

By the Committee on Criminal Justice; and Senator Diaz

591-01936-22

2022266c1

1 A bill to be entitled
2 An act relating to motor vehicle insurance; creating
3 s. 627.7491, F.S.; defining terms; requiring agencies
4 that employ law enforcement officers to maintain motor
5 vehicle insurance under certain circumstances;
6 providing exceptions; providing liability limitations;
7 providing methods in which the employing agency may
8 meet the liability insurance requirements; providing a
9 declaration of important state interest; providing an
10 effective date.

11
12 Be It Enacted by the Legislature of the State of Florida:

13
14 Section 1. Section 627.7491, Florida Statutes, is created
15 to read:

16 627.7491 Official law enforcement vehicles; motor vehicle
17 insurance requirements.-

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

19 (a) "Employing agency" means an agency that employs a law
20 enforcement officer.

21 (b) "Law enforcement officer" has the same meaning as in s.
22 943.10(1).

23 (2) If an employing agency authorizes a law enforcement
24 officer to travel to his or her place of residence in an
25 official law enforcement vehicle outside of the course and scope
26 of the officer's employment or function, the employing agency
27 must maintain current and valid motor vehicle insurance,
28 including bodily injury, death, and property damage liability
29 coverage, which covers the period in which a law enforcement

591-01936-22

2022266c1

30 officer travels to or from work in an official law enforcement
31 vehicle and covers the time a law enforcement officer travels to
32 and from any other employing agency assignment in an official
33 law enforcement vehicle. However, such motor vehicle insurance
34 is not required to provide for coverage if:

35 (a) The law enforcement officer makes a distinct deviation
36 for a nonessential personal errand unless a collective
37 bargaining agreement permits such deviation; or

38 (b) The law enforcement officer acts in bad faith or with
39 malicious purpose or in a manner exhibiting wanton and willful
40 disregard of human rights, safety, or property.

41 (3) Any suit or action brought or maintained against an
42 employing agency for damages arising out of tort pursuant to
43 this section, including, without limitation, any claim arising
44 upon account of an act causing loss of property, personal
45 injury, or death, shall be subject to the limitations provided
46 in s. 768.28(5).

47 (4) The requirements of this section may be met by any
48 method authorized by s. 768.28(16).

49 Section 2. The Legislature finds and declares that this act
50 fulfills an important state interest.

51 Section 3. This act shall take effect July 1, 2022.