

By Senator Wise

5-295-05

See HB

1 A bill to be entitled
2 An act relating to motor vehicle driving
3 privilege requirements; amending s. 320.055,
4 F.S.; providing for a 6-month vehicle
5 registration for persons reinstating a driver's
6 license that has been suspended for driving
7 under the influence; requiring the Department
8 of Highway Safety and Motor Vehicles to issue
9 6-month vehicle registration certificates and
10 validation stickers; specifying the amount of
11 taxes and charges which must be paid; amending
12 s. 324.131, F.S.; requiring persons whose
13 license or registration has been suspended or
14 revoked due to a violation of driving under the
15 influence to maintain, for 3 years, certain
16 noncancelable liability coverage; authorizing
17 the Department of Highway Safety and Motor
18 Vehicles to adopt a form for proof of such
19 coverage; amending s. 627.7275, F.S.; requiring
20 insurers to make bodily injury, death, and
21 property damage liability coverage that is
22 noncancelable for a certain period available to
23 certain applicants seeking coverage for
24 reinstatement of driving privileges revoked or
25 suspended for driving under the influence;
26 authorizing insurers to cancel certain motor
27 vehicle insurance policies under certain
28 circumstances; providing that insurers are not
29 required to offer insurance policies under
30 certain circumstances; providing an effective
31 date.

1 Be It Enacted by the Legislature of the State of Florida:

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3 Section 1. Subsection (1) of section 320.055, Florida
4 Statutes, is amended to read:

5 320.055 Registration periods; renewal periods.--The
6 following registration periods and renewal periods are
7 established:

8 (1)~~(a)~~ For a motor vehicle subject to registration
9 under s. 320.08(1), (2), (3), (5)(b), (c), (d), or (f),
10 (6)(a), (7), (8), (9), or (10) and owned by a natural person,
11 the registration period begins the first day of the birth
12 month of the owner and ends the last day of the month
13 immediately preceding the owner's birth month in the
14 succeeding year. If such vehicle is registered in the name of
15 more than one person, the birth month of the person whose name
16 first appears on the registration shall be used to determine
17 the registration period. For a vehicle subject to this
18 registration period, the renewal period is the 30-day period
19 ending at midnight on the vehicle owner's date of birth.

20 ~~(b) Notwithstanding the requirements of paragraph (a),~~
21 ~~the owner of a motor vehicle subject to paragraph (a) who has~~
22 ~~had his or her driver's license suspended pursuant to a~~
23 ~~violation of s. 316.193 or pursuant to s. 322.26(2) for~~
24 ~~driving under the influence must obtain a 6-month registration~~
25 ~~as a condition of reinstating the license, subject to renewal~~
26 ~~during the 3-year period that financial responsibility~~
27 ~~requirements apply. The registration period begins the first~~
28 ~~day of the birth month of the owner and ends the last day of~~
29 ~~the fifth month immediately following the owner's birth month.~~
30 ~~For such vehicles, the department shall issue a vehicle~~
31 ~~registration certificate that is valid for 6 months and shall~~

1 issue a validation sticker that displays an expiration date of
2 6 months after the date of issuance. The license tax required
3 by s. 320.08 and all other applicable license taxes shall be
4 one-half of the amount otherwise required, except the service
5 charge required by s. 320.04 shall be paid in full for each
6 6-month registration.

7 Section 2. Section 324.131, Florida Statutes, is
8 amended to read:

9 324.131 Period of suspension.--Such license,
10 registration and nonresident's operating privilege shall
11 remain so suspended and shall not be renewed, nor shall any
12 such license or registration be thereafter issued in the name
13 of such person, including any such person not previously
14 licensed, unless and until every such judgment is stayed,
15 satisfied in full or to the extent of the limits stated in s.
16 324.021(7) and until the said person gives proof of financial
17 responsibility as provided in s. 324.031, such proof to be
18 maintained for 3 years. In addition, if the person's license
19 or registration has been suspended or revoked due to a
20 violation of s. 316.193 or pursuant to s. 322.26(2), that
21 person shall maintain noncancelable liability coverage for
22 each motor vehicle registered in his or her name, as described
23 in s. 627.7275(2), and must present proof that coverage is in
24 force on a form adopted by the Department of Highway Safety
25 and Motor Vehicles, such proof to be maintained for 3 years.

26 Section 3. Section 627.7275, Florida Statutes, is
27 amended to read:

28 627.7275 Motor vehicle ~~property damage~~ liability.--
29 (1) ~~A No~~ motor vehicle insurance policy providing
30 personal injury protection as set forth in s. 627.736 may not
31 ~~shall~~ be delivered or issued for delivery in this state with

1 respect to any specifically insured or identified motor
2 vehicle registered or principally garaged in this state unless
3 the policy also provides coverage for property damage
4 liability in the amount of at least \$10,000 because of damage
5 to, or destruction of, property of others in any one accident
6 arising out of the use of the motor vehicle or unless the
7 policy provides coverage in the amount of at least \$30,000 for
8 combined property damage liability and bodily injury liability
9 in any one accident arising out of the use of the motor
10 vehicle. The policy, as to coverage of property damage
11 liability, must ~~shall~~ meet the applicable requirements of s.
12 324.151, subject to the usual policy exclusions that ~~such as~~
13 have been approved in policy forms by the office.

14 (2)(a) Insurers writing motor vehicle insurance in
15 this state shall make available, subject to the insurers'
16 usual underwriting restrictions:—

17 1. Coverage under policies as described in subsection
18 ~~(1) of this section~~ to any applicant for private passenger
19 motor vehicle insurance coverage who is seeking the coverage
20 in order to reinstate the applicant's driving privileges in
21 this state when the driving privileges were revoked or
22 suspended pursuant to s. 316.646 or s. 627.733 due to the
23 failure of the applicant to maintain required security.

24 2. Coverage under policies as described in subsection
25 (1), which also provides liability coverage for bodily injury,
26 death, and property damage arising out of the ownership,
27 maintenance, or use of the motor vehicle in an amount not less
28 than the limits described in s. 324.021(7) and conforms to the
29 requirements of s. 324.151, to any applicant for private
30 passenger motor vehicle insurance coverage who is seeking the
31 coverage in order to reinstate the applicant's driving

1 privileges in this state after such privileges were revoked or
2 suspended under s. 316.193 or s. 322.26(2) for driving under
3 the influence.

4 (b) The policies described in paragraph (a) ~~policy~~
5 shall be issued for a period of at least 6 months and as to
6 the minimum coverages required under this section shall not be
7 cancelable by the insured for any reason or by the insurer
8 after a period not to exceed 30 days during which the insurer
9 must complete underwriting of the policy. After the insurer
10 has completed underwriting the policy within the 30-day
11 period, the insurer shall notify the Department of Highway
12 Safety and Motor Vehicles that the policy is in full force and
13 effect and the policy shall not be cancelable for the
14 remainder of the policy period. A premium shall be collected
15 and coverage shall be in effect for the 30-day period during
16 which the insurer is completing the underwriting of the policy
17 whether or not the person's driver license, motor vehicle tag,
18 and motor vehicle registration are in effect. Once the
19 noncancelable provisions of the policy become effective, the
20 coverage or risk shall not be changed during the policy period
21 and the premium shall be nonrefundable. If, during the
22 pendency of the 2-year proof of insurance period required
23 under s. 627.733(7) or during the 3-year proof of financial
24 responsibility required under s. 324.131, whichever is
25 applicable, the insured obtains additional coverage or
26 coverage for an additional risk or changes territories, the
27 insured must obtain a new 6-month noncancelable policy in
28 accordance with the provisions of this section. However, if
29 the insured must obtain a new 6-month policy and obtains the
30 policy from the same insurer, the policyholder shall receive
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1 credit on the new policy for any premium paid on the
2 previously issued policy.

3 ~~(c)(b) The provisions of~~ This subsection controls
4 ~~shall control~~ to the extent of any conflict with any other
5 section.

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

12 (e) Nothing in this subsection requires an insurer to
13 offer a policy of insurance to an applicant if such offer
14 would be inconsistent with the insurer's underwriting
15 guidelines and procedures.

16 Section 4. This act shall take effect October 1, 2005.
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