

1 A bill to be entitled
 2 An act relating to the motor vehicle insurance online
 3 verification system; amending s. 316.646, F.S.;
 4 requiring law enforcement officers to access online
 5 insurance information at traffic stops and crash
 6 investigations for certain purposes; amending s.
 7 320.02, F.S.; providing requirements relating to the
 8 registration of motor vehicles to conform to changes
 9 made by the act; amending s. 324.0221, F.S.; requiring
 10 insurers to transmit certain information to the
 11 Department of Highway Safety and Motor Vehicles;
 12 authorizing the department to verify certain
 13 information; authorizing the department to implement a
 14 method of insurance verification; creating s. 324.252,
 15 F.S.; requiring the department to establish a system
 16 for the online verification of motor vehicle
 17 insurance; providing system requirements; providing
 18 requirements for insurers; providing requirements for
 19 law enforcement officers; providing applicability;
 20 authorizing the department to adopt rules; providing
 21 an effective date.

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 23 Be It Enacted by the Legislature of the State of Florida:
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25 Section 1. Subsection (5) of section 316.646, Florida

26 Statutes, is renumbered as subsection (6), and a new subsection
27 (5) is added to that section, to read:

28 316.646 Security required; proof of security and display
29 thereof.—

30 (5) Upon implementation of the motor vehicle insurance
31 online verification system in s. 324.252, a law enforcement
32 officer, during a traffic stop or crash investigation, shall
33 access information from the online verification system to
34 establish compliance with this chapter and chapter 324 and to
35 verify the current validity of the policy described on any
36 insurance identification card produced by the operator of a
37 motor vehicle during the traffic stop or crash investigation.

38 Section 2. Paragraph (f) is added to subsection (5) of
39 section 320.02, Florida Statutes, to read:

40 320.02 Registration required; application for
41 registration; forms.—

42 (5)

43 (f) Upon implementation of the online verification system
44 in s. 324.252, the online verification shall replace the
45 procedures in this subsection, and the department and its
46 authorized agents shall use the verification system unless the
47 verification system is not online or the required information is
48 not available. In such a case, the department and its authorized
49 agents may accept proof of purchase as provided in this
50 subsection to verify the purchase of the required insurance

51 before processing any application for motor vehicle
 52 registration.

53 Section 3. Paragraphs (c) and (d) of subsection (1) and
 54 subsection (4) are added to section 324.0221, Florida Statutes,
 55 to read:

56 324.0221 Reports by insurers to the department; suspension
 57 of driver license and vehicle registrations; reinstatement.—

58 (1)

59 (c) An insurer must transmit weekly, in a format
 60 prescribed by the department, the insurer's records of all
 61 active insurance policies, commonly known as the "book of
 62 business," to enable the department to identify uninsured
 63 vehicles.

64 (d) The department may verify information on a new policy
 65 or a policy cancellation or nonrenewal directly from an
 66 insurer's database. This paragraph does not relieve an insurer
 67 from the reporting requirement of this section.

68 (4) The department may implement by rule a method of
 69 insurance verification.

70 Section 4. Section 324.252, Florida Statutes, is created
 71 to read:

72 324.252 Insurance online verification system.—

73 (1) The department shall establish an online verification
 74 system for motor vehicle insurance, subject to the following:

75 (a) The verification system must be accessible through the

76 Internet by authorized personnel of the department, the courts,
77 law enforcement personnel, any other entities authorized by the
78 department, and insurers authorized by the Office of Insurance
79 Regulation to offer motor vehicle insurance.

80 (b) The verification system must provide for direct access
81 to insurers' records by personnel authorized by the department.

82 (c) The department must conduct a pilot program to test
83 the verification system before statewide use. However, the
84 verification system must be installed and operational by July 1,
85 2022.

86 (d) The verification system must be available 24 hours a
87 day to verify the insurance status of any motor vehicle
88 registered in this state through the vehicle's identification
89 number, the policy number, the registered owner's name, or other
90 identifying characteristic or marker as prescribed by the
91 department.

92 (e) The department may contract with a private vendor to
93 assist in establishing and maintaining the verification system.

94 (f) The verification system must include appropriate
95 provisions, consistent with industry standards, to secure its
96 data against unauthorized access and to maintain a record of all
97 information requests.

98 (g) The verification system must include a disaster
99 recovery plan designed to ensure service continuity in the event
100 of a disaster.

101 (h) The verification system must include information that
102 enables the department to make inquiries of evidence of
103 insurance by using multiple data elements for greater matching
104 accuracy, specifically the insurer's National Association of
105 Insurance Commissioners (NAIC) company code, the vehicle
106 identification number, the policy number, the level and type of
107 coverage, or other data elements as established by the
108 department.

109 (2) (a) An insurer authorized to issue a motor vehicle
110 insurance policy in this state must cooperate with the
111 department in establishing and maintaining the verification
112 system and must provide access to motor vehicle insurance policy
113 status information for every motor vehicle insured by the
114 insurer in this state as required by department rule.

115 (b) An insurer authorized to issue a motor vehicle
116 insurance policy in this state must retain a historical record
117 of the system data for 5 years after a policy's termination
118 date.

119 (3) Upon implementation of the online verification system,
120 a law enforcement officer, during a traffic stop or crash
121 investigation, shall access information from the online
122 verification system to establish compliance with this chapter
123 and to verify the current validity of the policy described on
124 any insurance identification card produced by the operator of a
125 motor vehicle during the traffic stop or crash investigation.

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126 (4) This section does not apply to vehicles insured under
127 commercial motor vehicle coverage. However, insurers of such
128 vehicles may participate in the verification system on a
129 voluntary basis.

130 (5) The department may adopt rules to administer this
131 section.

132 Section 5. This act shall take effect July 1, 2019.