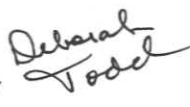


August 25, 2010

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: Mandatory Programming Required for Electronic Non Cancellable  
SR22/26-PIP Cases Conviction Charges for No Proof of Insurance

Effective **September 1, 2010** Section 316.646(3), Florida Statute, was amended to allow our department to automatically suspend the registration and driver license of a driver convicted under s. 316.646 F.S., for operating a motor vehicle with no proof of insurance.

With this law change, we will have the authority to suspend a customer's driver license and registration upon receipt of a conviction of this violation, not just the court ordered cases. This will allow our department the ability to enforce Personal Injury Protection/Property Damage Liability (PIP/PDL) insurance requirements more thoroughly. We are currently programming for these changes and anticipate enforcing this law after **October 1, 2010**.

Any SR-22s that are issued for tracking PIP/PDL insurance will be reported electronically by the insurance company to this department. This should be reported in the electronic layout **with** a '2' in field position 70. It is not necessary to have the complete case number. The case number is required in order to distinguish an SR-22 that is issued to cover personal injury and property damage insurance only. Manual Forms will only be accepted on an individually approved basis. All policies with an SR-22 for PIP/PDL insurance only, must have "PIP Six Month Non-Cancellable", at the top of the pink form and include the complete case number in the appropriate box.

Any SR-22s issued are required to be maintained for a 2 year period from the suspension date. If the policy cancels during the 2 year period, you must notify the department of the cancellation with an SR-26 in order for us to take enforcement action. The SR-26 will cancel all SR-22s where the policy number and the company code match, and a newer SR-22 has not been issued.

If a driver also requires an SR-22 for a liability case, then a PIP/PDL 2 Case is not necessary. The SR-22 **without** a '2' in field position 70 will apply to all cases except for a DUI case that requires an FR-44. An FR-44 will be applied to all case types including the new SR-22 for PIP/PDL. Only one of the following is required:

- FR-44 – Limits of 100k/300k/50k or more will apply to all FR Case types 1, 2, 3, 4, 5, 6 or X.
- SR-22 – Limits of 10k/20k/10k or more will only apply to FR Case types 1, 2, 3, 5, 6 and 4 prior to 10/01/2007).
- SR-22 – Six Month Non Cancellable PIP/PDL insurance will only apply to an FR Case type '2'.

If you have any questions in regards to programming you may contact Bennett White, at [bennettwhite@flhsmv.gov](mailto:bennettwhite@flhsmv.gov).

DLT/llr