



# DAILY BRIEF

For the 2019 Legislative Session

From April 24, 2019

## TRANSPORTATION

### HB 311 – Relating to Autonomous Vehicles

On Wednesday, April 24, **HB 311** by Representative Jason Fischer (R-Jacksonville) was read on the House floor and passed with a vote of 110 yeas and 0 nays.

These bills authorize the use of vehicles in autonomous mode in the state. The autonomous technology would be considered the human operator of the motor vehicle and provides that various provisions of law regarding motor vehicles such as rendering aid in the event of a crash do not apply to vehicles in autonomous mode if the vehicle owner, or person on behalf of the owner, promptly contacts law enforcement. The bill also specifies that statutory provisions relating to unattended motor vehicles, wireless communication devices, and television receivers do not apply to autonomous vehicles (AVs) operating with the automated driving system engaged. The bills also remove the requirement for a person to possess a valid driver license to operate a fully autonomous vehicle.

HB 311 is now in Senate messages.

**AIF supports modernizing state law to accommodate for self-driving technologies that open the door for safe, reliable modes of AVs in a competitive marketplace with clear, limited government regulations.**

## INSURANCE

### HB 7065 – Relating to Insurance Assignment Agreements

On Wednesday, April 24, **HB 7065**, sponsored by the House Civil Justice Subcommittee, was read a third time on the Senate floor and passed with a vote of 25 yeas and 14 nays.

Unfortunately, auto glass was removed from legislation on the House floor.

The abuse of the one-way attorney fee statute in relation to “assignment of benefits” (AOB) has created a relatively new form of litigation over auto glass repairs and property damage. These legal abuses are perpetrated by a handful of lawyers and vendors who work together to strip benefits away from policyholders and use these to force higher settlements from insurers, and even go so far as to sue in the name of the policyholder, often without the policyholder’s consent. This bill helps prevent future abuse of AOBs by:

- Limiting an assignee’s ability to recover certain costs from the insured;
- Requiring the assignee to give the insurer notice of the assignee’s intent to file a lawsuit;
- Requiring the insurer to respond to the assignee’s notice;
- Setting the formula that will determine which party, if any, receives an award of attorney fees should litigation related to an assignment agreement result in a judgment; and
- Allowing an insurer to offer a policy prohibiting assignment.

HB 7065 passed both chambers and will now go to the Governor.

**AIF supports reforms to the AOB process to protect consumers against these abuses that drive up insurance costs.**