

1 and, subject to such limits for one person, in the amount of
2 \$300,000 because of bodily injury to, or death of, two or more
3 persons in any one crash and in the amount of \$50,000 because
4 of property damage in any one crash. If the owner or operator
5 chooses to establish and maintain such ability by posting a
6 bond or furnishing a certificate of deposit pursuant to s.
7 324.031(2) or (3), such bond or certificate of deposit must be
8 in an amount not less than \$350,000.

9 Section 2. Subsections (1) and (3) of section 316.646,
10 Florida Statutes, are amended to read:

11 316.646 Security required; proof of security and
12 display thereof; dismissal of cases.--

13 (1) Any person required by s. 324.023 to maintain
14 liability security for bodily injury or death or any person
15 required by s. 627.733 to maintain personal injury protection
16 security on a motor vehicle shall have in his or her immediate
17 possession at all times while operating such motor vehicle
18 proper proof of maintenance of the required security ~~required~~
19 by s. ~~627.733~~. Such proof shall be either a uniform
20 proof-of-insurance card in a form prescribed by the
21 department, a valid insurance policy, an insurance policy
22 binder, a certificate of insurance, or such other proof as may
23 be prescribed by the department.

24 (3) Any person who violates this section commits is
25 guilty of a nonmoving traffic infraction subject to the
26 penalty provided in chapter 318 and shall be required to
27 furnish proof of security as provided in this section. If any
28 person charged with a violation of this section fails to
29 furnish proof, at or before the scheduled court appearance
30 date, that security was in effect at the time of the
31 violation, the court may immediately suspend the registration

1 and driver's license of such person. Such license and
2 registration may only be reinstated as provided in s. 627.733.

3 Section 3. Paragraphs (a) and (b) of subsection (5) of
4 section 320.02, Florida Statutes, are amended to read:

5 320.02 Registration required; application for
6 registration; forms.--

7 (5)(a) Proof that personal injury protection benefits
8 have been purchased when required under s. 627.733, that
9 property damage liability coverage has been purchased as
10 required under s. 324.022, that bodily injury or death
11 coverage has been purchased if required under s. 324.023, and
12 that combined bodily liability insurance and property damage
13 liability insurance have been purchased when required under s.
14 627.7415 shall be provided in the manner prescribed by law by
15 the applicant at the time of application for registration of
16 any motor vehicle owned as defined in s. 627.732. The issuing
17 agent shall refuse to issue registration if such proof of
18 purchase is not provided. Insurers shall furnish uniform
19 proof-of-purchase cards in a form prescribed by the department
20 and shall include the name of the insured's insurance company,
21 the coverage identification number, the make, year, and
22 vehicle identification number of the vehicle insured. The card
23 shall contain a statement notifying the applicant of the
24 penalty specified in s. 316.646(4). The card or insurance
25 policy, insurance policy binder, or certificate of insurance
26 or a photocopy of any of these; an affidavit containing the
27 name of the insured's insurance company, the insured's policy
28 number, and the make and year of the vehicle insured; or such
29 other proof as may be prescribed by the department shall
30 constitute sufficient proof of purchase. If an affidavit is
31

1 provided as proof, it shall be in substantially the following
2 form:

3
4 Under penalty of perjury, I ...(Name of insured)... do hereby
5 certify that I have ...(Personal Injury Protection, Property
6 Damage Liability, and, when required, Bodily Injury
7 Liability)... Insurance currently in effect with ...(Name of
8 insurance company)... under ...(policy number)... covering
9 ...(make, year, and vehicle identification number of
10 vehicle).... ...(Signature of Insured)...

11
12 Such affidavit shall include the following warning:

13
14 WARNING: GIVING FALSE INFORMATION IN ORDER TO OBTAIN A VEHICLE
15 REGISTRATION CERTIFICATE IS A CRIMINAL OFFENSE UNDER FLORIDA
16 LAW. ANYONE GIVING FALSE INFORMATION ON THIS AFFIDAVIT IS
17 SUBJECT TO PROSECUTION.

18
19 When an application is made through a licensed motor vehicle
20 dealer as required in s. 319.23, the original or a photostatic
21 copy of such card, insurance policy, insurance policy binder,
22 or certificate of insurance or the original affidavit from the
23 insured shall be forwarded by the dealer to the tax collector
24 of the county or the Department of Highway Safety and Motor
25 Vehicles for processing. By executing the aforesaid
26 affidavit, no licensed motor vehicle dealer will be liable in
27 damages for any inadequacy, insufficiency, or falsification of
28 any statement contained therein. A card shall also indicate
29 the existence of any bodily injury liability insurance
30 voluntarily purchased.

31

1 (b) When an operator who owns a motor vehicle is
2 subject to the financial responsibility requirements of
3 chapter 324, including ss. ~~s-~~ 324.022 and 324.023, such
4 operator shall provide proof of compliance with such financial
5 responsibility requirements at the time of registration of any
6 such motor vehicle by one of the methods constituting
7 sufficient proof of purchase under paragraph (a). The issuing
8 agent shall refuse to register a motor vehicle if such proof
9 of purchase is not provided or if one of the other methods of
10 proving financial responsibility as set forth in s. 324.031 is
11 not met.

12 Section 4. Subsection (7) of section 627.733, Florida
13 Statutes, is amended to read:

14 627.733 Required security.--

15 (7) Any operator or owner whose driver's license or
16 registration has been suspended pursuant to this section or s.
17 316.646 may effect its reinstatement upon compliance with the
18 requirements of this section and upon payment to the
19 Department of Highway Safety and Motor Vehicles of a
20 nonrefundable reinstatement fee of \$150 for the first
21 reinstatement. Such reinstatement fee shall be \$250 for the
22 second reinstatement and \$500 for each subsequent
23 reinstatement during the 3 years following the first
24 reinstatement. Any person reinstating her or his insurance
25 under this subsection must also secure noncancelable coverage
26 as described in ss. 324.021(8) and ~~s-~~ 627.7275(2) and present
27 to the appropriate person proof that the coverage is in force
28 on a form promulgated by the Department of Highway Safety and
29 Motor Vehicles, such proof to be maintained for 2 years. If
30 the person does not have a second reinstatement within 3 years
31 after her or his initial reinstatement, the reinstatement fee

1 shall be \$150 for the first reinstatement after that 3-year
2 period. In the event that a person's license and registration
3 are suspended pursuant to this section or s. 316.646, only one
4 reinstatement fee shall be paid to reinstate the license and
5 the registration. All fees shall be collected by the
6 Department of Highway Safety and Motor Vehicles at the time of
7 reinstatement. The Department of Highway Safety and Motor
8 Vehicles shall issue proper receipts for such fees and shall
9 promptly deposit those fees in the Highway Safety Operating
10 Trust Fund. One-third of the fee collected under this
11 subsection shall be distributed from the Highway Safety
12 Operating Trust Fund to the local government entity or state
13 agency which employed the law enforcement officer who seizes a
14 license plate pursuant to s. 324.201. Such funds may be used
15 by the local government entity or state agency for any
16 authorized purpose.

17 Section 5. This act shall take effect upon becoming a
18 law.

19

20 STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN
21 COMMITTEE SUBSTITUTE FOR
22 Senate Bill 846

23 The committee substitute (CS) makes the provisions of the bill
24 applicable only to those found guilty of a DUI after October
25 1, 2007. The CS deletes the retroactive provision of the new
26 limits.

27 The CS requires tax collector employees to verify that BI
28 insurance has been purchased by a person required to do so
29 under s. 324.023, F.S., at the time the person applies for a
30 vehicle registration or registration renewal.

31 The CS corrects an incorrect reference to a conforming
provision.