

26 Section 1. Present subsections (1) through (5), (6), and
 27 (7) of section 559.903, Florida Statutes, are redesignated as
 28 subsections (2) through (6), (8), and (9), respectively, a new
 29 subsection (1) is added to that section, and present subsection
 30 (8) of that section is amended, to read:

31 559.903 Definitions.—As used in this act:

32 (1) "Advanced driver assistance system" means any motor
 33 vehicle electronic safety system that is associated with motor
 34 vehicle glass and is designed to support the driver and motor
 35 vehicle in a manner intended to increase motor vehicle safety
 36 and reduce losses associated with motor vehicle crashes.

37 (7)(8) "Motor vehicle repair" means all maintenance of and
 38 modifications and repairs to motor vehicles, and diagnostic work
 39 incident thereto, including, but not limited to, the rebuilding
 40 or restoring of rebuilt vehicles, body work, painting, warranty
 41 work, calibration or recalibration of advanced driver assistance
 42 systems, and other work customarily undertaken by motor vehicle
 43 repair shops.

44 Section 2. Section 2. Section 559.920, Florida Statutes,
 45 is amended to read:

46 559.920 Unlawful acts and practices.—It is ~~shall be~~ a
 47 violation of this act for any motor vehicle repair shop or
 48 employee thereof to do any of the following:

49 (1) Engage or attempt to engage in repair work for
 50 compensation of any type without first being registered with or

51 having submitted an affidavit of exemption to the department.†

52 (2) Make or charge for repairs that ~~which~~ have not been
 53 expressly or impliedly authorized by the customer.†—(3)

54 Misrepresent that repairs have been made to a motor vehicle.†

55 (4) Misrepresent that certain parts and repairs are
 56 necessary to repair a vehicle.†

57 (5) Misrepresent that the vehicle being inspected or
 58 diagnosed is in a dangerous condition or that the customer's
 59 continued use of the vehicle may be harmful or cause great
 60 damage to the vehicle.†

61 (6) Fraudulently alter any customer contract, estimate,
 62 invoice, or other document.†

63 (7) Fraudulently misuse any customer's credit card.†

64 (8) Make or authorize in any manner or by any means
 65 ~~whatever~~ any written or oral statement that ~~which~~ is untrue,
 66 deceptive,† or misleading~~†~~ and that ~~which~~ is known, or that ~~which~~
 67 by the exercise of reasonable care should be known, to be
 68 untrue, deceptive,† or misleading.†

69 (9) Make false promises of a character likely to
 70 influence, persuade, or induce a customer to authorize the
 71 repair, service, or maintenance of a motor vehicle.†

72 (10) Substitute used, rebuilt, salvaged, or straightened
 73 parts for new replacement parts without notice to the motor
 74 vehicle owner and to her or his insurer if the cost of repair is
 75 to be paid pursuant to an insurance policy and the identity of

76 | the insurer or its claims adjuster is disclosed to the motor
 77 | vehicle repair shop.~~†~~

78 | (11) Cause or allow a customer to sign any work order that
 79 | does not state the repairs requested by the customer or the
 80 | automobile's odometer reading at the time of repair.~~†~~

81 | (12) Fail or refuse to give to a customer a copy of any
 82 | document requiring the customer's signature upon completion or
 83 | cancellation of the repair work.~~†~~

84 | (13) Willfully depart from or disregard accepted practices
 85 | and professional standards.~~†~~

86 | (14) Have repair work subcontracted without the knowledge
 87 | or consent of the customer unless the motor vehicle repair shop
 88 | or employee thereof demonstrates that the customer could not
 89 | reasonably have been notified.~~†~~

90 | (15) Conduct the business of motor vehicle repair in a
 91 | location other than that stated on the registration
 92 | certificate.~~†~~

93 | (16) Rebuild or restore a rebuilt vehicle without the
 94 | knowledge of the owner in such a manner that it does not conform
 95 | to the original vehicle manufacturer's established repair
 96 | procedures or specifications and allowable tolerances for the
 97 | particular model and year.~~†~~~~or~~

98 | (17) Offer to a customer a rebate, gift, gift card, cash,
 99 | coupon, or any other thing of value in exchange for making an
 100 | insurance claim for motor vehicle glass replacement or repair,

101 including, but not limited to, calibration or recalibration of
 102 an advanced driver assistance system. A nonemployee who is
 103 compensated for the solicitation of insurance claims is also
 104 prohibited from making such offer.

105 (18) Fail to provide electronic notice or written notice
 106 in at least 12-point type to the customer whether the
 107 calibration or recalibration of the advanced driver assistance
 108 system is required as part of the replacement or repair of motor
 109 vehicle glass to make such system operable and to ensure such
 110 service is performed in a manner that meets or exceeds the
 111 vehicle manufacturer's specifications.

112 (20) Perform any other act that is a violation of this
 113 part or that constitutes fraud or misrepresentation.

114 (19)-(18) Violate any provision of s. 713.585.

115 Section 3. Section 627.7288, Florida Statutes, is amended
 116 to read:

117 627.7288 Comprehensive coverage; deductible not to apply
 118 to motor vehicle windshield glass; exceptions.-

119 (1) Except as otherwise provided in this section, the
 120 deductible provisions of any policy of motor vehicle insurance,
 121 delivered or issued in this state by an authorized insurer,
 122 providing comprehensive coverage or combined additional coverage
 123 shall not be applicable to damage to the windshield of any motor
 124 vehicle covered under such policy.

125 (2) An insurer may offer to an insured or applicant, upon

126 the issuance or renewal of a policy providing comprehensive
 127 coverage or combined additional coverage, a deductible of \$250
 128 for claims of damage to the windshield of any motor vehicle
 129 covered under such policy. The insured or applicant may decline
 130 the offer of a deductible.

131 (3) If a deductible for comprehensive coverage or combined
 132 additional coverage is applied to a loss that includes damage in
 133 addition to windshield damage, no deductible under section this
 134 may apply.

135 Section 4. Section 627.7289, Florida Statutes, is created
 136 to read:

137 627.7289 Assignment of post-loss motor vehicle glass
 138 benefits prohibited.—

139 (1) A policyholder or any other person may not enter into
 140 an assignment agreement of post-loss benefits for motor vehicle
 141 glass replacement or repair, including, but not limited to, for
 142 calibration or recalibration of advanced driver assistance
 143 systems as defined in s. 559.903, under a policy of motor
 144 vehicle insurance issued or renewed in this state by an
 145 authorized insurer on or after July 1, 2023. Any such assignment
 146 agreement entered into in violation of this subsection is void
 147 and unenforceable.

148 (2) As used in this section, the term "assignment
 149 agreement" means any instrument, regardless of how such
 150 agreement is named or styled, by which post-loss benefits,

151 including, but not limited to, claim payments, under a motor
152 vehicle insurance policy are, in whole or in part, assigned or
153 transferred to, or acquired in any manner by, a person providing
154 services for motor vehicle glass replacement or repair,
155 including, but not limited to, inspecting, protecting,
156 repairing, restoring, or replacing the motor vehicle glass or
157 calibrating or recalibrating advanced driver assistance systems.

158 Section 5. This act shall take effect July 1, 2023.