

1 A bill to be entitled

2 An act relating to underwriting, cancellation period,
3 and other terms of motor vehicle insurance policies;
4 amending s. 627.7275, F.S.; revising requirements for
5 issuance, underwriting, and coverage of motor vehicle
6 insurance policies; providing an effective date.

7
8 Be It Enacted by the Legislature of the State of Florida:

9
10 Section 1. Section 627.7275, Florida Statutes, is amended
11 to read:

12 627.7275 Motor vehicle liability.—

13 (1) A motor vehicle insurance policy providing personal
14 injury protection as set forth in s. 627.736 may not be
15 delivered or issued for delivery in this state with respect to
16 any specifically insured or identified motor vehicle registered
17 or principally garaged in this state unless the policy also
18 provides coverage for property damage liability as required by
19 s. 324.022.

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

23 1. Coverage under policies as described in subsection (1)
24 to any applicant for private passenger motor vehicle insurance
25 coverage who is seeking the coverage in order to reinstate the
26 applicant's driving privileges in this state when the driving

27 | privileges were revoked or suspended pursuant to s. 316.646 or
28 | s. 324.0221 due to the failure of the applicant to maintain
29 | required security.

30 | 2. Coverage under policies as described in subsection (1),
31 | which also provides liability coverage for bodily injury, death,
32 | and property damage arising out of the ownership, maintenance,
33 | or use of the motor vehicle in an amount not less than the
34 | limits described in s. 324.021(7) and conforms to the
35 | requirements of s. 324.151, to any applicant for private
36 | passenger motor vehicle insurance coverage who is seeking the
37 | coverage in order to reinstate the applicant's driving
38 | privileges in this state after such privileges were revoked or
39 | suspended under s. 316.193 or s. 322.26(2) for driving under the
40 | influence.

41 | (b) The policies described in paragraph (a) shall be
42 | issued for a period of at least 6 months and as to the minimum
43 | coverages required under this section shall not be cancelable by
44 | the insured for any reason or by the insurer after a period not
45 | to exceed 60 ~~30~~ days during which the insurer must complete
46 | underwriting of the policy. After the insurer has completed
47 | underwriting the policy within the 60-day ~~30-day~~ period, the
48 | insurer shall notify the Department of Highway Safety and Motor
49 | Vehicles that the policy is in full force and effect and the
50 | policy shall not be cancelable for the remainder of the policy
51 | period. A premium shall be collected and coverage shall be in
52 | effect for the 60-day ~~30-day~~ period during which the insurer is

53 completing the underwriting of the policy whether or not the
54 person's driver license, motor vehicle tag, and motor vehicle
55 registration are in effect. Once the noncancelable provisions of
56 the policy become effective, the coverages for bodily injury,
57 property damage, and personal injury protection shall not be
58 reduced below the state-required minimum limits as required by
59 s. 324.023 or s. 324.021 during the policy period ~~coverage or~~
60 ~~risk shall not be changed during the policy period and the~~
61 ~~premium shall be nonrefundable. If, during the pendency of the~~
62 ~~2-year proof of insurance period required under s. 324.0221 or~~
63 ~~during the 3-year proof of financial responsibility required~~
64 ~~under s. 324.131, whichever is applicable, the insured obtains~~
65 ~~additional coverage or coverage for an additional risk or~~
66 ~~changes territories, the insured must obtain a new 6-month~~
67 ~~noncancelable policy in accordance with the provisions of this~~
68 ~~section. However, if the insured must obtain a new 6-month~~
69 ~~policy and obtains the policy from the same insurer, the~~
70 ~~policyholder shall receive credit on the new policy for any~~
71 ~~premium paid on the previously issued policy.~~

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

74 (d) An insurer issuing a policy subject to this section
75 may cancel the policy if, during the policy term, the named
76 insured or any other operator, who resides in the same household
77 or customarily operates an automobile insured under the policy,
78 has his or her driver's license suspended or revoked.

CS/HB 401

2014

79 (e) Nothing in this subsection requires an insurer to
80 offer a policy of insurance to an applicant if such offer would
81 be inconsistent with the insurer's underwriting guidelines and
82 procedures.

83 Section 2. This act shall take effect July 1, 2014.