



**State of Florida**  
**DEPARTMENT OF**  
**HIGHWAY SAFETY AND MOTOR VEHICLES**

**ELECTRA THEODORIDES-BUSTLE**  
Executive Director

December 19, 2007

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

**FROM:** Deborah Todd, Chief  
Bureau of Financial Responsibility

**SUBJECT:** FR (4) Cases – Increased BIL/PDL limits for DUI Cases

Effective October 1, 2007, s. 324.023 Florida Statutes, requires proof of increased financial responsibility in the form of liability insurance for bodily injury or death, in those circumstances where a person has been convicted for driving under the influence. This section pertains to owners or operators found guilty, or who enters a plea of guilty or nolo contendere to a charge of driving under the influence under s. 316.193, F.S., after October 1, 2007. The increased requirements of liability insurance upon conviction of a DUI will be in the amount of \$100,000, because of bodily injury to, or death of any one person, \$300,000 for similar liability for two or more persons in any one crash and in the amount of \$50,000 because of property damage liability in any one crash, or combined single limits of \$350,000 to the extent of the above limits.

With the signing of HB 13C on October 11, 2007, we now have the enforcement mechanism in section 324.023 F.S to enforce these revised limits of insurance at the higher level or suspend the license and registration for non-compliance. These revised limits will only apply to those persons who are convicted after October 1, 2007. However, due to programming and resource constraints, we will implement the new programming on February 15, 2008.

All 4 cases due to an alcohol related conviction will require the increased limits of 100k/300k/50k in order to reinstate. If the customer had the required liability limits at the time of the alcohol related offense no fee will be required, however; if they did not have the required limits there will be a reinstatement fee of \$150, \$250, or \$500. An FR-44 Form, which is similar to Virginia's FR-44, will be required for reinstatement and must be maintained for 3 years.

Effective February 15, 2008, we will require the customer to submit verification of the higher limits by submitting an FR-44 form from their insurance carrier verifying the coverage of the higher limits. An FR-46 will be submitted by the insurance company to notify cancellation for these cases. To ensure the integrity of these forms, make sure there is an

authorized representative's signature on the form. The FR-44/46 forms, which will be implemented, are attached for your reference. These forms will be electronically available on your FTP directory named FR44FORM####.doc and FR46FORM####.doc. (#### is unique to your company code that you file to us) Our electronic programming will incorporate the new transaction types of FR-44 and FR-46.

Any SR-22 that has been received during the time period of October 1, 2007 through February 14, 2008, will be accepted at the 10k/20k/10k limits until February 15, 2008. However, it is required that any SR-22, received during this time period, will need to be replaced by an FR-44 with the required higher liability limits prior to February 15, 2008, to be in compliance with 324.023 F.S. In order to facilitate this and make the transition smooth, we will have the capability to update FR-44s received from your company starting February 2, 2008. If we receive any FR-44s from your company prior to February 2<sup>nd</sup> we will hold these forms until we are able to update the customer's record. This will ensure full compliance by all affected customers.

These changes also require that you inform all affected policy holders of these revised requirements. The notification from you must contain the following information:

- For all customers convicted after October 1, 2007, liability insurance limits of \$100k/300k/50k would be required to avoid a suspension
- These higher limits will be required effective February 15, 2008. This agency will notify the customer with a 30 day notice to indicate the same.
- Upon receiving the FR-44, the agency will void the SR-22 entries without requiring the SR-26
- If the customer does not wish to increase the limits, the current SR-22 must be canceled with an SR-26
- The customers can require clarifications from the agency by calling the customer service center at 850-617-2000.

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