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LEGISLATIVE ACTION

Senate

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House

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Senator Burgess moved the following:

1           **Senate Amendment to House Amendment (958927) (with title**  
2 **amendment)**

3  
4           Delete lines 1922 - 2910

5 and insert:

6 death benefit coverage under s. 627.72761, bodily injury  
7 liability coverage, property damage liability coverage a policy  
8 of motor vehicle liability, personal injury protection, medical  
9 payments coverage payment, or collision coverage in a motor  
10 vehicle liability insurance policy insurance or any combination  
11 thereof or refusing to renew the policy solely because the



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12 insured was involved in a motor vehicle accident unless the  
13 insurer's file contains information from which the insurer in  
14 good faith determines that the insured was substantially at  
15 fault in the accident.

16 b. An insurer which imposes and collects such a surcharge  
17 or which refuses to renew such policy shall, in conjunction with  
18 the notice of premium due or notice of nonrenewal, notify the  
19 named insured that he or she is entitled to reimbursement of  
20 such amount or renewal of the policy under the conditions listed  
21 below and will subsequently reimburse him or her or renew the  
22 policy, if the named insured demonstrates that the operator  
23 involved in the accident was:

24 (I) Lawfully parked;

25 (II) Reimbursed by, or on behalf of, a person responsible  
26 for the accident or has a judgment against such person;

27 (III) Struck in the rear by another vehicle headed in the  
28 same direction and was not convicted of a moving traffic  
29 violation in connection with the accident;

30 (IV) Hit by a "hit-and-run" driver, if the accident was  
31 reported to the proper authorities within 24 hours after  
32 discovering the accident;

33 (V) Not convicted of a moving traffic violation in  
34 connection with the accident, but the operator of the other  
35 automobile involved in such accident was convicted of a moving  
36 traffic violation;

37 (VI) Finally adjudicated not to be liable by a court of  
38 competent jurisdiction;

39 (VII) In receipt of a traffic citation which was dismissed  
40 or nolle prossed; or



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41 (VIII) Not at fault as evidenced by a written statement  
42 from the insured establishing facts demonstrating lack of fault  
43 which are not rebutted by information in the insurer's file from  
44 which the insurer in good faith determines that the insured was  
45 substantially at fault.

46 c. In addition to the other provisions of this  
47 subparagraph, an insurer may not fail to renew a policy if the  
48 insured has had only one accident in which he or she was at  
49 fault within the current 3-year period. However, an insurer may  
50 nonrenew a policy for reasons other than accidents in accordance  
51 with s. 627.728. This subparagraph does not prohibit nonrenewal  
52 of a policy under which the insured has had three or more  
53 accidents, regardless of fault, during the most recent 3-year  
54 period.

55 4. Imposing or requesting an additional premium for, or  
56 refusing to renew, a policy for motor vehicle insurance solely  
57 because the insured committed a noncriminal traffic infraction  
58 as described in s. 318.14 unless the infraction is:

59 a. A second infraction committed within an 18-month period,  
60 or a third or subsequent infraction committed within a 36-month  
61 period.

62 b. A violation of s. 316.183, when such violation is a  
63 result of exceeding the lawful speed limit by more than 15 miles  
64 per hour.

65 5. Upon the request of the insured, the insurer and  
66 licensed agent shall supply to the insured the complete proof of  
67 fault or other criteria which justifies the additional charge or  
68 cancellation.

69 6. No insurer shall impose or request an additional premium



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70 for motor vehicle insurance, cancel or refuse to issue a policy,  
71 or refuse to renew a policy because the insured or the applicant  
72 is a handicapped or physically disabled person, so long as such  
73 handicap or physical disability does not substantially impair  
74 such person's mechanically assisted driving ability.

75 7. No insurer may cancel or otherwise terminate any  
76 insurance contract or coverage, or require execution of a  
77 consent to rate endorsement, during the stated policy term for  
78 the purpose of offering to issue, or issuing, a similar or  
79 identical contract or coverage to the same insured with the same  
80 exposure at a higher premium rate or continuing an existing  
81 contract or coverage with the same exposure at an increased  
82 premium.

83 8. No insurer may issue a nonrenewal notice on any  
84 insurance contract or coverage, or require execution of a  
85 consent to rate endorsement, for the purpose of offering to  
86 issue, or issuing, a similar or identical contract or coverage  
87 to the same insured at a higher premium rate or continuing an  
88 existing contract or coverage at an increased premium without  
89 meeting any applicable notice requirements.

90 9. No insurer shall, with respect to premiums charged for  
91 motor vehicle insurance, unfairly discriminate solely on the  
92 basis of age, sex, marital status, or scholastic achievement.

93 10. Imposing or requesting an additional premium for motor  
94 vehicle comprehensive or uninsured motorist coverage solely  
95 because the insured was involved in a motor vehicle accident or  
96 was convicted of a moving traffic violation.

97 11. No insurer shall cancel or issue a nonrenewal notice on  
98 any insurance policy or contract without complying with any



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99 applicable cancellation or nonrenewal provision required under  
100 the Florida Insurance Code.

101 12. No insurer shall impose or request an additional  
102 premium, cancel a policy, or issue a nonrenewal notice on any  
103 insurance policy or contract because of any traffic infraction  
104 when adjudication has been withheld and no points have been  
105 assessed pursuant to s. 318.14(9) and (10). However, this  
106 subparagraph does not apply to traffic infractions involving  
107 accidents in which the insurer has incurred a loss due to the  
108 fault of the insured.

109 Section 36. Paragraph (a) of subsection (1) of section  
110 626.989, Florida Statutes, is amended to read:

111 626.989 Investigation by department or Division of  
112 Investigative and Forensic Services; compliance; immunity;  
113 confidential information; reports to division; division  
114 investigator's power of arrest.—

115 (1) For the purposes of this section:

116 (a) A person commits a "fraudulent insurance act" if the  
117 person:

118 1. Knowingly and with intent to defraud presents, causes to  
119 be presented, or prepares with knowledge or belief that it will  
120 be presented, to or by an insurer, self-insurer, self-insurance  
121 fund, servicing corporation, purported insurer, broker, or any  
122 agent thereof, any written statement as part of, or in support  
123 of, an application for the issuance of, or the rating of, any  
124 insurance policy, or a claim for payment or other benefit  
125 pursuant to any insurance policy, which the person knows to  
126 contain materially false information concerning any fact  
127 material thereto or if the person conceals, for the purpose of



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128 misleading another, information concerning any fact material  
129 thereto.

130 2. Knowingly submits:

131 a. A false, misleading, or fraudulent application or other  
132 document when applying for licensure as a health care clinic,  
133 seeking an exemption from licensure as a health care clinic, or  
134 demonstrating compliance with part X of chapter 400 with an  
135 intent to use the license, exemption from licensure, or  
136 demonstration of compliance to provide services or seek  
137 reimbursement under a motor vehicle liability insurance policy's  
138 medical payments coverage ~~the Florida Motor Vehicle No-Fault~~  
139 ~~Law.~~

140 b. A claim for payment or other benefit under medical  
141 payments coverage, ~~pursuant to a personal injury protection~~  
142 ~~insurance policy under the Florida Motor Vehicle No-Fault Law~~ if  
143 the person knows that the payee knowingly submitted a false,  
144 misleading, or fraudulent application or other document when  
145 applying for licensure as a health care clinic, seeking an  
146 exemption from licensure as a health care clinic, or  
147 demonstrating compliance with part X of chapter 400.

148 Section 37. Subsection (1) of section 627.06501, Florida  
149 Statutes, is amended to read:

150 627.06501 Insurance discounts for certain persons  
151 completing driver improvement course.-

152 (1) Any rate, rating schedule, or rating manual for the  
153 liability, medical payments, death benefit ~~personal injury~~  
154 ~~protection,~~ and collision coverages of a motor vehicle insurance  
155 policy filed with the office may provide for an appropriate  
156 reduction in premium charges as to such coverages if ~~when~~ the



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157 principal operator on the covered vehicle has successfully  
158 completed a driver improvement course approved and certified by  
159 the Department of Highway Safety and Motor Vehicles which is  
160 effective in reducing crash or violation rates, or both, as  
161 determined pursuant to s. 318.1451(5). Any discount, not to  
162 exceed 10 percent, used by an insurer is presumed to be  
163 appropriate unless credible data demonstrates otherwise.

164 Section 38. Subsection (15) is added to section 627.0651,  
165 Florida Statutes, to read:

166 627.0651 Making and use of rates for motor vehicle  
167 insurance.—

168 (15) Rate filings for motor vehicle liability policies that  
169 implement the financial responsibility requirements of s.  
170 324.022 in effect January 1, 2022, except for commercial motor  
171 vehicle insurance policies exempt under paragraph (14) (a), must  
172 reflect such financial responsibility requirements and may be  
173 approved only through the file and use process under paragraph  
174 (1) (a).

175 Section 39. Subsection (1) of section 627.0652, Florida  
176 Statutes, is amended to read:

177 627.0652 Insurance discounts for certain persons completing  
178 safety course.—

179 (1) Any rates, rating schedules, or rating manuals for the  
180 liability, medical payments, death benefit ~~personal injury~~  
181 ~~protection~~, and collision coverages of a motor vehicle insurance  
182 policy filed with the office must ~~shall~~ provide for an  
183 appropriate reduction in premium charges as to such coverages if  
184 ~~when~~ the principal operator on the covered vehicle is an insured  
185 55 years of age or older who has successfully completed a motor



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186 vehicle accident prevention course approved by the Department of  
187 Highway Safety and Motor Vehicles. Any discount used by an  
188 insurer is presumed to be appropriate unless credible data  
189 demonstrates otherwise.

190 Section 40. Subsections (1), (3), and (6) of section  
191 627.0653, Florida Statutes, are amended to read:

192 627.0653 Insurance discounts for specified motor vehicle  
193 equipment.—

194 (1) Any rates, rating schedules, or rating manuals for the  
195 liability, medical payments, death benefit ~~personal injury~~  
196 ~~protection~~, and collision coverages of a motor vehicle insurance  
197 policy filed with the office must ~~shall~~ provide a premium  
198 discount if the insured vehicle is equipped with factory-  
199 installed, four-wheel antilock brakes.

200 (3) Any rates, rating schedules, or rating manuals for  
201 ~~personal injury protection coverage~~ and medical payments  
202 coverage, ~~if offered~~, of a motor vehicle insurance policy filed  
203 with the office must ~~shall~~ provide a premium discount if the  
204 insured vehicle is equipped with one or more air bags that ~~which~~  
205 are factory installed.

206 (6) The Office of Insurance Regulation may approve a  
207 premium discount to any rates, rating schedules, or rating  
208 manuals for the liability, medical payments, death benefit  
209 ~~personal injury protection~~, and collision coverages of a motor  
210 vehicle insurance policy filed with the office if the insured  
211 vehicle is equipped with an automated driving system or  
212 electronic vehicle collision avoidance technology that is  
213 factory installed or a retrofitted system and that complies with  
214 National Highway Traffic Safety Administration standards.





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215 Section 41. Section 627.4132, Florida Statutes, is amended  
216 to read:

217 627.4132 Stacking of coverages prohibited.—If an insured or  
218 named insured is protected by any type of motor vehicle  
219 insurance policy for bodily injury and property damage  
220 ~~liability, personal injury protection, or other coverage~~, the  
221 policy must ~~shall~~ provide that the insured or named insured is  
222 protected only to the extent of the coverage she or he has on  
223 the vehicle involved in the accident. However, if none of the  
224 insured's or named insured's vehicles are ~~is~~ involved in the  
225 accident, coverage is available only to the extent of coverage  
226 on any one of the vehicles with applicable coverage. Coverage on  
227 any other vehicles may ~~shall~~ not be added to or stacked upon  
228 that coverage. This section does not ~~apply~~:

229 (1) Apply to uninsured motorist coverage that ~~which~~ is  
230 separately governed by s. 627.727.

231 (2) ~~To~~ Reduce the coverage available by reason of insurance  
232 policies insuring different named insureds.

233 Section 42. Subsection (1) of section 627.4137, Florida  
234 Statutes, is amended to read:

235 627.4137 Disclosure of certain information required.—

236 (1) Each insurer which does or may provide liability  
237 insurance coverage to pay all or a portion of any claim which  
238 might be made shall provide, within 30 days of the written  
239 request of the claimant or the claimant's attorney, a statement,  
240 under oath, of a corporate officer or the insurer's claims  
241 manager or superintendent setting forth the following  
242 information with regard to each known policy of insurance,  
243 including excess or umbrella insurance:



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- 244 (a) The name of the insurer.
- 245 (b) The name of each insured.
- 246 (c) The limits of the liability coverage.
- 247 (d) A statement of any policy or coverage defense which
- 248 such insurer reasonably believes is available to such insurer at
- 249 the time of filing such statement.
- 250 (e) A copy of the policy.

251  
252 In addition, the insured, or her or his insurance agent, upon  
253 written request of the claimant or the claimant's attorney,  
254 shall disclose the name and coverage of each known insurer to  
255 the claimant and shall forward such request for information as  
256 required by this subsection to all affected insurers. The  
257 insurer shall then supply the information required in this  
258 subsection to the claimant within 30 days of receipt of such  
259 request. If an insurer fails to timely comply with this section,  
260 the claimant may file an action in a court of competent  
261 jurisdiction to enforce this section. If the court determines  
262 that the insurer violated this section, the claimant is entitled  
263 to an award of reasonable attorney fees and costs to be paid by  
264 the insurer.

265 Section 43. Section 627.7263, Florida Statutes, is amended  
266 to read:

267 627.7263 Rental and leasing driver's insurance to be  
268 primary; exception.—

269 (1) The valid and collectible liability insurance, death  
270 benefit coverage, and medical payments coverage ~~or personal~~  
271 ~~injury protection insurance providing coverage~~ for the lessor of  
272 a motor vehicle for rent or lease is primary unless otherwise



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273 stated in at least 10-point type on the face of the rental or  
274 lease agreement. Such insurance is primary for the limits of  
275 liability and ~~personal injury protection~~ coverage as required by  
276 s. 324.021(7), the death benefit coverage limit specified under  
277 s. 627.72761, and the medical payments coverage limit specified  
278 under s. 627.7265 ~~ss. 324.021(7) and 627.736~~.

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

282  
283 "The valid and collectible liability insurance, death  
284 benefit coverage, and medical payments coverage  
285 ~~personal injury protection insurance~~ of an any  
286 authorized rental or leasing driver is primary for the  
287 limits of liability and ~~personal injury protection~~  
288 coverage required under section 324.021(7), Florida  
289 Statutes, the limit of the death benefit coverage  
290 required under section 627.72761, Florida Statutes,  
291 and the medical payments coverage limit specified  
292 under section 627.7265 ~~by ss. 324.021(7) and 627.736,~~  
293 Florida Statutes."

294 Section 44. Section 627.7265, Florida Statutes, is created  
295 to read:

296 627.7265 Motor vehicle insurance; medical payments  
297 coverage.-

298 (1) Medical payments coverage must protect the named  
299 insured, resident relatives, persons operating the insured motor  
300 vehicle, passengers in the insured motor vehicle, and persons  
301 who are struck by the insured motor vehicle and suffer bodily



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302 injury while not an occupant of a self-propelled motor vehicle  
303 at a limit of at least \$5,000 for medical expenses incurred due  
304 to bodily injury, sickness, or disease arising out of the  
305 ownership, maintenance, or use of a motor vehicle. The coverage  
306 must provide an additional death benefit of at least \$5,000.

307 (a) Before issuing a motor vehicle liability insurance  
308 policy that is furnished as proof of financial responsibility  
309 under s. 324.031, the insurer must offer medical payments  
310 coverage at limits of \$5,000 and \$10,000. The insurer may also  
311 offer medical payments coverage at any limit greater than  
312 \$5,000.

313 (b) The insurer must offer medical payments coverage with  
314 no deductible. The insurer may also offer medical payments  
315 coverage with a deductible not to exceed \$500.

316 (c) Each motor vehicle liability insurance policy furnished  
317 as proof of financial responsibility under s. 324.031 is deemed  
318 to have:

319 1. Medical payments coverage to a limit of \$10,000, unless  
320 the insurer obtains a named insured's written refusal of medical  
321 payments coverage or written selection of medical payments  
322 coverage at a limit other than \$10,000. The rejection or  
323 selection of coverage at a limit other than \$10,000 must be made  
324 on a form approved by the office.

325 2. No medical payments coverage deductible, unless the  
326 insurer obtains a named insured's written selection of a  
327 deductible up to \$500. The selection of a deductible must be  
328 made on a form approved by the office.

329 (d)1. The forms referenced in subparagraphs (c)1. and 2.  
330 must fully advise the applicant of the nature of the coverage



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331 being rejected or the policy limit or deductible being selected.  
332 If the form is signed by a named insured, it is conclusively  
333 presumed that there was an informed, knowing rejection of the  
334 coverage or election of the policy limit or deductible.

335 2. Unless a named insured requests in writing the coverage  
336 specified in this section, it need not be provided in or  
337 supplemental to any other policy that renews, insures, extends,  
338 changes, supersedes, or replaces an existing policy if a named  
339 insured has rejected the coverage specified in this section or  
340 has selected an alternative coverage limit or deductible. At  
341 least annually, the insurer shall provide to the named insured a  
342 notice of the availability of such coverage in a form approved  
343 by the office. The notice must be part of, and attached to, the  
344 notice of premium and must provide for a means to allow a named  
345 insured to request medical payments coverage at the limits and  
346 deductibles required to be offered under this section. The  
347 notice must be given in a manner approved by the office. Receipt  
348 of this notice does not constitute an affirmative waiver of the  
349 insured's right to medical payments coverage if a named insured  
350 has not signed a selection or rejection form.

351 (e) This section may not be construed to limit any other  
352 coverage made available by an insurer.

353 (2) Upon receiving notice of an accident that is  
354 potentially covered by medical payments coverage benefits, the  
355 insurer must reserve \$5,000 of medical payments coverage  
356 benefits for payment to physicians licensed under chapter 458 or  
357 chapter 459 or dentists licensed under chapter 466 who provide  
358 emergency services and care, as defined in s. 395.002, or who  
359 provide hospital inpatient care. The amount required to be held



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360 in reserve may be used only to pay claims from such physicians  
361 or dentists until 30 days after the date the insurer receives  
362 notice of the accident. After the 30-day period, any amount of  
363 the reserve for which the insurer has not received notice of  
364 such claims may be used by the insurer to pay other claims. This  
365 subsection does not require an insurer to establish a claim  
366 reserve for insurance accounting purposes.

367 (3) An insurer providing medical payments coverage benefits  
368 may not:

369 (a) Seek a lien on any recovery in tort by judgment,  
370 settlement, or otherwise for medical payments coverage benefits,  
371 regardless of whether suit has been filed or settlement has been  
372 reached without suit; or

373 (b) Bring a cause of action against a person to whom or for  
374 whom medical payments coverage benefits were paid, except when  
375 medical payments coverage benefits were paid by reason of fraud  
376 committed by that person.

377 (4) An insurer providing medical payments coverage may  
378 include provisions in its policy allowing for subrogation for  
379 medical payments coverage benefits paid if the expenses giving  
380 rise to the payments were caused by the wrongful act or omission  
381 of another who is not also an insured under the policy paying  
382 the medical payments coverage benefits. However, this  
383 subrogation right is inferior to the rights of the injured  
384 insured and is available only after all the insured's damages  
385 are recovered and the insured is made whole. An insured who  
386 obtains a recovery from a third party of the full amount of the  
387 damages sustained and delivers a release or satisfaction that  
388 impairs a medical payments insurer's subrogation right is liable



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389 to the insurer for repayment of medical payments coverage  
390 benefits less any expenses of acquiring the recovery, including  
391 a prorated share of attorney fees and costs, and shall hold that  
392 net recovery in trust to be delivered to the medical payments  
393 insurer. The insurer may not include any provision in its policy  
394 allowing for subrogation for any death benefit paid.

395 Section 45. Subsections (1) and (7) of section 627.727,  
396 Florida Statutes, are amended to read:

397 627.727 Motor vehicle insurance; uninsured and underinsured  
398 vehicle coverage; insolvent insurer protection.—

399 (1) A ~~No~~ motor vehicle liability insurance policy that  
400 ~~which~~ provides bodily injury liability coverage may not shall be  
401 delivered or issued for delivery in this state with respect to  
402 any specifically insured or identified motor vehicle registered  
403 or principally garaged in this state, unless uninsured motor  
404 vehicle coverage is provided therein or supplemental thereto for  
405 the protection of persons insured thereunder who are legally  
406 entitled to recover damages from owners or operators of  
407 uninsured motor vehicles because of bodily injury, sickness, or  
408 disease, including death, resulting therefrom. However, the  
409 coverage required under this section is not applicable if when,  
410 or to the extent that, an insured named in the policy makes a  
411 written rejection of the coverage on behalf of all insureds  
412 under the policy. If When a motor vehicle is leased for ~~a period~~  
413 ~~of~~ 1 year or longer and the lessor of such vehicle, by the terms  
414 of the lease contract, provides liability coverage on the leased  
415 vehicle, the lessee of such vehicle has shall have the sole  
416 privilege to reject uninsured motorist coverage or to select  
417 lower limits than the bodily injury liability limits, regardless



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418 of whether the lessor is qualified as a self-insurer pursuant to  
419 s. 324.171. Unless an insured, or a lessee having the privilege  
420 of rejecting uninsured motorist coverage, requests such coverage  
421 or requests higher uninsured motorist limits in writing, the  
422 coverage or such higher uninsured motorist limits need not be  
423 provided in or supplemental to any other policy that ~~which~~  
424 renews, extends, changes, supersedes, or replaces an existing  
425 policy with the same bodily injury liability limits when an  
426 insured or lessee had rejected the coverage. When an insured or  
427 lessee has initially selected limits of uninsured motorist  
428 coverage lower than her or his bodily injury liability limits,  
429 higher limits of uninsured motorist coverage need not be  
430 provided in or supplemental to any other policy that ~~which~~  
431 renews, extends, changes, supersedes, or replaces an existing  
432 policy with the same bodily injury liability limits unless an  
433 insured requests higher uninsured motorist coverage in writing.  
434 The rejection or selection of lower limits must ~~shall~~ be made on  
435 a form approved by the office. The form must ~~shall~~ fully advise  
436 the applicant of the nature of the coverage and must ~~shall~~ state  
437 that the coverage is equal to bodily injury liability limits  
438 unless lower limits are requested or the coverage is rejected.  
439 The heading of the form must ~~shall~~ be in 12-point bold type and  
440 must ~~shall~~ state: "You are electing not to purchase certain  
441 valuable coverage that ~~which~~ protects you and your family or you  
442 are purchasing uninsured motorist limits less than your bodily  
443 injury liability limits when you sign this form. Please read  
444 carefully." If this form is signed by a named insured, it will  
445 be conclusively presumed that there was an informed, knowing  
446 rejection of coverage or election of lower limits on behalf of





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447 all insureds. The insurer shall notify the named insured at  
448 least annually of her or his options as to the coverage required  
449 by this section. Such notice must ~~shall~~ be part of, and attached  
450 to, the notice of premium, must ~~shall~~ provide for a means to  
451 allow the insured to request such coverage, and must ~~shall~~ be  
452 given in a manner approved by the office. Receipt of this notice  
453 does not constitute an affirmative waiver of the insured's right  
454 to uninsured motorist coverage if ~~where~~ the insured has not  
455 signed a selection or rejection form. The coverage described  
456 under this section must ~~shall~~ be over and above, but may ~~shall~~  
457 not duplicate, the benefits available to an insured under any  
458 workers' compensation law, ~~personal injury protection benefits,~~  
459 disability benefits law, or similar law; under any automobile  
460 medical payments ~~expense~~ coverage; under any motor vehicle  
461 liability insurance coverage; or from the owner or operator of  
462 the uninsured motor vehicle or any other person or organization  
463 jointly or severally liable together with such owner or operator  
464 for the accident,~~r~~ and such coverage must ~~shall~~ cover the  
465 difference, if any, between the sum of such benefits and the  
466 damages sustained, up to the maximum amount of such coverage  
467 provided under this section. The amount of coverage available  
468 under this section may ~~shall~~ not be reduced by a setoff against  
469 any coverage, including liability insurance. Such coverage does  
470 ~~shall~~ not inure directly or indirectly to the benefit of any  
471 workers' compensation or disability benefits carrier or any  
472 person or organization qualifying as a self-insurer under any  
473 workers' compensation or disability benefits law or similar law.

474 (7) The legal liability of an uninsured motorist coverage  
475 insurer includes ~~does not include~~ damages in tort for pain,



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476 suffering, disability or physical impairment, disfigurement,  
477 mental anguish, and inconvenience, and the loss of capacity for  
478 the enjoyment of life experienced in the past and to be  
479 experienced in the future unless the injury or disease is  
480 described in one or more of paragraphs (a)-(d) of s. 627.737(2).

481 Section 46. Section 627.7275, Florida Statutes, is amended  
482 to read:

483 627.7275 Required coverages in motor vehicle insurance  
484 policies; availability to certain applicants liability.-

485 (1) A motor vehicle insurance policy ~~providing personal~~  
486 ~~injury protection as set forth in s. 627.736~~ may not be  
487 delivered or issued for delivery in this state for a with  
488 ~~respect to any~~ specifically insured or identified motor vehicle  
489 registered or principally garaged in this state must provide  
490 bodily injury liability coverage and unless the policy also  
491 ~~provides coverage for property damage liability coverage~~ as  
492 required under by s. 324.022 and s. 324.151 and the death  
493 benefit required under s. 627.72761.

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

497 1. Coverage under policies as described in subsection (1)  
498 to an applicant for private passenger motor vehicle insurance  
499 coverage who is seeking the coverage in order to reinstate the  
500 applicant's driving privileges in this state if the driving  
501 privileges were revoked or suspended pursuant to s. 316.646 or  
502 s. 324.0221 due to the failure of the applicant to maintain  
503 required security.

504 2. Coverage under policies as described in subsection (1),



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505 which includes bodily injury ~~also provides~~ liability coverage  
506 and property damage liability coverage, ~~for bodily injury,~~  
507 ~~death, and property damage arising out of the ownership,~~  
508 ~~maintenance, or use of the motor vehicle~~ in an amount not less  
509 than the minimum limits required under ~~described in~~ s.  
510 324.021(7) or s. 324.023 and which conforms to the requirements  
511 of s. 324.151, to an applicant for private passenger motor  
512 vehicle insurance coverage who is seeking the coverage in order  
513 to reinstate the applicant's driving privileges in this state  
514 after such privileges were revoked or suspended under s. 316.193  
515 or s. 322.26(2) for driving under the influence.

516 (b) The policies described in paragraph (a) must ~~shall~~ be  
517 issued for at least 6 months and, as to the minimum coverages  
518 required under this section, may not be canceled by the insured  
519 for any reason or by the insurer after 60 days, during which  
520 period the insurer is completing the underwriting of the policy.  
521 After the insurer has completed underwriting the policy, the  
522 insurer shall notify the Department of Highway Safety and Motor  
523 Vehicles that the policy is in full force and effect and is not  
524 cancelable for the remainder of the policy period. A premium  
525 must ~~shall~~ be collected and the coverage is in effect for the  
526 60-day period during which the insurer is completing the  
527 underwriting of the policy, whether or not the person's driver  
528 license, motor vehicle tag, and motor vehicle registration are  
529 in effect. Once the noncancelable provisions of the policy  
530 become effective, the bodily injury liability and property  
531 damage liability coverages ~~for bodily injury, property damage,~~  
532 ~~and personal injury protection~~ may not be reduced below the  
533 minimum limits required under s. 324.021 or s. 324.023 during



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534 the policy period.

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

537 (d) An insurer issuing a policy subject to this section may  
538 cancel the policy if, during the policy term, the named insured,  
539 or any other operator who resides in the same household or  
540 customarily operates an automobile insured under the policy, has  
541 his or her driver license suspended or revoked.

542 (e) This subsection does not require an insurer to offer a  
543 policy of insurance to an applicant if such offer would be  
544 inconsistent with the insurer's underwriting guidelines and  
545 procedures.

546 Section 47. Section 627.72761, Florida Statutes, is created  
547 to read:

548 627.72761 Required motor vehicle death benefit coverage.—An  
549 insurance policy complying with the financial responsibility  
550 requirements of s. 324.022 must provide a death benefit of  
551 \$5,000 per deceased individual upon the death of the named  
552 insured, relatives residing in the same household, persons  
553 operating the insured motor vehicle, passengers in the motor  
554 vehicle, and other persons struck by the motor vehicle and  
555 suffering bodily injury while not an occupant of a self-  
556 propelled motor vehicle when such death arises out of the  
557 ownership, maintenance, or use of a motor vehicle. The insurer  
558 may pay death benefits to the executor or administrator of the  
559 deceased individual; to any of the deceased individual's  
560 relatives by blood, legal adoption, or marriage; or to any  
561 person appearing to the insurer to be equitably entitled to such  
562 benefits. The benefit may not be paid if the deceased individual



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563 died as a result of causing injury or death to himself or  
564 herself intentionally, or because of injuries or death incurred  
565 while committing a felony.

566 Section 48. Effective upon this act becoming a law, section  
567 627.7278, Florida Statutes, is created to read:

568 627.7278 Applicability and construction; notice to  
569 policyholders.-

570 (1) As used in this section, the term "minimum security  
571 requirements" means security that enables a person to respond in  
572 damages for liability on account of crashes arising out of the  
573 ownership, maintenance, or use of a motor vehicle, in the  
574 amounts required by s. 324.022(1), as amended by this act.

575 (2) Effective January 1, 2022:

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

578 (b) All persons subject to s. 324.022, s. 324.032, s.  
579 627.7415, or s. 627.742 must maintain at least minimum security  
580 requirements.

581 (c) Any new or renewal motor vehicle insurance policy  
582 delivered or issued for delivery in this state must provide  
583 coverage that complies with minimum security requirements and  
584 provides the death benefit set forth in s. 627.72761.

585 (d) An existing motor vehicle insurance policy issued  
586 before that date which provides personal injury protection and  
587 property damage liability coverage that meets the requirements  
588 of s. 324.022 on December 31, 2021, but which does not meet  
589 minimum security requirements on or after January 1, 2022, is  
590 deemed to meet minimum security requirements until such policy  
591 is renewed, nonrenewed, or canceled on or after January 1, 2022.



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592 Sections 400.9905, 400.991, 456.057, 456.072, 626.9541(1)(i),  
593 627.7263, 627.727, 627.730-627.7405, 627.748, and 817.234,  
594 Florida Statutes 2020, remain in full force and effect for motor  
595 vehicle accidents covered under a policy issued under the  
596 Florida Motor Vehicle No-Fault Law before January 1, 2022, until  
597 the policy is renewed, nonrenewed, or canceled on or after  
598 January 1, 2022.

599 (3) Each insurer shall allow each insured who has a new or  
600 renewal policy providing personal injury protection which  
601 becomes effective before January 1, 2022, and whose policy does  
602 not meet minimum security requirements on or after January 1,  
603 2022, to change coverages so as to eliminate personal injury  
604 protection and obtain coverage providing minimum security  
605 requirements and the death benefit set forth in s. 627.72761,  
606 which shall be effective on or after January 1, 2022. The  
607 insurer is not required to provide coverage complying with  
608 minimum security requirements and the death benefit set forth in  
609 s. 627.72761 in such policies if the insured does not pay the  
610 required premium, if any, by January 1, 2022, or such later date  
611 as the insurer may allow. The insurer also shall offer each  
612 insured medical payments coverage pursuant to s. 627.7265. Any  
613 reduction in the premium must be refunded by the insurer. The  
614 insurer may not impose on the insured an additional fee or  
615 charge that applies solely to a change in coverage; however, the  
616 insurer may charge an additional required premium that is  
617 actuarially indicated.

618 (4) By September 1, 2021, each motor vehicle insurer shall  
619 provide notice of this section to each motor vehicle  
620 policyholder who is subject to this section. The notice is



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621 subject to approval by the office and must clearly inform the  
622 policyholder that:

623 (a) The Florida Motor Vehicle No-Fault Law is repealed  
624 effective January 1, 2022, and that on or after that date, the  
625 insured is no longer required to maintain personal injury  
626 protection insurance coverage, that personal injury protection  
627 coverage is no longer available for purchase in this state, and  
628 that all new or renewal policies issued on or after that date  
629 will not contain that coverage.

630 (b) Effective January 1, 2022, a person subject to the  
631 financial responsibility requirements of s. 324.022 must:

632 1. Maintain minimum security requirements that enable the  
633 person to respond to damages for liability on account of  
634 accidents arising out of the use of a motor vehicle in the  
635 following amounts:

636 a. Twenty-five thousand dollars for bodily injury to, or  
637 the death of, one person in any one crash and, subject to such  
638 limits for one person, in the amount of \$50,000 for bodily  
639 injury to, or the death of, two or more persons in any one  
640 crash; and

641 b. Ten thousand dollars for damage to, or destruction of,  
642 the property of others in any one crash.

643 2. Purchase a death benefit pursuant to s. 627.72761  
644 providing coverage in the amount of \$5,000 per deceased  
645 individual upon the death of the named insured, relatives  
646 residing in the same household, persons operating the insured  
647 motor vehicle, passengers in the motor vehicle, and other  
648 persons struck by the motor vehicle and suffering bodily injury  
649 while not an occupant of a self-propelled motor vehicle, when



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650 such death arises out of the ownership, maintenance, or use of a  
651 motor vehicle.

652 (c) Bodily injury liability coverage protects the insured,  
653 up to the coverage limits, against loss if the insured is  
654 legally responsible for the death of or bodily injury to others  
655 in a motor vehicle accident.

656 (d) Effective January 1, 2022, each policyholder of motor  
657 vehicle liability insurance purchased as proof of financial  
658 responsibility must be offered medical payments coverage  
659 benefits that comply with s. 627.7265. The insurer must offer  
660 medical payments coverage at limits of \$5,000 and \$10,000  
661 without a deductible. The insurer may also offer medical  
662 payments coverage at other limits greater than \$5,000 and may  
663 offer coverage with a deductible of up to \$500. Medical payments  
664 coverage pays covered medical expenses incurred due to bodily  
665 injury, sickness, or disease arising out of the ownership,  
666 maintenance, or use of the motor vehicle, up to the limits of  
667 such coverage, for injuries sustained in a motor vehicle crash  
668 by the named insured, resident relatives, any persons operating  
669 the insured motor vehicle, passengers in the insured motor  
670 vehicle, and persons who are struck by the insured motor vehicle  
671 and suffer bodily injury while not an occupant of a self-  
672 propelled motor vehicle as provided in s. 627.7265. Medical  
673 payments coverage also provides a death benefit of at least  
674 \$5,000.

675 (e) The policyholder may obtain uninsured and underinsured  
676 motorist coverage that provides benefits, up to the limits of  
677 such coverage, to a policyholder or other insured entitled to  
678 recover damages for bodily injury, sickness, disease, or death





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679 resulting from a motor vehicle accident with an uninsured or  
680 underinsured owner or operator of a motor vehicle.

681 (f) If the policyholder's new or renewal motor vehicle  
682 insurance policy is effective before January 1, 2022, and  
683 contains personal injury protection and property damage  
684 liability coverage as required by state law before January 1,  
685 2022, but does not meet minimum security requirements on or  
686 after January 1, 2022, the policy is deemed to meet minimum  
687 security requirements and need not provide the death benefit set  
688 forth in s. 627.72761 until it is renewed, nonrenewed, or  
689 canceled on or after January 1, 2022.

690 (g) A policyholder whose new or renewal policy becomes  
691 effective before January 1, 2022, but does not meet minimum  
692 security requirements on or after January 1, 2022, may change  
693 coverages under the policy so as to eliminate personal injury  
694 protection and to obtain coverage providing minimum security  
695 requirements, including bodily injury liability coverage and the  
696 death benefit set forth in s. 627.72761, which are effective on  
697 or after January 1, 2022.

698 (h) If the policyholder has any questions, he or she should  
699 contact the person named at the telephone number provided in the  
700 notice.

701 Section 49. Paragraph (a) of subsection (1) of section  
702 627.728, Florida Statutes, is amended to read:

703 627.728 Cancellations; nonrenewals.—

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

705 (a) "Policy" means the bodily injury and property damage  
706 liability, ~~personal injury protection,~~ medical payments, death  
707 benefit, comprehensive, collision, and uninsured motorist



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708 coverage portions of a policy of motor vehicle insurance  
709 delivered or issued for delivery in this state:

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

713 2. Insuring only a motor vehicle of the private passenger  
714 type or station wagon type which is not used as a public or  
715 livery conveyance for passengers or rented to others; or  
716 insuring any other four-wheel motor vehicle having a load  
717 capacity of 1,500 pounds or less which is not used in the  
718 occupation, profession, or business of the insured other than  
719 farming; other than any policy issued under an automobile  
720 insurance assigned risk plan or covering garage, automobile  
721 sales agency, repair shop, service station, or public parking  
722 place operation hazards.

723  
724 The term "policy" does not include a binder as defined in s.  
725 627.420 unless the duration of the binder period exceeds 60  
726 days.

727 Section 50. Subsection (1), paragraph (a) of subsection  
728 (5), and subsections (6) and (7) of section 627.7295, Florida  
729 Statutes, are amended to read:

730 627.7295 Motor vehicle insurance contracts.-

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

732 (a) "Policy" means a motor vehicle insurance policy that  
733 provides death benefit coverage under s. 627.72761, bodily  
734 injury liability ~~personal injury protection coverage, and,~~  
735 ~~property damage liability coverage, or both.~~

736 (b) "Binder" means a binder that provides motor vehicle



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737 death benefit coverage under s. 627.72761, bodily injury  
738 liability coverage, ~~personal injury protection~~ and property  
739 damage liability coverage.

740 (5) (a) A licensed general lines agent may charge a per-  
741 policy fee of up to not to exceed \$10 to cover the  
742 administrative costs of the agent associated with selling the  
743 motor vehicle insurance policy if the policy covers only the  
744 death benefit coverage set forth in s. 627.72761, bodily injury  
745 liability coverage, ~~personal injury protection coverage as~~  
746 provided by s. ~~627.736~~ and property damage liability coverage as  
747 provided by s. 627.7275 and if no other insurance is sold or  
748 issued in conjunction with or collateral to the policy. The fee  
749 is not ~~considered~~ part of the premium.

750 (6) If a motor vehicle owner's driver license, license  
751 plate, and registration have previously been suspended pursuant  
752 to s. 316.646 ~~or s. 627.733~~, an insurer may cancel a new policy  
753 only as provided in s. 627.7275.

754 (7) A policy of private passenger motor vehicle insurance  
755 or a binder for such a policy may be initially issued in this  
756 state only if, before the effective date of such binder or  
757 policy, the insurer or agent has collected from the insured an  
758 amount equal to at least 1 month's premium. An insurer, agent,  
759 or premium finance company may not, directly or indirectly, take  
760 any action that results ~~resulting~~ in the insured paying having  
761 paid from the insured's own funds an amount less than the 1  
762 month's premium required by this subsection. This subsection  
763 applies without regard to whether the premium is financed by a  
764 premium finance company or is paid pursuant to a periodic  
765 payment plan of an insurer or an insurance agent.



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766           (a) This subsection does not apply:

767           1. If an insured or member of the insured's family is  
768 renewing or replacing a policy or a binder for such policy  
769 written by the same insurer or a member of the same insurer  
770 group. ~~This subsection does not apply~~

771           2. To an insurer that issues private passenger motor  
772 vehicle coverage primarily to active duty or former military  
773 personnel or their dependents. ~~This subsection does not apply~~

774           3. If all policy payments are paid pursuant to a payroll  
775 deduction plan, an automatic electronic funds transfer payment  
776 plan from the policyholder, or a recurring credit card or debit  
777 card agreement with the insurer.

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

779           1. All policy payments to an insurer are paid pursuant to  
780 an automatic electronic funds transfer payment plan from an  
781 agent, a managing general agent, or a premium finance company  
782 and if the policy includes, at a minimum, the death benefit  
783 coverage set forth in s. 627.72761, bodily injury liability  
784 coverage, and ~~personal injury protection pursuant to ss.~~  
785 ~~627.730-627.7405; motor vehicle property damage liability~~  
786 coverage pursuant to s. 627.7275; ~~or and bodily injury liability~~  
787 ~~in at least the amount of \$10,000 because of bodily injury to,~~  
788 ~~or death of, one person in any one accident and in the amount of~~  
789 ~~\$20,000 because of bodily injury to, or death of, two or more~~  
790 ~~persons in any one accident. This subsection and subsection (4)~~  
791 ~~do not apply if~~

792           2. An insured has had a policy in effect for at least 6  
793 months, the insured's agent is terminated by the insurer that  
794 issued the policy, and the insured obtains coverage on the



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795 policy's renewal date with a new company through the terminated  
796 agent.

797 Section 51. Section 627.7415, Florida Statutes, is amended  
798 to read:

799 627.7415 Commercial motor vehicles; additional liability  
800 insurance coverage.—Beginning January 1, 2022, commercial motor  
801 vehicles, as defined in s. 207.002 or s. 320.01, operated upon  
802 the roads and highways of this state must ~~shall~~ be insured with  
803 the following minimum levels of combined bodily liability  
804 insurance and property damage liability insurance in addition to  
805 any other insurance requirements:

806 (1) Sixty ~~Fifty~~ thousand dollars per occurrence for a  
807 commercial motor vehicle with a gross vehicle weight of 26,000  
808 pounds or more, but less than 35,000 pounds.

809 (2) One hundred twenty thousand dollars per occurrence for  
810 a commercial motor vehicle with a gross vehicle weight of 35,000  
811 pounds or more, but less than 44,000 pounds.

812 (3) Three hundred thousand dollars per occurrence for a  
813 commercial motor vehicle with a gross vehicle weight of 44,000  
814 pounds or more.

815 (4) All commercial motor vehicles subject to regulations of  
816 the United States Department of Transportation, 49 C.F.R. part  
817 387, subpart A, and as may be hereinafter amended, shall be  
818 insured in an amount equivalent to the minimum levels of  
819 financial responsibility as set forth in such regulations.

820  
821 A violation of this section is a noncriminal traffic infraction,  
822 punishable as a nonmoving violation as provided in chapter 318.

823 Section 52. Section 627.747, Florida Statutes, is created



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824 to read:

825 627.747 Named driver exclusion.—

826 (1) A private passenger motor vehicle policy may exclude  
827 the following coverages for all claims or suits resulting from  
828 the operation of a motor vehicle by an identified individual who  
829 is not a named insured, provided that the identified individual  
830 is specifically excluded by name on the declarations page or by  
831 endorsement and the policyholder consents in writing to the  
832 exclusion:

833 (a) Property damage liability coverage.

834 (b) Bodily injury liability coverage.

835 (c) Death benefit coverage under s. 627.72761, for the  
836 death of the identified excluded individual.

837 (d) Uninsured motorist coverage for any damages sustained  
838 by the identified excluded individual, if the policyholder has  
839 purchased such coverage.

840 (e) Medical payments coverage for any injuries sustained by  
841 the identified excluded individual, if the policyholder has  
842 purchased such coverage.

843 (f) Any coverage the policyholder is not required by law to  
844 purchase.

845 (2) A private passenger motor vehicle policy may not  
846 exclude coverage when:

847 (a) The identified excluded individual is injured while not  
848 operating a motor vehicle;

849 (b) The exclusion is unfairly discriminatory under the  
850 Florida Insurance Code, as determined by the office; or

851 (c) The exclusion is inconsistent with the underwriting  
852 rules filed by the insurer pursuant to s. 627.0651(13)(a).



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853           (3) A driver excluded pursuant to this section must  
854 establish, maintain, and show proof of financial ability to  
855 respond for damages arising out of ownership, maintenance, or  
856 use of a motor vehicle as required by chapter 324.

857           (4) An identified excluded individual's failure to comply  
858 with subsection (3) does not invalidate a properly executed  
859 exclusion issued in compliance with subsections (1) and (2).

860           Section 52. Paragraphs (b), (c), and (g) of subsection (7),  
861 paragraphs (a) and (b) of subsection (8), and paragraph (b) of  
862 subsection (16) of section 627.748, Florida Statutes, are  
863 amended to read:

864           627.748 Transportation network companies.—

865           (7) TRANSPORTATION NETWORK COMPANY AND TNC DRIVER INSURANCE  
866 REQUIREMENTS.—

867           (b) The following automobile insurance requirements apply  
868 while a participating TNC driver is logged on to the digital  
869 network but is not engaged in a prearranged ride:

870           1. Automobile insurance that provides:

871           a. A primary automobile liability coverage of at least  
872 \$50,000 for death and bodily injury per person, \$100,000 for  
873 death and bodily injury per incident, and \$25,000 for property  
874 damage; and

875           ~~b. Personal injury protection benefits that meet the~~  
876 ~~minimum coverage amounts required under ss. 627.730-627.7405;~~  
877 ~~and~~

878           b.e. Uninsured and underinsured vehicle coverage as  
879 required by s. 627.727.

880           2. The coverage requirements of this paragraph may be  
881 satisfied by any of the following:



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882 a. Automobile insurance maintained by the TNC driver or the  
883 TNC vehicle owner;

884 b. Automobile insurance maintained by the TNC; or

885 c. A combination of sub-subparagraphs a. and b.

886 (c) The following automobile insurance requirements apply  
887 while a TNC driver is engaged in a prearranged ride:

888 1. Automobile insurance that provides:

889 a. A primary automobile liability coverage of at least \$1  
890 million for death, bodily injury, and property damage; and

891 ~~b. Personal injury protection benefits that meet the~~  
892 ~~minimum coverage amounts required of a limousine under ss.~~  
893 ~~627.730-627.7405; and~~

894 b. e. Uninsured and underinsured vehicle coverage as  
895 required by s. 627.727.

896 2. The coverage requirements of this paragraph may be  
897 satisfied by any of the following:

898 a. Automobile insurance maintained by the TNC driver or the  
899 TNC vehicle owner;

900 b. Automobile insurance maintained by the TNC; or

901 c. A combination of sub-subparagraphs a. and b.

902 (g) Insurance satisfying the requirements under this  
903 subsection is deemed to satisfy the financial responsibility  
904 requirement for a motor vehicle under chapter 324 ~~and the~~  
905 ~~security required under s. 627.733~~ for any period when the TNC  
906 driver is logged onto the digital network or engaged in a  
907 prearranged ride.

908 (8) TRANSPORTATION NETWORK COMPANY AND INSURER; DISCLOSURE;  
909 EXCLUSIONS.—

910 (a) Before a TNC driver is allowed to accept a request for





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911 a prearranged ride on the digital network, the TNC must disclose  
912 in writing to the TNC driver:

913 1. The insurance coverage, including the types of coverage  
914 and the limits for each coverage, which the TNC provides while  
915 the TNC driver uses a TNC vehicle in connection with the TNC's  
916 digital network.

917 2. That the TNC driver's own automobile insurance policy  
918 might not provide any coverage while the TNC driver is logged on  
919 to the digital network or is engaged in a prearranged ride,  
920 depending on the terms of the TNC driver's own automobile  
921 insurance policy.

922 3. That the provision of rides for compensation which are  
923 not prearranged rides subjects the driver to the coverage  
924 requirements imposed under s. 324.032(1) and (2) and that  
925 failure to meet such coverage requirements subjects the TNC  
926 driver to penalties provided in s. 324.221, up to and including  
927 a misdemeanor of the second degree.

928 (b)1. An insurer that provides an automobile liability  
929 insurance policy under this part may exclude any and all  
930 coverage afforded under the policy issued to an owner or  
931 operator of a TNC vehicle while driving that vehicle for any  
932 loss or injury that occurs while a TNC driver is logged on to a  
933 digital network or while a TNC driver provides a prearranged  
934 ride. Exclusions imposed under this subsection are limited to  
935 coverage while a TNC driver is logged on to a digital network or  
936 while a TNC driver provides a prearranged ride. This right to  
937 exclude all coverage may apply to any coverage included in an  
938 automobile insurance policy, including, but not limited to:

939 a. Liability coverage for bodily injury and property



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940 damage;

941       b. Uninsured and underinsured motorist coverage;

942       c. Medical payments coverage;

943       d. Comprehensive physical damage coverage;

944       e. Collision physical damage coverage; and

945       f. Death benefit coverage under 627.72761 ~~Personal injury~~

946 ~~protection.~~

947       2. The exclusions described in subparagraph 1. apply

948 notwithstanding any requirement under chapter 324. These

949 exclusions do not affect or diminish coverage otherwise

950 available for permissive drivers or resident relatives under the

951 personal automobile insurance policy of the TNC driver or owner

952 of the TNC vehicle who are not occupying the TNC vehicle at the

953 time of loss. This section does not require that a personal

954 automobile insurance policy provide coverage while the TNC

955 driver is logged on to a digital network, while the TNC driver

956 is engaged in a prearranged ride, or while the TNC driver

957 otherwise uses a vehicle to transport riders for compensation.

958       3. This section must not be construed to require an insurer

959 to use any particular policy language or reference to this

960 section in order to exclude any and all coverage for any loss or

961 injury that occurs while a TNC driver is logged on to a digital

962 network or while a TNC driver provides a prearranged ride.

963       4. This section does not preclude an insurer from providing

964 primary or excess coverage for the TNC driver's vehicle by

965 contract or endorsement.

966       (16) LUXURY GROUND TRANSPORTATION NETWORK COMPANIES.—

967       (b) An entity may elect, upon written notification to the

968 department, to be regulated as a luxury ground TNC. A luxury



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969 ground TNC must:

970 1. Comply with all of the requirements of this section  
971 applicable to a TNC, including subsection (17), which do not  
972 conflict with subparagraph 2. or which do not prohibit the  
973 company from connecting riders to drivers who operate for-hire  
974 vehicles as defined in s. 320.01(15), including limousines and  
975 luxury sedans and excluding taxicabs.

976 2. Maintain insurance coverage as required by subsection  
977 (7). However, if a prospective luxury ground TNC satisfies  
978 minimum financial responsibility through compliance with s.  
979 324.032(3) ~~s. 324.032(2)~~ by using self-insurance when it gives  
980 the department written notification of its election to be  
981 regulated as a luxury ground TNC, the luxury ground TNC may use  
982 self-insurance to meet the insurance requirements of subsection  
983 (7), so long as such self-insurance complies with s. 324.032(3)  
984 ~~s. 324.032(2)~~ and provides the limits of liability required by  
985 subsection (7).

986 Section 53. Paragraph (a) of subsection (2) of section  
987 627.749, Florida Statutes, is amended to read:

988 627.749 Autonomous vehicles; insurance requirements.—

989 (2) INSURANCE REQUIREMENTS.—

990 (a) A fully autonomous vehicle with the automated driving  
991 system engaged while logged on to an on-demand autonomous  
992 vehicle network or engaged in a prearranged ride must be covered  
993 by a policy of automobile insurance which provides:

994 1. Primary liability coverage of at least \$1 million for  
995 death, bodily injury, and property damage.

996 ~~2. Personal injury protection benefits that meet the~~  
997 ~~minimum coverage amounts required under ss. 627.730-627.7405.~~



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998           ~~2.3.~~ Uninsured and underinsured vehicle coverage as  
999 required by s. 627.727.

1000           Section 54. Section 627.8405, Florida Statutes, is amended  
1001 to read:

1002           627.8405 Prohibited acts; financing companies.—~~A~~ ~~No~~ premium  
1003 finance company ~~shall~~, in a premium finance agreement or other  
1004 agreement, may not finance the cost of or otherwise provide for  
1005 the collection or remittance of dues, assessments, fees, or  
1006 other periodic payments of money for the cost of:

1007           (1) A membership in an automobile club. The term  
1008 "automobile club" means a legal entity that ~~which~~, in  
1009 consideration of dues, assessments, or periodic payments of  
1010 money, promises its members or subscribers to assist them in  
1011 matters relating to the ownership, operation, use, or  
1012 maintenance of a motor vehicle; however, the term ~~this~~  
1013 ~~definition of "automobile club"~~ does not include persons,  
1014 associations, or corporations ~~which are~~ organized and operated  
1015 solely for the purpose of conducting, sponsoring, or sanctioning  
1016 motor vehicle races, exhibitions, or contests upon racetracks,  
1017 or upon racecourses established and marked as such for the  
1018 duration of such particular events. As used in this subsection,  
1019 the term ~~words~~ "motor vehicle" has ~~used herein~~ have the same  
1020 meaning as ~~defined~~ in chapter 320.

1021           (2) An accidental death and dismemberment policy sold in  
1022 combination with a policy providing only death benefit coverage  
1023 under s. 627.72761, bodily injury liability coverage, ~~personal~~  
1024 injury protection and property damage liability coverage only  
1025 policy.

1026           (3) Any product not regulated under ~~the provisions of this~~



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1027 insurance code.

1028

1029 This section also applies to premium financing by any insurance  
1030 agent or insurance company under part XVI. The commission shall  
1031 adopt rules to assure disclosure, at the time of sale, of  
1032 coverages financed ~~with personal injury protection~~ and shall  
1033 prescribe the form of such disclosure.

1034 Section 55. Subsection (1) of section 627.915, Florida  
1035 Statutes, is amended to read:

1036 627.915 Insurer experience reporting.-

1037 (1) Each insurer transacting private passenger automobile  
1038 insurance in this state shall report certain information  
1039 annually to the office. The information will be due on or before  
1040 July 1 of each year. The information must ~~shall~~ be divided into  
1041 the following categories: bodily injury liability; property  
1042 damage liability; uninsured motorist; death benefit coverage  
1043 under s. 627.72761; ~~personal injury protection~~

1044

1045 ===== T I T L E A M E N D M E N T =====

1046 And the title is amended as follows:

1047 Between lines 3565 and 3566

1048 insert:

1049 creating s. 627.72761, F.S.; requiring motor vehicle  
1050 insurance policies to provide death benefits;  
1051 specifying requirements for and persons to whom such  
1052 benefits may and may not be paid;