

Form Filing Checklist

Commercial Auto Forms

Commercial auto form filings are not subject to prior approval pursuant to section [627.4102](#), Florida Statutes. To help facilitate and expedite commercial auto form filings, the Florida Office of Insurance Regulation (OIR) provides this checklist as a resource. This checklist includes statutes, rules, and bulletins that apply to commercial auto forms **but may not contain all of the requirements** for a commercial auto form filing. Please refer to the cited statutes and rules for instructions and guidance.

Companies can complete this checklist and upload this document along with the certification for Informational form filings required by section [627.4102](#), Florida Statutes.

Statute/Rule	Topic	Comments	Yes	No	Form #	Page #
626.752(1)(b) & (3)(b),(c),(d)	Applications	If applicable, exchange of business requirements must be followed				
627.4085(1)		Must disclose the name and license number of the agent				
		Must prominently display the name of the insuring entity on the first page (typed, printed, stamped, or legibly handwritten)				
627.409 69O-167.005		Statements made by insureds in applications are representations, not warranties; warranties by insured are not allowed				
627.410(1)		Application must be filed if it is to be made part of the policy/contract of insurance				
817.234(1)(b)		All application forms must contain the fraud statement				
626.752(3)(e)		Brokering Agents Requirements – exchange of business				
627.7289		Assignment of benefits	To decrease impact of assignment of post-loss motor vehicle glass benefits prohibited on or after 7/1/2023			
Sec. First Ins. Co. v. State, Office of Ins. Regulation, 177 So. 3d 627 (Fla. 1st DCA 2015)	Cannot prohibit an insureds post loss right to assign benefits					
627.4205	Binders	Coverage identification number required				
627.420		5 days' notice required for cancellation				
324.0221(1)(a)	Cancellation Notices	Cancellations should be reported to the Department of Highway Safety within 10 days				

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324.0221(1)(b) & (3)		Shall inform insured of notice to the Department of Highway Safety; must also inform insured that failure to maintain PIP and Property Damage liability can result in loss of driving privileges and amounts of reinstatement fees (second part not required for Motorcycles)				
627.7283(1) & (2) 69O-167.001		Return of premium within 30 days after cancellation if insured cancels and within 15 days if insurer cancels				
627.4133(1)(b)1.	Cancellation Provisions	Advance written notice of at least 10 days for nonpayment				
627.4133(1)(b)2.		Advance written notice of at least 20 days for policies in force during first 60 days (some exceptions apply-see statute)				
627.4133(1)(b)2.		Limited reasons for cancellation after the policy is in effect for 60 days				
627.7295(3)		An insured may not cancel in the first two months except for specific reasons				
627.7295(4)		Carrier cannot cancel during first thirty (30) days for nonpayment unless there is a dishonored check or other payment method not honored				
790.338(7)		May not deny coverage, increase premium, or otherwise discriminate due to lawful ownership or possession of or lawful use or storage of a firearm or ammunition.				
69O-170.010(1) & (3)		The inclusion of fully earned premium provisions in insurance contracts or endorsements is prohibited (see rule for exceptions)				
627.4265		Claims	Required to be paid within 20 days from the time a person and insurer have agreed in writing to the settlement of a claim			
626.9743(9)	Company's option to defer payment of sales tax					

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627.745 690-176.022	Claims - Mediation	Either party may demand mediation in claims for bodily injury under \$10,000 or property damage in any amount; policy shall specify in detail the terms and conditions for mediation of a first-party claim				
627.413	Contents of Policy	Every policy shall specify: parties to the contract, subject of insurance, insured risks, effective date and time, the premium, conditions and form numbers of all endorsements attached to the policy				
624.425	Declarations	Policy must be signed by Florida licensed agent				
627.7288	Deductibles	No deductible for windshield under comprehensive coverage				
627.736 , 627.727 , 627.7275 , 324.022 & 324.151	Driver Exclusion	May not exclude PIP, UM if purchased, or PD liability (for any financial responsibility required amount, including the 627.7275 requirement); bodily injury should not be excluded if policy certified as proof of financial responsibility Must include a statement that the excluded driver must maintain financial ability to respond to damages resulting from the operation, maintenance or use of a motor vehicle				
627.4145	Flesch Readability	Every policy shall be readable as required				
324.023 , 324.031 & 324.032	Financial Responsibility	Proof of financial responsibility may include motor vehicle liability policy or certificate of self-insurance.				
627.413(4)	Form Identification	Each form requires unique identifiers Any form change requires identifier change				
627.411(1)(g)	HIV/AIDS	May not be singled out as an exclusion				
627.411(1)(d)	Legibility Required	Must not be printed or reproduced in a manner that makes material provisions illegible				
320.02(5)(a)	I.D. Cards	Not required to be filed with OIR				
324.021(7) & 324.021(1)	Motorcycles (auto requirements apply, excluding conflicts with statutes referenced here)	Proof of financial responsibility liability requirements DO apply after accident				
627.727 & 320.01(1)(a)		UM should be offered				

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627.7281		10 days' advance notice cancellation for non-pay; 45 days for all other reasons				
627.7275(1)		\$10,000 PD liability requirements of s. 627.7275 DO NOT apply since no PIP provided on policy				
627.733 & 627.732(3)		No PIP on policy				
626.9541(1)(o)3.b.	Non-Renewal	Policyholder is entitled to refund of policy surcharge or renewal of the policy if policyholder demonstrates any of the listed exceptions.				
627.43141	Notice of Change in Policy Terms	Required written notice if renewal contains a change in policy terms (only template is subject to OIR review and approval - not fully completed form)				
		Such notice shall be entitled "Notice of Change in Policy Terms"				
627.7276	Physical Damage Only Policy	Statement of no bodily injury and liability required				
627.732	PIP - Definitions	Definitions exclusive to PIP coverage - general policy definitions may not apply				
627.739(2)	PIP - Deductibles	Subtract from all loss and expenses before applying the 80% factor				
627.7401 690-176.013	PIP - Notice Requirements	Notification of insured's rights; use Form OIR-B1-1149				
324.022	Property Damage Liability	PD liability coverage mandatory				
627.7263	Rental and Leasing Driver's Insurance Primary	Lessor's coverage is primary unless otherwise stated on rental agreement				
627.4132	Stacking of Coverage	Stacking of coverage prohibited except for uninsured motorist coverage				
95.11(2)	Statute of Limitations	Action against insurer shall be commenced within five (5) years				
627.4131	Telephone Number	Telephone number and its purpose required				

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627.727	Uninsured Motorist	Must offer all UM options at renewal (including Non-stacked if available): <ol style="list-style-type: none"> 1. Stacked limits equal to bodily injury liability 2. Stacked limits less than bodily injury liability 3. Non-stacked limits equal to bodily injury liability 4. Non-stacked limits less than bodily injury liability 5. Rejection of UM coverage 6. Company required to offer lower limits and rejection of UM limits UM to be equal to BI unless rejected or lower limits selected (at new business or when BI limits have changed)				
627.727(1)		Bold statement required on form with exact statutory language				
627.727(9)		If company has non-stacked UM in their program, must offer this option to insured and provide a description of the provisions of non-stacked on the select/reject form				
		UM coverage is stacked unless non-stacked is selected (at new business)				