



569746

LEGISLATIVE ACTION

Senate

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House

The Committee on Rules (Brandes) recommended the following:

Senate Amendment (with title amendment)

Between lines 3498 and 3499

insert:

Section 61. Section 768.852, Florida Statutes, is created
to read:

768.852 Limitation on damages as a result of a motor
vehicle crash while uninsured.-

(1) Except as provided in subsection (2), if a person
suffers personal injury or wrongful death as a result of a motor
vehicle crash and the person was not in compliance with



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12 applicable laws requiring the maintenance of insurance coverage
13 or other forms of financial responsibility for more than 30
14 days, the person or his or her personal representative may
15 recover economic damages only.

16 (2) The limitation on damages in subsection (1) does not
17 apply if the person who is liable for the personal injury or
18 wrongful death:

19 (a) Was driving while under the influence of an alcoholic
20 beverage, an inhalant, or a controlled substance;

21 (b) Acted intentionally, recklessly, or with gross
22 negligence;

23 (c) Fled from the scene of the crash; or

24 (d) Was acting in furtherance of an offense or in immediate
25 flight from an offense that constituted a felony at the time of
26 the crash.

27
28 ===== T I T L E A M E N D M E N T =====

29 And the title is amended as follows:

30 Delete line 282

31 and insert:

32 technical changes; creating s. 768.852, F.S.; limiting
33 the type of damages which may be recovered by or on
34 behalf of a person not in compliance with financial
35 responsibility laws; providing exceptions; amending s.
36 817.234, F.S.; revising