law  
897 Enforcement for state processing and forwarding to the Federal  
898 Bureau of Investigation for federal processing. The actual cost  
899 of state and federal processing shall be borne by the applicant  
900 and is in addition to the fee for licensure. The department may  
901 issue a license to an applicant pending the results of the  
902 fingerprint investigation, which license is fully revocable if  
903 the department subsequently determines that any facts set forth  
904 in the application are not true or correctly represented.

905 Section 28. Paragraph (j) of subsection (3) of section  
906 320.771, Florida Statutes, is amended to read:

907 320.771 License required of recreational vehicle dealers.—

908 (3) APPLICATION.—The application for such license shall be  
909 in the form prescribed by the department and subject to such  
910 rules as may be prescribed by it. The application shall be

911 | verified by oath or affirmation and shall contain:

912 |       (j) A statement that the applicant is insured under a  
 913 | garage liability insurance policy, which includes ~~shall include~~,  
 914 | at a minimum, \$60,000 ~~\$25,000~~ combined single-limit liability  
 915 | coverage, including bodily injury and property damage  
 916 | protection, and ~~\$10,000 personal injury protection~~, if the  
 917 | applicant is to be licensed as a dealer in, or intends to sell,  
 918 | recreational vehicles.

919 |

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

925 |       Section 29. Subsection (2) of section 322.251, Florida  
 926 | Statutes, is amended to read:

927 |       322.251 Notice of cancellation, suspension, revocation, or  
 928 | disqualification of license.—

929 |       (2) The giving of notice and an order of cancellation,  
 930 | suspension, revocation, or disqualification by mail is complete  
 931 | ~~upon expiration of~~ 20 days after deposit in the United States  
 932 | mail for all notices except those issued under chapter 324 or  
 933 | ss. 627.733-627.734 ~~627.732-627.734~~, which are complete 15 days  
 934 | after deposit in the United States mail. Proof of the giving of  
 935 | notice and an order of cancellation, suspension, revocation, or  
 936 | disqualification in either manner shall be made by entry in the

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937 records of the department that such notice was given. The entry  
938 is admissible in the courts of this state and constitutes  
939 sufficient proof that such notice was given.

940 Section 30. Subsection (7) of section 400.9905, Florida  
941 Statutes, is renumbered as subsection (8), subsection (4) is  
942 amended, and a new subsection (7) is added to that section, to  
943 read:

944 400.9905 Definitions.—

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

951 (a) Entities licensed or registered by the state under  
952 chapter 395; entities licensed or registered by the state and  
953 providing only health care services within the scope of services  
954 authorized under their respective licenses under ss. 383.30-  
955 383.335, chapter 390, chapter 394, chapter 397, this chapter  
956 except part X, chapter 429, chapter 463, chapter 465, chapter  
957 466, chapter 478, part I of chapter 483, chapter 484, or chapter  
958 651; end-stage renal disease providers authorized under 42  
959 C.F.R. part 405, subpart U; providers certified under 42 C.F.R.  
960 part 485, subpart B or subpart H; or any entity that provides  
961 neonatal or pediatric hospital-based health care services or  
962 other health care services by licensed practitioners solely

963 within a hospital licensed under chapter 395.

964 (b) Entities that own, directly or indirectly, entities  
965 licensed or registered by the state pursuant to chapter 395;  
966 entities that own, directly or indirectly, entities licensed or  
967 registered by the state and providing only health care services  
968 within the scope of services authorized pursuant to their  
969 respective licenses under ss. 383.30-383.335, chapter 390,  
970 chapter 394, chapter 397, this chapter except part X, chapter  
971 429, chapter 463, chapter 465, chapter 466, chapter 478, part I  
972 of chapter 483, chapter 484, or chapter 651; end-stage renal  
973 disease providers authorized under 42 C.F.R. part 405, subpart  
974 U; providers certified under 42 C.F.R. part 485, subpart B or  
975 subpart H; or any entity that provides neonatal or pediatric  
976 hospital-based health care services by licensed practitioners  
977 solely within a hospital licensed under chapter 395.

978 (c) Entities that are owned, directly or indirectly, by an  
979 entity licensed or registered by the state pursuant to chapter  
980 395; entities that are owned, directly or indirectly, by an  
981 entity licensed or registered by the state and providing only  
982 health care services within the scope of services authorized  
983 pursuant to their respective licenses under ss. 383.30-383.335,  
984 chapter 390, chapter 394, chapter 397, this chapter except part  
985 X, chapter 429, chapter 463, chapter 465, chapter 466, chapter  
986 478, part I of chapter 483, chapter 484, or chapter 651; end-  
987 stage renal disease providers authorized under 42 C.F.R. part  
988 405, subpart U; providers certified under 42 C.F.R. part 485,

989 subpart B or subpart H; or any entity that provides neonatal or  
990 pediatric hospital-based health care services by licensed  
991 practitioners solely within a hospital under chapter 395.

992 (d) Entities that are under common ownership, directly or  
993 indirectly, with an entity licensed or registered by the state  
994 pursuant to chapter 395; entities that are under common  
995 ownership, directly or indirectly, with an entity licensed or  
996 registered by the state and providing only health care services  
997 within the scope of services authorized pursuant to their  
998 respective licenses under ss. 383.30-383.335, chapter 390,  
999 chapter 394, chapter 397, this chapter except part X, chapter  
1000 429, chapter 463, chapter 465, chapter 466, chapter 478, part I  
1001 of chapter 483, chapter 484, or chapter 651; end-stage renal  
1002 disease providers authorized under 42 C.F.R. part 405, subpart  
1003 U; providers certified under 42 C.F.R. part 485, subpart B or  
1004 subpart H; or any entity that provides neonatal or pediatric  
1005 hospital-based health care services by licensed practitioners  
1006 solely within a hospital licensed under chapter 395.

1007 (e) An entity that is exempt from federal taxation under  
1008 26 U.S.C. s. 501(c)(3) or (4), an employee stock ownership plan  
1009 under 26 U.S.C. s. 409 that has a board of trustees at least  
1010 two-thirds of which are Florida-licensed health care  
1011 practitioners and provides only physical therapy services under  
1012 physician orders, any community college or university clinic,  
1013 and any entity owned or operated by the federal or state  
1014 government, including agencies, subdivisions, or municipalities

1015 | thereof.

1016 |       (f) A sole proprietorship, group practice, partnership, or  
 1017 | corporation that provides health care services by physicians  
 1018 | covered by s. 627.419, that is directly supervised by one or  
 1019 | more of such physicians, and that is wholly owned by one or more  
 1020 | of those physicians or by a physician and the spouse, parent,  
 1021 | child, or sibling of that physician.

1022 |       (g) A sole proprietorship, group practice, partnership, or  
 1023 | corporation that provides health care services by licensed  
 1024 | health care practitioners under chapter 457, chapter 458,  
 1025 | chapter 459, chapter 460, chapter 461, chapter 462, chapter 463,  
 1026 | chapter 466, chapter 467, chapter 480, chapter 484, chapter 486,  
 1027 | chapter 490, chapter 491, or part I, part III, part X, part  
 1028 | XIII, or part XIV of chapter 468, or s. 464.012, and that is  
 1029 | wholly owned by one or more licensed health care practitioners,  
 1030 | or the licensed health care practitioners set forth in this  
 1031 | paragraph and the spouse, parent, child, or sibling of a  
 1032 | licensed health care practitioner if one of the owners who is a  
 1033 | licensed health care practitioner is supervising the business  
 1034 | activities and is legally responsible for the entity's  
 1035 | compliance with all federal and state laws. However, a health  
 1036 | care practitioner may not supervise services beyond the scope of  
 1037 | the practitioner's license, except that, for the purposes of  
 1038 | this part, a clinic owned by a licensee in s. 456.053(3) (b)  
 1039 | which provides only services authorized pursuant to s.  
 1040 | 456.053(3) (b) may be supervised by a licensee specified in s.



1041 456.053(3)(b).

1042 (h) Clinical facilities affiliated with an accredited  
1043 medical school at which training is provided for medical  
1044 students, residents, or fellows.

1045 (i) Entities that provide only oncology or radiation  
1046 therapy services by physicians licensed under chapter 458 or  
1047 chapter 459 or entities that provide oncology or radiation  
1048 therapy services by physicians licensed under chapter 458 or  
1049 chapter 459 which are owned by a corporation whose shares are  
1050 publicly traded on a recognized stock exchange.

1051 (j) Clinical facilities affiliated with a college of  
1052 chiropractic accredited by the Council on Chiropractic Education  
1053 at which training is provided for chiropractic students.

1054 (k) Entities that provide licensed practitioners to staff  
1055 emergency departments or to deliver anesthesia services in  
1056 facilities licensed under chapter 395 and that derive at least  
1057 90 percent of their gross annual revenues from the provision of  
1058 such services. Entities claiming an exemption from licensure  
1059 under this paragraph must provide documentation demonstrating  
1060 compliance.

1061 (l) Orthotic, prosthetic, pediatric cardiology, or  
1062 perinatology clinical facilities or anesthesia clinical  
1063 facilities that are not otherwise exempt under paragraph (a) or  
1064 paragraph (k) and that are a publicly traded corporation or are  
1065 wholly owned, directly or indirectly, by a publicly traded  
1066 corporation. As used in this paragraph, a publicly traded

1067 corporation is a corporation that issues securities traded on an  
1068 exchange registered with the United States Securities and  
1069 Exchange Commission as a national securities exchange.

1070 (m) Entities that are owned by a corporation that has \$250  
1071 million or more in total annual sales of health care services  
1072 provided by licensed health care practitioners where one or more  
1073 of the persons responsible for the operations of the entity is a  
1074 health care practitioner who is licensed in this state and who  
1075 is responsible for supervising the business activities of the  
1076 entity and is responsible for the entity's compliance with state  
1077 law for purposes of this part.

1078 (n) Entities that employ 50 or more licensed health care  
1079 practitioners licensed under chapter 458 or chapter 459 where  
1080 the billing for medical services is under a single tax  
1081 identification number. The application for exemption under this  
1082 subsection must include ~~shall contain information that includes:~~  
1083 the name, residence, and business address, and telephone ~~phone~~  
1084 number of the entity that owns the practice; a complete list of  
1085 the names and contact information of all the officers and  
1086 directors of the corporation; the name, residence address,  
1087 business address, and medical license number of each licensed  
1088 Florida health care practitioner employed by the entity; the  
1089 corporate tax identification number of the entity seeking an  
1090 exemption; a list ~~listing~~ of health care services to be provided  
1091 by the entity at the health care clinics owned or operated by  
1092 the entity and a certified statement prepared by an independent

1093 certified public accountant which states that the entity and the  
 1094 health care clinics owned or operated by the entity have not  
 1095 received payment for health care services related to a motor  
 1096 vehicle accident injury under personal injury protection  
 1097 ~~insurance coverage~~ for the preceding year. If the agency  
 1098 determines that an entity that ~~which~~ is exempt under this  
 1099 subsection has received payments for medical services related to  
 1100 a motor vehicle accident injury under personal injury protection  
 1101 ~~insurance coverage~~, the agency may deny or revoke the exemption  
 1102 from licensure under this subsection.

1103  
 1104 ~~Notwithstanding this subsection, an entity shall be deemed a~~  
 1105 ~~clinic and must be licensed under this part in order to receive~~  
 1106 ~~reimbursement under the Florida Motor Vehicle No-Fault Law, ss.~~  
 1107 ~~627.730-627.7405, unless exempted under s. 627.736(5)(h).~~

1108 (7) "Motor vehicle accident injury" means accidental  
 1109 bodily injury sustained while occupying a motor vehicle as  
 1110 defined in s. 627.732 or, if the injured party is not an  
 1111 occupant of a motor vehicle, an injury caused by physical  
 1112 contact with a motor vehicle.

1113 Section 31. Subsection (6) of section 400.991, Florida  
 1114 Statutes, is amended to read:

1115 400.991 License requirements; background screenings;  
 1116 prohibitions.—

1117 (6) All agency forms for licensure application or  
 1118 exemption from licensure under this part must contain the

1119 following statement:

1120  
 1121 INSURANCE FRAUD NOTICE.—A person who knowingly submits  
 1122 a false, misleading, or fraudulent application or  
 1123 other document when applying for licensure as a health  
 1124 care clinic, seeking an exemption from licensure as a  
 1125 health care clinic, or demonstrating compliance with  
 1126 part X of chapter 400, Florida Statutes, with the  
 1127 intent to use the license, exemption from licensure,  
 1128 or demonstration of compliance to provide services or  
 1129 seek reimbursement related to a motor vehicle accident  
 1130 injury ~~under the Florida Motor Vehicle No-Fault Law,~~  
 1131 commits a fraudulent insurance act, as defined in s.  
 1132 626.989, Florida Statutes. A person who presents a  
 1133 claim for personal injury protection benefits knowing  
 1134 that the payee knowingly submitted such health care  
 1135 clinic application or document, commits insurance  
 1136 fraud, as defined in s. 817.234, Florida Statutes.

1137  
 1138 Section 32. Paragraph (g) of subsection (1) of section  
 1139 400.9935, Florida Statutes, is amended to read:

1140 400.9935 Clinic responsibilities.—

1141 (1) Each clinic shall appoint a medical director or clinic  
 1142 director who shall agree in writing to accept legal  
 1143 responsibility for the following activities on behalf of the  
 1144 clinic. The medical director or the clinic director shall:

1145 (g) Conduct systematic reviews of clinic billings to  
 1146 ensure that the billings are not fraudulent or unlawful. Upon  
 1147 discovery of an unlawful charge, the medical director or clinic  
 1148 director shall take immediate corrective action. If the clinic  
 1149 performs only the technical component of magnetic resonance  
 1150 imaging, static radiographs, computed tomography, or positron  
 1151 emission tomography, and provides the professional  
 1152 interpretation of such services, in a fixed facility that is  
 1153 accredited by a national accrediting organization that is  
 1154 approved by the Centers for Medicare and Medicaid Services for  
 1155 magnetic resonance imaging and advanced diagnostic imaging  
 1156 services and if, in the preceding quarter, the percentage of  
 1157 scans performed by that clinic relating to a motor vehicle  
 1158 accident injury ~~which was billed to all personal injury~~  
 1159 ~~protection insurance carriers~~ was less than 15 percent, the  
 1160 chief financial officer of the clinic may, in a written  
 1161 acknowledgment provided to the agency, assume the responsibility  
 1162 for the conduct of the systematic reviews of clinic billings to  
 1163 ensure that the billings are not fraudulent or unlawful.

1164 Section 33. Subsection (28) of section 409.901, Florida  
 1165 Statutes, is amended to read:

1166 409.901 Definitions; ss. 409.901-409.920.—As used in ss.  
 1167 409.901-409.920, except as otherwise specifically provided, the  
 1168 term:

1169 (28) "Third-party benefit" means any benefit that is or  
 1170 may be available at any time through contract, court award,

1171 judgment, settlement, agreement, or ~~any~~ arrangement between a  
 1172 third party and any person or entity, including, without  
 1173 limitation, a Medicaid recipient, a provider, another third  
 1174 party, an insurer, or the agency, for any Medicaid-covered  
 1175 injury, illness, goods, or services, including costs of medical  
 1176 services related thereto, for bodily ~~personal~~ injury or for  
 1177 death of the recipient, but specifically excluding ~~policies of~~  
 1178 life insurance policies on the recipient, unless available under  
 1179 terms of the policy to pay medical expenses before ~~prior to~~  
 1180 death. The term includes, ~~without limitation,~~ collateral, as  
 1181 defined in this section, health insurance, any benefit under a  
 1182 health maintenance organization, a preferred provider  
 1183 arrangement, a prepaid health clinic, liability insurance,  
 1184 uninsured motorist insurance ~~or personal injury protection~~  
 1185 ~~coverage~~, medical benefits under workers' compensation, and any  
 1186 obligation under law or equity to provide medical support.

1187 Section 34. Paragraph (f) of subsection (11) of section  
 1188 409.910, Florida Statutes, is amended to read:

1189 409.910 Responsibility for payments on behalf of Medicaid-  
 1190 eligible persons when other parties are liable.-

1191 (11) The agency may, as a matter of right, in order to  
 1192 enforce its rights under this section, institute, intervene in,  
 1193 or join any legal or administrative proceeding in its own name  
 1194 in one or more of the following capacities: individually, as  
 1195 subrogee of the recipient, as assignee of the recipient, or as  
 1196 lienholder of the collateral.

1197 (f) Notwithstanding any other provision in this section ~~to~~  
 1198 ~~the contrary, if in the event of~~ an action in tort against a  
 1199 third party in which the recipient or his or her legal  
 1200 representative is a party ~~which~~ results in a judgment, award, or  
 1201 settlement from a third party, the amount recovered shall be  
 1202 distributed as follows:

1203 1. After attorney ~~attorney's~~ fees and taxable costs as  
 1204 defined by the Florida Rules of Civil Procedure, one-half of the  
 1205 remaining recovery shall be paid to the agency up to the total  
 1206 amount of medical assistance provided by Medicaid.

1207 2. The remaining amount of the recovery shall be paid to  
 1208 the recipient.

1209 3. For purposes of calculating the agency's recovery of  
 1210 medical assistance benefits paid, the fee for services of an  
 1211 attorney retained by the recipient or his or her legal  
 1212 representative shall be calculated at 25 percent of the  
 1213 judgment, award, or settlement.

1214 4. Notwithstanding any other provision of this section ~~to~~  
 1215 ~~the contrary, the agency is~~ shall be entitled to all medical  
 1216 coverage benefits up to the total amount of medical assistance  
 1217 provided by Medicaid. For purposes of this paragraph, "medical  
 1218 coverage" means any benefits under health insurance, a health  
 1219 maintenance organization, a preferred provider arrangement, or a  
 1220 prepaid health clinic, and the portion of benefits designated  
 1221 for medical payments under coverage for workers' compensation,  
 1222 ~~personal injury protection,~~ and casualty.

1223 Section 35. Paragraph (k) of subsection (2) of section  
 1224 456.057, Florida Statutes, is amended to read:

1225 456.057 Ownership and control of patient records; report  
 1226 or copies of records to be furnished; disclosure of  
 1227 information.—

1228 (2) As used in this section, the terms "records owner,"  
 1229 "health care practitioner," and "health care practitioner's  
 1230 employer" do not include any of the following persons or  
 1231 entities; furthermore, the following persons or entities are not  
 1232 authorized to acquire or own medical records, but are authorized  
 1233 under the confidentiality and disclosure requirements of this  
 1234 section to maintain those documents required by the part or  
 1235 chapter under which they are licensed or regulated:

1236 ~~(k) Persons or entities practicing under s. 627.736(7).~~

1237 Section 36. Paragraphs (gg) through (nn) of subsection (1)  
 1238 of section 456.072, Florida Statutes, are redesignated as  
 1239 paragraphs (ee) through (ll), respectively, and paragraphs (ee)  
 1240 and (ff) of that subsection are amended, to read:

1241 456.072 Grounds for discipline; penalties; enforcement.—

1242 (1) The following acts shall constitute grounds for which  
 1243 the disciplinary actions specified in subsection (2) may be  
 1244 taken:

1245 ~~(ee) With respect to making a personal injury protection  
 1246 claim as required by s. 627.736, intentionally submitting a  
 1247 claim, statement, or bill that has been "upcoded" as defined in  
 1248 s. 627.732.~~



1249 ~~(ff) With respect to making a personal injury protection~~  
 1250 ~~claim as required by s. 627.736, intentionally submitting a~~  
 1251 ~~claim, statement, or bill for payment of services that were not~~  
 1252 ~~rendered.~~

1253 Section 37. Paragraph (i) of subsection (1) of section  
 1254 626.9541, Florida Statutes, is amended to read:

1255 626.9541 Unfair methods of competition and unfair or  
 1256 deceptive acts or practices defined.—

1257 (1) UNFAIR METHODS OF COMPETITION AND UNFAIR OR DECEPTIVE  
 1258 ACTS.—The following are defined as unfair methods of competition  
 1259 and unfair or deceptive acts or practices:

1260 (i) *Unfair claim settlement practices.*—

1261 1. Attempting to settle claims on the basis of an  
 1262 application, when serving as a binder or intended to become a  
 1263 part of the policy, or any other material document that ~~which~~  
 1264 was altered without notice to, or knowledge or consent of, the  
 1265 insured;

1266 2. A material misrepresentation made to an insured or any  
 1267 other person having an interest in the proceeds that are payable  
 1268 under a ~~such~~ contract or policy, for the purpose and with the  
 1269 intent of effecting settlement of such claims, loss, or damage  
 1270 under such contract or policy on less favorable terms than those  
 1271 provided in, and contemplated by, the ~~such~~ contract or policy;  
 1272 or

1273 3. Committing or performing with such frequency as to  
 1274 indicate a general business practice any of the following:

- 1275           a. Failing to adopt and implement standards for the proper  
 1276 investigation of claims;
- 1277           b. Misrepresenting pertinent facts or insurance policy  
 1278 provisions relating to coverages at issue;
- 1279           c. Failing to acknowledge and act promptly upon  
 1280 communications with respect to claims;
- 1281           d. Denying claims without conducting reasonable  
 1282 investigations based upon available information;
- 1283           e. Failing to affirm or deny full or partial coverage of  
 1284 claims, and, as to partial coverage, the dollar amount or extent  
 1285 of coverage, or failing to provide a written statement that the  
 1286 claim is being investigated, upon the written request of the  
 1287 insured, within 30 days after proof-of-loss statements have been  
 1288 completed;
- 1289           f. Failing to promptly provide a reasonable explanation in  
 1290 writing to the insured of the basis in the insurance policy, in  
 1291 relation to the facts or applicable law, for denial of a claim  
 1292 or for the offer of a compromise settlement;
- 1293           g. Failing to promptly notify the insured of any  
 1294 additional information necessary for the processing of a claim;  
 1295 or
- 1296           h. Failing to clearly explain the nature of the requested  
 1297 information and the reasons why such information is necessary.
- 1298           ~~i. Failing to pay personal injury protection insurance~~  
 1299 ~~claims within the time periods required by s. 627.736(4)(b). The~~  
 1300 ~~office may order the insurer to pay restitution to a~~

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1301 ~~policyholder, medical provider, or other claimant, including~~  
1302 ~~interest at a rate consistent with the amount set forth in s.~~  
1303 ~~55.03(1), for the time period within which an insurer fails to~~  
1304 ~~pay claims as required by law. Restitution is in addition to any~~  
1305 ~~other penalties allowed by law, including, but not limited to,~~  
1306 ~~the suspension of the insurer's certificate of authority.~~

1307       4. Failing to pay undisputed amounts of partial or full  
1308 benefits owed under first-party property insurance policies  
1309 within 90 days after an insurer receives notice of a residential  
1310 property insurance claim, determines the amounts of partial or  
1311 full benefits, and agrees to coverage, unless payment of the  
1312 undisputed benefits is prevented by an act of God, prevented by  
1313 the impossibility of performance, or due to actions by the  
1314 insured or claimant that constitute fraud, lack of cooperation,  
1315 or intentional misrepresentation regarding the claim for which  
1316 benefits are owed.

1317       Section 38. Paragraph (a) of subsection (1) of section  
1318 626.989, Florida Statutes, is amended to read:

1319       626.989 Investigation by department or Division of  
1320 Insurance Fraud; compliance; immunity; confidential information;  
1321 reports to division; division investigator's power of arrest.—

1322       (1) For the purposes of this section:

1323       (a) A person commits a "fraudulent insurance act" if the  
1324 person:

1325       1. Knowingly and with intent to defraud presents, causes  
1326 to be presented, or prepares with knowledge or belief that it

1327 will be presented, to or by an insurer, self-insurer, self-  
 1328 insurance fund, servicing corporation, purported insurer,  
 1329 broker, or any agent thereof, any written statement as part of,  
 1330 or in support of, an application for the issuance of, or the  
 1331 rating of, any insurance policy, or a claim for payment or other  
 1332 benefit pursuant to any insurance policy, which the person knows  
 1333 to contain materially false information concerning any fact  
 1334 material thereto or if the person conceals, for the purpose of  
 1335 misleading another, information concerning any fact material  
 1336 thereto.

1337 2. Knowingly submits:

1338 a. A false, misleading, or fraudulent application or other  
 1339 document when applying for licensure as a health care clinic,  
 1340 seeking an exemption from licensure as a health care clinic, or  
 1341 demonstrating compliance with part X of chapter 400 with an  
 1342 intent to use the license, exemption from licensure, or  
 1343 demonstration of compliance to provide services or seek  
 1344 reimbursement relating to a motor vehicle accident ~~under the~~  
 1345 ~~Florida Motor Vehicle No-Fault Law.~~

1346 b. A claim for payment or other benefit relating to a  
 1347 motor vehicle accident ~~pursuant to a personal injury protection~~  
 1348 ~~insurance policy under the Florida Motor Vehicle No-Fault Law~~ if  
 1349 the person knows that the payee knowingly submitted a false,  
 1350 misleading, or fraudulent application or other document when  
 1351 applying for licensure as a health care clinic, seeking an  
 1352 exemption from licensure as a health care clinic, or

1353 demonstrating compliance with part X of chapter 400.

1354 Section 39. Paragraph (a) of subsection (4) of section  
1355 626.9895, Florida Statutes, is amended to read:

1356 626.9895 Motor vehicle insurance fraud direct-support  
1357 organization.—

1358 (4) BOARD OF DIRECTORS.—

1359 (a) The board of directors of the organization consists  
1360 ~~shall consist~~ of the following 11 members:

1361 1. The Chief Financial Officer, or designee, who serves  
1362 ~~shall serve~~ as chair.

1363 2. Two state attorneys, ~~one of whom shall be~~ appointed by  
1364 the Chief Financial Officer and the other ~~one of whom shall be~~  
1365 appointed by the Attorney General.

1366 3. Two representatives of motor vehicle insurers appointed  
1367 by the Chief Financial Officer.

1368 4. Two representatives of local law enforcement agencies,  
1369 ~~one of whom shall be~~ appointed by the Chief Financial Officer  
1370 and the other ~~one of whom shall be~~ appointed by the Attorney  
1371 General.

1372 5. Two representatives of the types of health care  
1373 providers who regularly make claims for benefits related to  
1374 motor vehicle accidents ~~under ss. 627.730-627.7405~~, ~~one of whom~~  
1375 ~~shall be~~ appointed by the President of the Senate and the other  
1376 ~~one of whom shall be~~ appointed by the Speaker of the House of  
1377 Representatives. The appointees may not represent the same type  
1378 of health care provider.

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1379           6. A private attorney who has experience in representing  
 1380 claimants in motor vehicle tort claims, ~~actions for benefits~~  
 1381 ~~under ss. 627.730-627.7405~~, who shall be appointed by the  
 1382 President of the Senate.

1383           7. A private attorney who has experience in representing  
 1384 insurers in motor vehicle tort claims, ~~actions for benefits~~  
 1385 ~~under ss. 627.730-627.7405~~, who shall be appointed by the  
 1386 Speaker of the House of Representatives.

1387           Section 40. Subsection (1) of section 627.06501, Florida  
 1388 Statutes, is amended to read:

1389           627.06501 Insurance discounts for certain persons  
 1390 completing driver improvement course.-

1391           (1) Any rate, rating schedule, or rating manual for the  
 1392 liability, ~~personal injury protection~~, and collision coverages  
 1393 of a motor vehicle insurance policy filed with the office may  
 1394 provide for an appropriate reduction in premium charges as to  
 1395 such coverages if when the principal operator on the covered  
 1396 vehicle has successfully completed a driver improvement course  
 1397 approved and certified by the Department of Highway Safety and  
 1398 Motor Vehicles which is effective in reducing crash or violation  
 1399 rates, or both, ~~as determined pursuant to s. 318.1451(5)~~. Any  
 1400 discount, not to exceed 10 percent, used by an insurer is  
 1401 presumed to be appropriate unless credible data demonstrates  
 1402 otherwise.

1403           Section 41. Subsection (1) of section 627.0652, Florida  
 1404 Statutes, is amended to read:

1405           627.0652 Insurance discounts for certain persons  
 1406 completing safety course.—

1407           (1) Any rates, rating schedules, or rating manuals for the  
 1408 liability, ~~personal injury protection,~~ and collision coverages  
 1409 of a motor vehicle insurance policy filed with the office must  
 1410 ~~shall~~ provide for an appropriate reduction in premium charges as  
 1411 to such coverages if ~~when~~ the principal operator on the covered  
 1412 vehicle is an insured 55 years of age or older who has  
 1413 successfully completed a motor vehicle accident prevention  
 1414 course approved by the Department of Highway Safety and Motor  
 1415 Vehicles. Any discount used by an insurer is presumed to be  
 1416 appropriate unless credible data demonstrates otherwise.

1417           Section 42. Subsections (1), (3), and (6) of section  
 1418 627.0653, Florida Statutes, are amended to read:

1419           627.0653 Insurance discounts for specified motor vehicle  
 1420 equipment.—

1421           (1) Any rates, rating schedules, or rating manuals for the  
 1422 liability, ~~personal injury protection,~~ and collision coverages  
 1423 of a motor vehicle insurance policy filed with the office must  
 1424 ~~shall~~ provide a premium discount if the insured vehicle is  
 1425 equipped with factory-installed, four-wheel antilock brakes.

1426           (3) Any rates, rating schedules, or rating manuals for  
 1427 ~~personal injury protection coverage and~~ medical payments  
 1428 coverage, if offered, of a motor vehicle insurance policy filed  
 1429 with the office must ~~shall~~ provide a premium discount if the  
 1430 insured vehicle is equipped with one or more air bags which are

1431 factory installed.

1432 (6) The Office of Insurance Regulation may approve a  
 1433 premium discount to any rates, rating schedules, or rating  
 1434 manuals for the liability, ~~personal injury protection,~~ and  
 1435 collision coverages of a motor vehicle insurance policy filed  
 1436 with the office if the insured vehicle is equipped with  
 1437 autonomous driving technology or electronic vehicle collision  
 1438 avoidance technology that is factory installed or a retrofitted  
 1439 system and that complies with National Highway Traffic Safety  
 1440 Administration standards.

1441 Section 43. Section 627.4132, Florida Statutes, is amended  
 1442 to read:

1443 627.4132 Stacking of coverages prohibited.—If an insured  
 1444 or named insured is protected by any type of motor vehicle  
 1445 insurance policy for liability, ~~personal injury protection,~~ or  
 1446 other coverage, the policy must ~~shall~~ provide that the insured  
 1447 or named insured is protected only to the extent of the coverage  
 1448 she or he has on the vehicle involved in the accident. However,  
 1449 if none of the insured's or named insured's vehicles is involved  
 1450 in the accident, coverage is available only to the extent of  
 1451 coverage on any one of the vehicles with applicable coverage.  
 1452 Coverage on any other vehicles may ~~shall~~ not be added to or  
 1453 stacked onto ~~upon~~ that coverage. This section does not apply:

1454 (1) To uninsured motorist coverage, which is separately  
 1455 governed by s. 627.727.

1456 (2) To reduce the coverage available by reason of



1457 insurance policies insuring different named insureds.

1458 Section 44. Subsection (6) of section 627.6482, Florida  
 1459 Statutes, is amended to read:

1460 627.6482 Definitions.—As used in ss. 627.648–627.6498, the  
 1461 term:

1462 (6) "Health insurance" means any hospital and medical  
 1463 expense incurred policy, minimum premium plan, stop-loss  
 1464 coverage, health maintenance organization contract, prepaid  
 1465 health clinic contract, multiple-employer welfare arrangement  
 1466 contract, or fraternal benefit society health benefits contract,  
 1467 whether sold as an individual or group policy or contract. The  
 1468 term does not include a ~~any~~ policy covering medical payment  
 1469 coverage or bodily ~~personal~~ injury liability ~~protection~~ coverage  
 1470 in a motor vehicle policy, coverage issued as a supplement to  
 1471 liability insurance, or workers' compensation.

1472 Section 45. Section 627.7263, Florida Statutes, is amended  
 1473 to read:

1474 627.7263 Rental and leasing driver's insurance to be  
 1475 primary; exception.—

1476 (1) ~~The~~ Valid and collectible liability insurance ~~or~~  
 1477 ~~personal injury protection insurance~~ providing coverage for the  
 1478 lessor of a motor vehicle for rent or lease is primary unless  
 1479 otherwise stated in at least 10-point type on the face of the  
 1480 rental or lease agreement. Such insurance is primary for the  
 1481 limits of liability required under s. 324.021(7) ~~and personal~~  
 1482 ~~injury protection coverage as required by ss. 324.021(7) and~~

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1483 ~~627.736.~~

1484 (2) If the lessee's coverage is to be primary, the rental  
1485 or lease agreement must contain the following language, in at  
1486 least 10-point type:

1487

1488 "The valid and collectible liability insurance ~~and~~  
1489 ~~personal injury protection insurance~~ of an any  
1490 authorized rental or leasing driver is primary for the  
1491 limits of liability ~~and personal injury protection~~  
1492 coverage required under s. 324.021(7) ~~and~~  
1493 ~~627.736~~, Florida Statutes."

1494 Section 46. Subsections (8) through (10) of section  
1495 627.727, Florida Statutes, are renumbered as subsections (7)  
1496 through (9), respectively, and subsection (1) and present  
1497 subsection (7) of that section are amended, to read:

1498 627.727 Motor vehicle insurance; uninsured and  
1499 underinsured vehicle coverage; insolvent insurer protection.—

1500 (1) No motor vehicle liability insurance policy which  
1501 provides bodily injury liability coverage shall be delivered or  
1502 issued for delivery in this state with respect to any  
1503 specifically insured or identified motor vehicle registered or  
1504 principally garaged in this state unless uninsured motor vehicle  
1505 coverage is provided therein or supplemental thereto for the  
1506 protection of persons insured thereunder who are legally  
1507 entitled to recover damages from owners or operators of  
1508 uninsured motor vehicles because of bodily injury, sickness, or

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1509 disease, including death, resulting therefrom. However, the  
1510 coverage required under this section is not applicable if ~~when~~,  
1511 or to the extent that, an insured named in the policy makes a  
1512 written rejection of the coverage on behalf of all insureds  
1513 under the policy. If ~~When~~ a motor vehicle is leased for ~~a period~~  
1514 ~~of~~ 1 year or longer and the lessor of such vehicle, by the terms  
1515 of the lease contract, provides liability coverage on the leased  
1516 vehicle, the lessee of such vehicle shall have the sole  
1517 privilege to reject uninsured motorist coverage or to select  
1518 lower limits than the bodily injury liability limits, regardless  
1519 of whether the lessor is qualified as a self-insurer pursuant to  
1520 s. 324.171. Unless an insured, or lessee having the privilege of  
1521 rejecting uninsured motorist coverage, requests such coverage or  
1522 requests higher uninsured motorist limits in writing, the  
1523 coverage or such higher uninsured motorist limits need not be  
1524 provided in or supplemental to any other policy that ~~which~~  
1525 renews, extends, changes, supersedes, or replaces an existing  
1526 policy with the same bodily injury liability limits if ~~when~~ an  
1527 insured or lessee had rejected the coverage. If ~~When~~ an insured  
1528 or lessee has initially selected limits of uninsured motorist  
1529 coverage lower than her or his bodily injury liability limits,  
1530 higher limits of uninsured motorist coverage need not be  
1531 provided in or supplemental to any other policy that ~~which~~  
1532 renews, extends, changes, supersedes, or replaces an existing  
1533 policy with the same bodily injury liability limits unless an  
1534 insured requests higher uninsured motorist coverage in writing.

1535 The rejection or selection of lower limits shall be made on a  
 1536 form approved by the office. The form must ~~shall~~ fully advise  
 1537 the applicant of the nature of the coverage and ~~shall~~ state that  
 1538 the coverage is equal to bodily injury liability limits unless  
 1539 lower limits are requested or the coverage is rejected. The  
 1540 heading of the form shall be in 12-point bold type and ~~shall~~  
 1541 state: "You are electing not to purchase certain valuable  
 1542 coverage that ~~which~~ protects you and your family or you are  
 1543 purchasing uninsured motorist limits less than your bodily  
 1544 injury liability limits when you sign this form. Please read  
 1545 carefully." If this form is signed by a named insured, it will  
 1546 be conclusively presumed that there was an informed, knowing  
 1547 rejection of coverage or election of lower limits on behalf of  
 1548 all insureds. The insurer shall notify the named insured at  
 1549 least annually of her or his options as to the coverage required  
 1550 by this section. Such notice must ~~shall~~ be part of, and attached  
 1551 to, the notice of premium, must ~~shall~~ provide ~~for~~ a means to  
 1552 allow the insured to request such coverage, and must ~~shall~~ be  
 1553 given in a manner approved by the office. Receipt of this notice  
 1554 does not constitute an affirmative waiver of the insured's right  
 1555 to uninsured motorist coverage if ~~where~~ the insured has not  
 1556 signed a selection or rejection form. The coverage described  
 1557 under this section is ~~shall be~~ over and above, but may ~~shall~~ not  
 1558 duplicate, the benefits available to an insured under any  
 1559 workers' compensation law, ~~personal injury protection benefits,~~  
 1560 disability benefits law, or similar law; under any automobile

1561 medical expense coverage; under any motor vehicle liability  
 1562 insurance coverage; or from the owner or operator of the  
 1563 uninsured motor vehicle or any other person or organization  
 1564 jointly or severally liable ~~together~~ with such owner or operator  
 1565 for the accident; and such coverage must ~~shall~~ cover the  
 1566 difference, if any, between the sum of such benefits and the  
 1567 damages sustained, up to the maximum amount of ~~such~~ coverage  
 1568 provided under this section. The amount of coverage available  
 1569 under this section may ~~shall~~ not be reduced by a setoff against  
 1570 any coverage, including liability insurance. Such coverage does  
 1571 ~~shall~~ not inure, directly or indirectly, to the benefit of any  
 1572 workers' compensation or disability benefits carrier or any  
 1573 person or organization qualifying as a self-insurer under any  
 1574 workers' compensation or disability benefits law or similar law.

1575 ~~(7) The legal liability of an uninsured motorist coverage~~  
 1576 ~~insurer does not include damages in tort for pain, suffering,~~  
 1577 ~~mental anguish, and inconvenience unless the injury or disease~~  
 1578 ~~is described in one or more of paragraphs (a) (d) of s.~~  
 1579 ~~627.737(2).~~

1580 Section 47. Subsection (1) and paragraphs (a) and (b) of  
 1581 subsection (2) of section 627.7275, Florida Statutes, are  
 1582 amended to read:

1583 627.7275 Motor vehicle liability.—

1584 (1) A motor vehicle insurance policy ~~providing personal~~  
 1585 ~~injury protection as set forth in s. 627.736 may not be~~  
 1586 delivered or issued for delivery in this state for a with

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1587 ~~respect to any~~ specifically insured or identified motor vehicle  
1588 registered or principally garaged in this state must provide  
1589 ~~unless the policy also provides~~ coverage for property damage  
1590 liability and bodily injury liability as required under ~~by~~ s.  
1591 324.022.

1592 (2) (a) Insurers writing motor vehicle insurance in this  
1593 state shall make available, subject to the insurers' usual  
1594 underwriting restrictions:

1595 1. Coverage under policies as described in subsection (1)  
1596 to an applicant for private passenger motor vehicle insurance  
1597 coverage who is seeking the coverage in order to reinstate the  
1598 applicant's driving privileges in this state if the driving  
1599 privileges were revoked or suspended pursuant to s. 316.646 or  
1600 s. 324.0221 due to the failure of the applicant to maintain  
1601 required security.

1602 2. Coverage under policies as described in subsection (1),  
1603 which also provides bodily injury liability coverage and  
1604 property damage liability coverage ~~for bodily injury, death, and~~  
1605 ~~property damage arising out of the ownership, maintenance, or~~  
1606 ~~use of the motor vehicle~~ in an amount not less than the limits  
1607 described in s. 324.021(7) and conforms to the requirements of  
1608 s. 324.151, to an applicant for private passenger motor vehicle  
1609 insurance coverage who is seeking the coverage in order to  
1610 reinstate the applicant's driving privileges in this state after  
1611 such privileges were revoked or suspended under s. 316.193 or s.  
1612 322.26(2) for driving under the influence.

1613 (b) The policies described in paragraph (a) shall be  
 1614 issued for at least 6 months and, as to the minimum coverages  
 1615 required under this section, may not be canceled by the insured  
 1616 for any reason or by the insurer after 60 days, during which  
 1617 period the insurer is completing the underwriting of the policy.  
 1618 After the insurer has completed underwriting the policy, the  
 1619 insurer shall notify the Department of Highway Safety and Motor  
 1620 Vehicles that the policy is in full force and effect and is not  
 1621 cancelable for the remainder of the policy period. A premium  
 1622 shall be collected and the coverage is in effect for the 60-day  
 1623 period during which the insurer is completing the underwriting  
 1624 of the policy whether or not the person's driver license, motor  
 1625 vehicle tag, and motor vehicle registration are in effect. Once  
 1626 the noncancelable provisions of the policy become effective, the  
 1627 coverages for bodily injury and, property damage, ~~and personal~~  
 1628 ~~injury protection~~ may not be reduced below the minimum limits  
 1629 required under s. 324.021 or s. 324.023 during the policy  
 1630 period.

1631 Section 48. Paragraph (a) of subsection (1) of section  
 1632 627.728, Florida Statutes, is amended to read:

1633 627.728 Cancellations; nonrenewals.—

1634 (1) As used in this section, the term:

1635 (a) "Policy" means ~~the~~ bodily injury and property damage  
 1636 liability, ~~personal injury protection~~, medical payments,  
 1637 comprehensive, collision, and uninsured motorist coverage  
 1638 portions of a policy of motor vehicle insurance delivered or

1639 issued for delivery in this state:

1640 1. Insuring a natural person as named insured or one or  
 1641 more related individuals who are residents ~~resident~~ of the same  
 1642 household; and

1643 2. Insuring only a motor vehicle of the private passenger  
 1644 type or station wagon type which is not used as a public or  
 1645 livery conveyance for passengers or rented to others; or  
 1646 insuring any other four-wheel motor vehicle having a load  
 1647 capacity of 1,500 pounds or less which is not used in the  
 1648 occupation, profession, or business of the insured other than  
 1649 farming; other than any policy issued under an automobile  
 1650 insurance assigned risk plan; insuring more than four  
 1651 automobiles; or covering garage, automobile sales agency, repair  
 1652 shop, service station, or public parking place operation  
 1653 hazards.

1654  
 1655 The term "policy" does not include a binder as defined in s.  
 1656 627.420 unless the duration of the binder period exceeds 60  
 1657 days.

1658 Section 49. Paragraphs (a) and (b) of subsection (1),  
 1659 paragraph (a) of subsection (5), and subsection (7) of section  
 1660 627.7295, Florida Statutes, are amended to read:

1661 627.7295 Motor vehicle insurance contracts.—

1662 (1) As used in this section, the term:

1663 (a) "Policy" means a motor vehicle insurance policy that  
 1664 provides bodily injury liability ~~personal injury protection~~



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1665 coverage, property damage liability coverage, or both.

1666 (b) "Binder" means a binder that provides motor vehicle  
1667 bodily injury liability ~~personal injury protection~~ and property  
1668 damage liability coverage.

1669 (5)(a) A licensed general lines agent may charge a per-  
1670 policy fee of up to ~~not to exceed~~ \$10 to cover the agent's  
1671 administrative costs ~~of the agent~~ associated with selling the  
1672 motor vehicle insurance policy if the policy covers only bodily  
1673 injury liability ~~personal injury protection~~ coverage ~~as provided~~  
1674 ~~by s. 627.736~~ and property damage liability coverage as provided  
1675 by s. 627.7275 and if no other insurance is sold or issued in  
1676 conjunction with or collateral to the policy. The fee is not  
1677 ~~considered~~ part of the premium.

1678 (7) A policy of private passenger motor vehicle insurance  
1679 or a binder for such a policy may be initially issued in this  
1680 state only if, before the effective date of such binder or  
1681 policy, the insurer or agent has collected ~~from the insured an~~  
1682 ~~amount equal to~~ 2 months' premium from the insured. An insurer,  
1683 agent, or premium finance company may not, directly or  
1684 indirectly, take any action that results ~~resulting~~ in the  
1685 insured paying ~~having paid~~ from the insured's own funds an  
1686 amount less than the 2 months' premium required by this  
1687 subsection. This subsection applies without regard to whether  
1688 the premium is financed by a premium finance company or is paid  
1689 pursuant to a periodic payment plan of an insurer or an  
1690 insurance agent.

1691           (a) This subsection does not apply:

1692           1. If an insured or member of the insured's family is

1693 renewing or replacing a policy or a binder for such policy

1694 written by the same insurer or a member of the same insurer

1695 group; ~~This subsection does not apply~~

1696           2. To an insurer that issues private passenger motor

1697 vehicle coverage primarily to active duty or former military

1698 personnel or their dependents; or. ~~This subsection does not~~

1699 ~~apply~~

1700           3. If all policy payments are paid pursuant to a payroll

1701 deduction plan or an automatic electronic funds transfer payment

1702 plan from the policyholder.

1703           (b) This subsection and subsection (4) do not apply if:

1704           1. All policy payments to an insurer are paid pursuant to

1705 an automatic electronic funds transfer payment plan from an

1706 agent, a managing general agent, or a premium finance company

1707 and if the policy includes, at a minimum, bodily injury

1708 liability and ~~personal injury protection pursuant to ss.~~

1709 ~~627.730-627.7405;~~ motor vehicle property damage liability

1710 pursuant to s. 627.7275; or ~~and bodily injury liability in at~~

1711 ~~least the amount of \$10,000 because of bodily injury to, or~~

1712 ~~death of, one person in any one accident and in the amount of~~

1713 ~~\$20,000 because of bodily injury to, or death of, two or more~~

1714 ~~persons in any one accident. This subsection and subsection (4)~~

1715 ~~do not apply if~~

1716           2. An insured has had a policy in effect for at least 6

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1717 months, the insured's agent is terminated by the insurer that  
 1718 issued the policy, and the insured obtains coverage on the  
 1719 policy's renewal date with a new company through the terminated  
 1720 agent.

1721 Section 50. Section 627.8405, Florida Statutes, is amended  
 1722 to read:

1723 627.8405 Prohibited acts; financing companies.—A ~~No~~  
 1724 premium finance company ~~shall~~, in a premium finance agreement or  
 1725 other agreement, may not finance the cost of or otherwise  
 1726 provide for the collection or remittance of dues, assessments,  
 1727 fees, or other periodic payments of money for the cost of:

1728 (1) A membership in an automobile club. The term  
 1729 "automobile club" means a legal entity that ~~which~~, in  
 1730 consideration of dues, assessments, or periodic payments of  
 1731 money, promises its members or subscribers to assist them in  
 1732 matters relating to the ownership, operation, use, or  
 1733 maintenance of a motor vehicle; however, the term ~~this~~  
 1734 ~~definition of "automobile club"~~ does not include persons,  
 1735 associations, or corporations that ~~which~~ are organized and  
 1736 operated solely for the purpose of conducting, sponsoring, or  
 1737 sanctioning motor vehicle races, exhibitions, or contests upon  
 1738 racetracks, or upon racecourses established and marked as such  
 1739 for the duration of such particular events. The term ~~words~~  
 1740 "motor vehicle" has ~~used herein have~~ the same meaning as  
 1741 provided ~~defined~~ in chapter 320.

1742 (2) An accidental death and dismemberment policy sold in

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1743 combination with a bodily injury liability ~~personal injury~~  
1744 ~~protection~~ and property-damage-only ~~property damage only~~ policy.

1745 (3) Any product not regulated under the provisions of this  
1746 insurance code.

1747  
1748 This section also applies to premium financing by any insurance  
1749 agent or insurance company under part XVI. The commission shall  
1750 adopt rules to assure disclosure, at the time of sale, of  
1751 coverages financed with bodily injury liability coverage  
1752 ~~personal injury protection~~ and shall prescribe the form of such  
1753 disclosure.

1754 Section 51. Subsection (1) of section 627.915, Florida  
1755 Statutes, is amended to read:

1756 627.915 Insurer experience reporting.—

1757 (1) Each insurer transacting private passenger automobile  
1758 insurance in this state shall report certain information  
1759 annually to the office. The information is ~~will be~~ due on or  
1760 before July 1 of each year. The information shall be divided  
1761 into the following categories: bodily injury liability; property  
1762 damage liability; uninsured motorist; ~~personal injury protection~~  
1763 benefits; medical payments; comprehensive and collision. The  
1764 information must ~~given shall~~ be on direct insurance writings in  
1765 the state alone and ~~shall~~ represent total limits data. The  
1766 information set forth in paragraphs (a)-(f) is applicable to  
1767 voluntary private passenger and Joint Underwriting Association  
1768 private passenger writings and shall be reported for each of the

1769 latest 3 calendar-accident years, with an evaluation date of  
 1770 March 31 of the current year. The information set forth in  
 1771 paragraphs (g)-(j) is applicable to voluntary private passenger  
 1772 writings and shall be reported on a calendar-accident year basis  
 1773 ultimately seven times at seven different stages of development.

1774 (a) Premiums earned for the latest 3 calendar-accident  
 1775 years.

1776 (b) Loss development factors and the historic development  
 1777 of those factors.

1778 (c) Policyholder dividends incurred.

1779 (d) Expenses for other acquisition and general expense.

1780 (e) Expenses for agents' commissions and taxes, licenses,  
 1781 and fees.

1782 (f) Profit and contingency factors as utilized in the  
 1783 insurer's automobile rate filings for the applicable years.

1784 (g) Losses paid.

1785 (h) Losses unpaid.

1786 (i) Loss adjustment expenses paid.

1787 (j) Loss adjustment expenses unpaid.

1788 Section 52. Paragraph (d) of subsection (2) and paragraph  
 1789 (d) of subsection (3) of section 628.909, Florida Statutes, are  
 1790 amended, to read:

1791 628.909 Applicability of other laws.—

1792 (2) The following provisions of the Florida Insurance Code  
 1793 apply to captive insurance companies who are not industrial  
 1794 insured captive insurance companies to the extent that such

1795 provisions are not inconsistent with this part:

1796 ~~(d) Sections 627.730-627.7405, when no fault coverage is~~  
 1797 ~~provided.~~

1798 (3) The following provisions of the Florida Insurance Code  
 1799 shall apply to industrial insured captive insurance companies to  
 1800 the extent that such provisions are not inconsistent with this  
 1801 part:

1802 ~~(d) Sections 627.730-627.7405 when no fault coverage is~~  
 1803 ~~provided.~~

1804 Section 53. Subsections (2), (6), and (7) of section  
 1805 705.184, Florida Statutes, are amended to read:

1806 705.184 Derelict or abandoned motor vehicles on the  
 1807 premises of public-use airports.—

1808 (2) The airport director or the director's designee shall  
 1809 contact the Department of Highway Safety and Motor Vehicles to  
 1810 notify that department that the airport has possession of the  
 1811 abandoned or derelict motor vehicle and to determine the name  
 1812 and address of the owner of the motor vehicle, the insurance  
 1813 company insuring the motor vehicle, ~~notwithstanding the~~  
 1814 ~~provisions of s. 627.736,~~ and any person who has filed a lien on  
 1815 the motor vehicle. Within 7 business days after receipt of the  
 1816 information, the director or the director's designee shall send  
 1817 notice by certified mail, return receipt requested, to the owner  
 1818 of the motor vehicle, the insurance company insuring the motor  
 1819 vehicle, ~~notwithstanding the provisions of s. 627.736,~~ and all  
 1820 persons of record claiming a lien against the motor vehicle. The

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1821 notice shall state the fact of possession of the motor vehicle,  
1822 that charges for reasonable towing, storage, and parking fees,  
1823 if any, have accrued and the amount thereof, that a lien as  
1824 provided in subsection (6) will be claimed, that the lien is  
1825 subject to enforcement pursuant to law, that the owner or  
1826 lienholder, if any, has the right to a hearing as set forth in  
1827 subsection (4), and that any motor vehicle which, at the end of  
1828 30 calendar days after receipt of the notice, has not been  
1829 removed from the airport upon payment in full of all accrued  
1830 charges for reasonable towing, storage, and parking fees, if  
1831 any, may be disposed of as provided in s. 705.182(2)(a), (b),  
1832 (d), or (e), including, but not limited to, the motor vehicle  
1833 being sold free of all prior liens after 35 calendar days after  
1834 the time the motor vehicle is stored if any prior liens on the  
1835 motor vehicle are more than 5 years of age or after 50 calendar  
1836 days after the time the motor vehicle is stored if any prior  
1837 liens on the motor vehicle are 5 years of age or less.

1838 (6) The airport pursuant to this section or, if used, a  
1839 licensed independent wrecker company pursuant to s. 713.78 shall  
1840 have a lien on an abandoned or derelict motor vehicle for all  
1841 reasonable towing, storage, and accrued parking fees, if any,  
1842 except that no storage fee shall be charged if the motor vehicle  
1843 is stored less than 6 hours. As a prerequisite to perfecting a  
1844 lien under this section, the airport director or the director's  
1845 designee must serve a notice in accordance with subsection (2)  
1846 on the owner of the motor vehicle, the insurance company

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1847 insuring the motor vehicle, ~~notwithstanding the provisions of s.~~  
1848 ~~627.736,~~ and all persons of record claiming a lien against the  
1849 motor vehicle. If attempts to notify the owner, the insurance  
1850 company insuring the motor vehicle, ~~notwithstanding the~~  
1851 ~~provisions of s. 627.736,~~ or lienholders are not successful, the  
1852 requirement of notice by mail shall be considered met. Serving  
1853 of the notice does not dispense with recording the claim of  
1854 lien.

1855 (7) (a) For the purpose of perfecting its lien under this  
1856 section, the airport shall record a claim of lien, which states  
1857 ~~shall state:~~

1858 1. The name and address of the airport.

1859 2. The name of the owner of the motor vehicle, the  
1860 insurance company insuring the motor vehicle, ~~notwithstanding~~  
1861 ~~the provisions of s. 627.736,~~ and all persons of record claiming  
1862 a lien against the motor vehicle.

1863 3. The costs incurred from reasonable towing, storage, and  
1864 parking fees, if any.

1865 4. A description of the motor vehicle sufficient for  
1866 identification.

1867 (b) The claim of lien shall be signed and sworn to or  
1868 affirmed by the airport director or the director's designee.

1869 (c) The claim of lien is ~~shall be~~ sufficient if it is in  
1870 substantially the following form:

1871

1872 CLAIM OF LIEN



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1873 State of .....

1874 County of .....

1875 Before me, the undersigned notary public, personally appeared

1876 ....., who was duly sworn and says that he/she is the

1877 ..... of ....., whose address is.....; and that the

1878 following described motor vehicle:

1879 ...(Description of motor vehicle)...

1880 owned by ....., whose address is ....., has accrued

1881 \$..... in fees for a reasonable tow, for storage, and for

1882 parking, if applicable; that the lienor served its notice to the

1883 owner, the insurance company insuring the motor vehicle

1884 ~~notwithstanding the provisions of s. 627.736, Florida Statutes,~~

1885 and all persons of record claiming a lien against the motor

1886 vehicle on ....., ...(year)...., by.....

1887 ...(Signature)...

1888 Sworn to (or affirmed) and subscribed before me this .... day of

1889 ....., ...(year)...., by ...(name of person making statement)....

1890 ...(Signature of Notary Public).....(Print, Type, or Stamp

1891 Commissioned name of Notary Public)...

1892 Personally Known....OR Produced....as identification.

1893

1894 However, the negligent inclusion or omission of any information

1895 in this claim of lien which does not prejudice the owner does

1896 not constitute a default that operates to defeat an otherwise

1897 valid lien.

1898 (d) The claim of lien shall be served on the owner of the

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1899 | motor vehicle, the insurance company insuring the motor vehicle,  
 1900 | ~~notwithstanding the provisions of s. 627.736,~~ and all persons of  
 1901 | record claiming a lien against the motor vehicle. If attempts to  
 1902 | notify the owner, the insurance company insuring the motor  
 1903 | vehicle ~~notwithstanding the provisions of s. 627.736,~~ or  
 1904 | lienholders are not successful, the requirement of notice by  
 1905 | mail shall be considered met. The claim of lien shall be so  
 1906 | served before recordation.

1907 | (e) The claim of lien shall be recorded with the clerk of  
 1908 | court in the county where the airport is located. The recording  
 1909 | of the claim of lien shall be constructive notice to all persons  
 1910 | of the contents and effect of such claim. The lien shall attach  
 1911 | at the time of recordation and shall take priority as of that  
 1912 | time.

1913 | Section 54. Subsection (4) of section 713.78, Florida  
 1914 | Statutes, is amended to read:

1915 | 713.78 Liens for recovering, towing, or storing vehicles  
 1916 | and vessels.—

1917 | (4) (a) Any person regularly engaged in the business of  
 1918 | recovering, towing, or storing vehicles or vessels who comes  
 1919 | into possession of a vehicle or vessel pursuant to subsection  
 1920 | (2), and who claims a lien for recovery, towing, or storage  
 1921 | services, shall give notice to the registered owner, the  
 1922 | insurance company insuring the vehicle ~~notwithstanding the~~  
 1923 | ~~provisions of s. 627.736,~~ and ~~to~~ all persons claiming a lien  
 1924 | thereon, as disclosed by the records in the Department of

1925 Highway Safety and Motor Vehicles or as disclosed by the records  
 1926 of any corresponding agency in any other state in which the  
 1927 vehicle is identified through a records check of the National  
 1928 Motor Vehicle Title Information System or an equivalent  
 1929 commercially available system as being titled or registered.

1930 (b) If a ~~Whenever any~~ law enforcement agency authorizes  
 1931 the removal of a vehicle or vessel or if a ~~whenever any~~ towing  
 1932 service, garage, repair shop, or automotive service, storage, or  
 1933 parking place notifies the law enforcement agency of possession  
 1934 of a vehicle or vessel pursuant to s. 715.07(2)(a)2., the law  
 1935 enforcement agency of the jurisdiction where the vehicle or  
 1936 vessel is stored shall contact the Department of Highway Safety  
 1937 and Motor Vehicles, or the appropriate agency of the state of  
 1938 registration, if known, within 24 hours through ~~the medium of~~  
 1939 electronic communications, giving the full description of the  
 1940 vehicle or vessel. Upon receipt of the full description of the  
 1941 vehicle or vessel, the department shall search its files to  
 1942 determine the owner's name, the insurance company insuring the  
 1943 vehicle or vessel, and whether any person has filed a lien upon  
 1944 the vehicle or vessel as provided in s. 319.27(2) and (3) and  
 1945 notify the applicable law enforcement agency within 72 hours.  
 1946 The person in charge of the towing service, garage, repair shop,  
 1947 or automotive service, storage, or parking place shall obtain  
 1948 such information from the applicable law enforcement agency  
 1949 within 5 days after the date of storage and shall give notice  
 1950 pursuant to paragraph (a). The department may release the

1951 insurance company information to the requestor ~~notwithstanding~~  
 1952 ~~the provisions of s. 627.736.~~

1953 (c) Notice by certified mail shall be sent within 7  
 1954 business days after the date of storage of the vehicle or vessel  
 1955 to the registered owner, the insurance company insuring the  
 1956 vehicle ~~notwithstanding the provisions of s. 627.736~~, and all  
 1957 persons of record claiming a lien against the vehicle or vessel.  
 1958 The notice must ~~It shall~~ state the fact of possession of the  
 1959 vehicle or vessel, that a lien as provided in subsection (2) is  
 1960 claimed, that charges have accrued and the amount thereof, that  
 1961 the lien is subject to enforcement pursuant to law, ~~and~~ that the  
 1962 owner or lienholder, if any, has the right to a hearing as set  
 1963 forth in subsection (5), and that any vehicle or vessel which  
 1964 remains unclaimed, or for which the charges for recovery,  
 1965 towing, or storage services remain unpaid, may be sold free of  
 1966 all prior liens after 35 days if the vehicle or vessel is more  
 1967 than 3 years of age or after 50 days if the vehicle or vessel is  
 1968 3 years of age or less.

1969 (d) If attempts to locate the name and address of the  
 1970 owner or lienholder prove unsuccessful, the towing-storage  
 1971 operator shall, after 7 working days, excluding Saturday and  
 1972 Sunday, of the initial tow or storage, notify the public agency  
 1973 of jurisdiction where the vehicle or vessel is stored in writing  
 1974 by certified mail or acknowledged hand delivery that the towing-  
 1975 storage company has been unable to locate the name and address  
 1976 of the owner or lienholder and a physical search of the vehicle

1977 or vessel has disclosed no ownership information and a good  
 1978 faith effort has been made, including records checks of the  
 1979 Department of Highway Safety and Motor Vehicles database and the  
 1980 National Motor Vehicle Title Information System or an equivalent  
 1981 commercially available system. As used in ~~For purposes of~~ this  
 1982 paragraph and subsection (9), the term "good faith effort" means  
 1983 that the following checks have been performed by the company to  
 1984 establish prior state of registration and ~~for~~ title:

1985 1. Check of the Department of Highway Safety and Motor  
 1986 Vehicles database for the owner and any lienholder.

1987 2. Check of the electronic National Motor Vehicle Title  
 1988 Information System or an equivalent commercially available  
 1989 system to determine the state of registration when there is not  
 1990 a current registration record for the vehicle on file with the  
 1991 Department of Highway Safety and Motor Vehicles.

1992 3. Check of vehicle or vessel for any type of tag, tag  
 1993 record, temporary tag, or regular tag.

1994 4. Check of law enforcement report for tag number or other  
 1995 information identifying the vehicle or vessel, if the vehicle or  
 1996 vessel was towed at the request of a law enforcement officer.

1997 5. Check of trip sheet or tow ticket of tow truck operator  
 1998 to see if a tag was on vehicle or vessel at beginning of tow, if  
 1999 private tow.

2000 6. If there is no address of the owner on the impound  
 2001 report, check of law enforcement report to see if an out-of-  
 2002 state address is indicated from driver license information.

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2003 7. Check of vehicle or vessel for inspection sticker or  
 2004 other stickers and decals that may indicate a state of possible  
 2005 registration.

2006 8. Check of the interior of the vehicle or vessel for any  
 2007 papers that may be in the glove box, trunk, or other areas for a  
 2008 state of registration.

2009 9. Check of vehicle for vehicle identification number.

2010 10. Check of vessel for vessel registration number.

2011 11. Check of vessel hull for a hull identification number,  
 2012 which should be carved, burned, stamped, embossed, or otherwise  
 2013 permanently affixed to the outboard side of the transom or, if  
 2014 there is no transom, to the outmost seaboard side at the end of  
 2015 the hull that bears the rudder or other steering mechanism.

2016 Section 55. Paragraph (a) of subsection (1), paragraph (c)  
 2017 of subsection (7), paragraphs (a) through (c) of subsection (8),  
 2018 and subsections (9) and (10) of section 817.234, Florida  
 2019 Statutes, are amended to read:

2020 817.234 False and fraudulent insurance claims.—

2021 (1)(a) A person commits insurance fraud punishable as  
 2022 provided in subsection (11) if that person, with the intent to  
 2023 injure, defraud, or deceive any insurer:

2024 1. Presents or causes to be presented any written or oral  
 2025 statement as part of, or in support of, a claim for payment or  
 2026 other benefit pursuant to an insurance policy or a health  
 2027 maintenance organization subscriber or provider contract,  
 2028 knowing that such statement contains ~~any~~ false, incomplete, or

2029 misleading information concerning any fact or thing material to  
 2030 such claim;

2031 2. Prepares or makes any written or oral statement that is  
 2032 intended to be presented to an ~~any~~ insurer in connection with,  
 2033 or in support of, any claim for payment or other benefit  
 2034 pursuant to an insurance policy or a health maintenance  
 2035 organization subscriber or provider contract, knowing that such  
 2036 statement contains ~~any~~ false, incomplete, or misleading  
 2037 information concerning any fact or thing material to such claim;

2038 3.a. Knowingly presents, causes to be presented, or  
 2039 prepares or makes with knowledge or belief that it will be  
 2040 presented to an ~~any~~ insurer, purported insurer, servicing  
 2041 corporation, insurance broker, or insurance agent, or ~~any~~  
 2042 employee or agent thereof, ~~any~~ false, incomplete, or misleading  
 2043 information or written or oral statement as part of, or in  
 2044 support of, an application for the issuance of, or the rating  
 2045 of, any insurance policy, or a health maintenance organization  
 2046 subscriber or provider contract; or

2047 b. Knowingly conceals information concerning any fact  
 2048 material to such application; or

2049 4. Knowingly presents, causes to be presented, or prepares  
 2050 or makes with knowledge or belief that it will be presented to  
 2051 any insurer a claim for payment or other benefit under a motor  
 2052 vehicle ~~personal injury protection~~ insurance policy if the  
 2053 person knows that the payee knowingly submitted a false,  
 2054 misleading, or fraudulent application or other document when

2055 applying for licensure as a health care clinic, seeking an  
 2056 exemption from licensure as a health care clinic, or  
 2057 demonstrating compliance with part X of chapter 400.

2058 (7)

2059 (c) An insurer, or any person acting at the direction of  
 2060 or on behalf of an insurer, may not change an opinion in a  
 2061 mental or physical report ~~prepared under s. 627.736(7)~~ or direct  
 2062 the physician preparing the report to change such opinion;  
 2063 however, this provision does not preclude the insurer from  
 2064 calling to the attention of the physician errors of fact in the  
 2065 report based upon information in the claim file. Any person who  
 2066 violates this paragraph commits a felony of the third degree,  
 2067 punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

2068 (8) (a) It is unlawful for any person intending to defraud  
 2069 any other person to solicit or cause to be solicited any  
 2070 business from a person involved in a motor vehicle accident for  
 2071 the purpose of making, adjusting, or settling motor vehicle tort  
 2072 claims ~~or claims for personal injury protection benefits~~  
 2073 ~~required by s. 627.736~~. Any person who violates ~~the provisions~~  
 2074 ~~of~~ this paragraph commits a felony of the second degree,  
 2075 punishable as provided in s. 775.082, s. 775.083, or s. 775.084.  
 2076 A person who is convicted of a violation of this subsection  
 2077 shall be sentenced to a minimum term of imprisonment of 2 years.

2078 (b) A person may not solicit or cause to be solicited any  
 2079 business from a person involved in a motor vehicle accident by  
 2080 any means of communication other than advertising directed to



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2081 the public for the purpose of making motor vehicle tort claims  
2082 ~~or claims for personal injury protection benefits required by s.~~  
2083 ~~627.736,~~ within 60 days after the occurrence of the motor  
2084 vehicle accident. Any person who violates this paragraph commits  
2085 a felony of the third degree, punishable as provided in s.  
2086 775.082, s. 775.083, or s. 775.084.

2087 (c) A lawyer, health care practitioner as defined in s.  
2088 456.001, or owner or medical director of a clinic required to be  
2089 licensed pursuant to s. 400.9905 may not, at any time after 60  
2090 days have elapsed from the occurrence of a motor vehicle  
2091 accident, solicit or cause to be solicited any business from a  
2092 person involved in a motor vehicle accident by means of in  
2093 person or telephone contact at the person's residence, for the  
2094 purpose of making motor vehicle tort claims ~~or claims for~~  
2095 ~~personal injury protection benefits required by s. 627.736.~~ Any  
2096 person who violates this paragraph commits a felony of the third  
2097 degree, punishable as provided in s. 775.082, s. 775.083, or s.  
2098 775.084.

2099 (9) A person may not organize, plan, or knowingly  
2100 participate in an intentional motor vehicle crash or a scheme to  
2101 create documentation of a motor vehicle crash that did not occur  
2102 for the purpose of making motor vehicle tort claims ~~or claims~~  
2103 ~~for personal injury protection benefits as required by s.~~  
2104 ~~627.736.~~ Any person who violates this subsection commits a  
2105 felony of the second degree, punishable as provided in s.  
2106 775.082, s. 775.083, or s. 775.084. A person who is convicted of

2107 a violation of this subsection shall be sentenced to a minimum  
 2108 term of imprisonment of 2 years.

2109 (10) A licensed health care practitioner who is found  
 2110 guilty of insurance fraud under this section for an act relating  
 2111 to a motor vehicle ~~personal injury protection~~ insurance policy  
 2112 loses his or her license to practice for 5 years and may not  
 2113 receive reimbursement for bodily ~~personal~~ injury liability  
 2114 ~~protection~~ benefits for 10 years.

2115 Section 56. Applicability; notice to policyholders.-

2116 (1) As used in this section, the term "minimum security  
 2117 requirements" means security that enables a person to respond in  
 2118 damages for liability on account of accidents arising out of the  
 2119 use of a motor vehicle in the amount of \$10,000 for damage to,  
 2120 or destruction of, property of others in any one crash; in the  
 2121 amount of \$25,000 for bodily injury to, or the death of, one  
 2122 person in any one crash; and, subject to such limits for one  
 2123 person, in the amount of \$50,000 for bodily injury to, or the  
 2124 death of, two or more persons in any one crash.

2125 (2) Effective January 1, 2016:

2126 (a) Motor vehicle insurance policies issued or renewed on  
 2127 or after that date may not include personal injury protection.

2128 (b) Any person subject to ss. 324.022 and 627.733, Florida  
 2129 Statutes, must maintain at least minimum security requirements.

2130 (c) Any new or renewal motor vehicle insurance policy  
 2131 delivered or issued for delivery in this state must provide  
 2132 coverage that complies with minimum security requirements.

2133 (d) An existing motor vehicle insurance policy issued  
 2134 before that date that provides personal injury protection and  
 2135 property damage liability coverage that meet the requirements of  
 2136 ss. 324.022 and 627.733, Florida Statutes, on December 31, 2015,  
 2137 but that does not meet minimum security requirements on or after  
 2138 January 1, 2016, is deemed to meet the security requirements of  
 2139 ss. 324.022 and 627.733, Florida Statutes, until such policy is  
 2140 renewed, nonrenewed, or canceled on or after January 1, 2016.

2141 (3) Each insurer shall allow each insured who has a new or  
 2142 renewal policy providing personal injury protection, which  
 2143 becomes effective before January 1, 2016, and whose policy does  
 2144 not meet minimum security requirements on or after January 1,  
 2145 2016, to change coverages so as to eliminate personal injury  
 2146 protection and obtain coverage providing minimum security  
 2147 requirements, which shall be effective on or after January 1,  
 2148 2016. The insurer is not required to provide coverage complying  
 2149 with minimum security requirements in such policies if the  
 2150 insured does not pay the required premium, if any, by January 1,  
 2151 2016, or such later date as the insurer may allow. Any reduction  
 2152 in the premium must be refunded by the insurer. The insurer may  
 2153 not impose an additional fee or charge on the insured, which  
 2154 applies solely to a change in coverage; however, the insurer may  
 2155 charge an additional required premium that is actuarially  
 2156 indicated.

2157 (4) By September 1, 2015, each motor vehicle insurer shall  
 2158 provide notice of the provisions of this section to each motor

2159 vehicle policyholder who is subject to this section. The notice  
2160 is subject to approval by the Office of Insurance Regulation and  
2161 must clearly inform the policyholder that:

2162 (a) The Florida Motor Vehicle No-Fault Law is repealed,  
2163 effective January 1, 2016, and that on or after that date, the  
2164 insured is no longer required to maintain personal injury  
2165 protection insurance coverage, that personal injury protection  
2166 coverage is no longer available for purchase in this state, and  
2167 that all new or renewal policies issued on or after that date do  
2168 not contain such coverage.

2169 (b) Effective January 1, 2016, a person subject to the  
2170 financial responsibility requirements of s. 324.022, Florida  
2171 Statutes, must maintain minimum security requirements that  
2172 enable the person to respond in damages for liability on account  
2173 of accidents arising out of the use of a motor vehicle in the  
2174 amount of \$10,000 for damage to, or destruction of, property of  
2175 others in any one crash; in the amount of \$25,000 for bodily  
2176 injury to, or the death of, one person in any one crash; and,  
2177 subject to such limits for one person, in the amount of \$50,000  
2178 for bodily injury to, or the death of, two or more persons in  
2179 any one crash.

2180 (c) Personal injury protection insurance pays covered  
2181 medical expenses for injuries sustained in the motor vehicle  
2182 crash by the policyholder, passengers, and relatives residing in  
2183 the policyholder's household.

2184 (d) Bodily injury liability coverage protects the insured,

2185 up to the coverage limits, against loss if the insured is  
2186 legally responsible for the death of or bodily injury to others  
2187 in a motor vehicle accident.

2188 (e) The policyholder may be able to obtain medical  
2189 payments coverage that pays covered medical expenses for  
2190 injuries sustained in a motor vehicle crash by the policyholder  
2191 and relatives residing in the policyholder's household, but that  
2192 such coverage is not required under state law.

2193 (f) Policyholders whose insurance policies do not contain  
2194 bodily injury liability coverage are without coverage that  
2195 protects against loss if the policyholder is legally responsible  
2196 for the death or bodily injury of others in a motor vehicle  
2197 accident.

2198 (g) Underinsured motorist coverage provides benefits up to  
2199 the limits of such coverage to a policyholder or other insured  
2200 under the policy who is entitled to recover damages from owners  
2201 or operators of uninsured or underinsured motor vehicles because  
2202 of bodily injury, sickness, disease, or death in a motor vehicle  
2203 accident.

2204 (h) If the policyholder's new or renewal motor vehicle  
2205 insurance policy is effective before January 1, 2016, and  
2206 contains personal injury protection and property damage  
2207 liability coverage as required by state law before January 1,  
2208 2016, but does not meet minimum security requirements on or  
2209 after January 1, 2016, the policy is deemed to meet minimum  
2210 security requirements until it is renewed, nonrenewed, or

2211  canceled on or after January 1, 2016.

2212  (i) A policyholder whose new or renewal policy becomes  
2213  effective before January 1, 2016, but does not meet minimum  
2214  security requirements on or after January 1, 2016, may change  
2215  coverages under the policy so as to eliminate personal injury  
2216  protection and to obtain coverage providing minimum security  
2217  requirements, including bodily injury liability coverage, which  
2218  are effective on or after January 1, 2016.

2219  (j) If the policyholder has any questions, he or she  
2220  should contact the name and phone number provided in the notice.

2221  (5) This section shall take effect upon this act becoming  
2222  a law.

2223  Section 57. Application of suspensions for failure to  
2224  maintain security; reinstatement.—All suspensions for failure to  
2225  maintain required security as required by law in effect before  
2226  January 1, 2016, remain in full force and effect after the  
2227  effective date of this act. A driver may reinstate a suspended  
2228  driver license or registration as provided under s. 324.0221,  
2229  Florida Statutes.

2230  Section 58. Except as otherwise expressly provided in this  
2231  act and except for this section, which shall take effect upon  
2232  this act becoming a law, this act shall take effect January 1,  
2233  2016.