

June 28, 2012

TO: All Fire and Property and Casualty Companies
Authorized to Issue Motor Vehicle Policies in Florida

FROM: Julie W. Gentry, Chief
Bureau of Motorist Compliance *JWG*

SUBJECT: Legislative Changes Contained in CS/CS/HB 1223

In the 2012 legislative session, several changes were made which include; the reporting of insurance cancellations for commercial motor vehicles; the reduction of days the department has to notify customers of pending suspensions; and the date the department requires coverage for FR Points Suspensions and Habitual Offender (HTO) Revocations due to certain convictions. All the following changes take place **effective January 1, 2013:**

Section 320.02(5)(e), F.S., covers commercial motor vehicles and was amended to add a requirement that the insurer provide cancellation notice to the department at the same time the notice is provided to the insured. We are programming our systems to immediately generate a cancellation letter to the customer indicating the cancellation date upon receiving that notification from the insurance company. Note: 30 day cancellation notices will no longer be required on *any* document for registration purposes and implementation directives will be relayed to all Tax Collectors, License Plate Agencies and Driver License Offices before the implementation date. The exact language is located in Section 28 of HB 1223. Until January 1, 2013, please continue to follow the instructions outlined in the December 13, 2011, letter from this Agency to the insurance industry.

Section 322.251(2), F.S., was amended to change the expiration for notices issued under chapter 324 or ss. 627.732-627.734 from 20 days to 15 days after deposit in the United States mail. The driver license suspension will take effect on the 16th day for all Financial Responsibility cases. (The 20 days in this statute was in conflict with the 30 days in Chapter 324.) The exact language is located in Section 57 of HB 1223.

Section 324.072(1), F.S., was modified to state that the department will not suspend a person's registration if the person had insurance coverage limits required under s. 324.031 on the arrest/ticket date of the latest offense that caused either the point suspension or habitual traffic offender revocation or meet the previous requirements under this law. The exact language is located in Section 65 of HB 1223.

Section 324.091(1), F.S., was amended to require each owner and operator involved in a crash or conviction case within the purview of chapter 324 to notify the department of liability insurance within 15 days from the date of notice instead of 30 days. The suspension will take effect on the 16th day. The exact language is located in Section 66 of HB 1223.

You may go to <http://www.flsenate.gov/Session/Bill/2012/1223/BillText/er/PDF> for the latest updated department house bill. If you have any questions or concerns, please contact cherylzenoz@flhsmv.gov.

JWG/lwf/ldl