

CHAPTER 2022-91

Committee Substitute for Senate Bill No. 266

An act relating to motor vehicle insurance; creating s. 627.7491, F.S.; defining terms; requiring agencies that employ law enforcement officers to maintain motor vehicle insurance under certain circumstances; providing exceptions; providing liability limitations; providing methods in which the employing agency may meet the liability insurance requirements; providing a declaration of important state interest; providing an effective date.

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

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

627.7491 Official law enforcement vehicles; motor vehicle insurance requirements.—

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

(a) “Employing agency” means an agency that employs a law enforcement officer.

(b) “Law enforcement officer” has the same meaning as in s. 943.10(1).

(2) If an employing agency authorizes a law enforcement officer to travel to his or her place of residence in an official law enforcement vehicle, the employing agency shall maintain current and valid motor vehicle insurance, including bodily injury, death, and property damage liability coverage that covers the period in which a law enforcement officer travels to or from work in an official law enforcement vehicle and covers the time a law enforcement officer travels to and from any other employing agency assignment in an official law enforcement vehicle. However, such motor vehicle insurance is not required to provide for coverage if:

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

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

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

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

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

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

Approved by the Governor May 6, 2022.

Filed in Office Secretary of State May 6, 2022.