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**FOR IMMEDIATE RELEASE**

**Bill Fixing Cracks in Windshield Laws Clears Final Senate Committee**

*Senate Rules Committee Passes SB 1002*

**TALLAHASSEE, Fla. (April 11, 2023)** – Legislation filed by Florida lawmakers to fix the cracks in the state’s auto glass laws passed its final committee stop in the Senate today. [Senate Bill 1002](#), sponsored by Senator Linda Stewart (D-Orlando), received a unanimous vote in the Senate Rules Committee.

In Florida, a law meant to encourage drivers to repair or replace damaged windshields is being exploited by glass repair shops and attorneys, leading to exorbitant legal fees churned out by abusive litigation. Both SB 1002 and the bill’s companion, [House Bill 541](#), which passed the House Commerce Committee yesterday and is sponsored by Representative Griff Griffiths (R-Panama City Beach), address problems caused by some glass vendors and attorneys who have in recent years churned out unnecessary litigation, teaming up to exploit Florida law and hurt insurance consumers.

**SB 1002 and HB 541 will:**

- Prohibit the assignment of policy benefits (“AOB”) relating to an automobile glass claim;
- Prohibit the use of inducements such as gift cards which are offered in exchange for the filing of an insurance claim;

- Define auto glass “advanced driver assistance systems,” and include calibration and recalibration of such systems under the definition of motor vehicle repair;
- Require disclosures by glass vendors to consumers that calibration or recalibration is required for an advanced driver assistance system as part of the repair of an automobile and to ensure such service is performed in a manner that meets or exceeds the vehicle manufacturer’s specifications; and
- Prevent an insurer from “steering” a glass claim to a particular vendor or location.

What started as a small regional problem with a few lawyers and auto repair shops proliferated throughout the state as more unscrupulous actors looked to cash in. In 2011, there were 591 glass/windshield claim lawsuits filed in Florida. That number grew to more than 37,000 lawsuits in 2022, according to the most recent numbers. Florida auto glass litigation saw a major jump recently, roughly a 30% increase in litigation: from over 28,000 in 2021, to over 37,000 in 2022.

In Florida, 20 lawyers were the most prolific filers of auto glass litigation last year, making up 95 percent of auto glass lawsuits, according to information from the Florida Department of Financial Services Service of Process database. There is similar aggregation on the vendor/shop side.

The cost of these predatory claims and lawsuits are passed on to consumers in the form of higher rates. The National Insurance Crime Bureau (NICB) states that it reviews thousands of suspicious auto glass claims submitted by bad actors, and in combination with Arizona, Florida accounted for 74 percent of all questionable auto glass claims filed in the United States in 2020. The average glass repair in the United States in 2020 was \$294.37, compared with the average repair cost in Florida, which was \$435.56, representing a 59 percent premium for auto glass claims.

Members of the [Fix the Cracks](#) initiative praised efforts by lawmakers to protect consumers from predatory auto glass claims and litigation, ensure passenger safety and draw attention to the need for legislative changes:

“While the consumer’s goal is to ensure their windshield is repaired and that they are driving safely, unscrupulous glass repair shops are knowingly committing insurance fraud,” said **Tasha Carter, Florida’s Insurance Consumer Advocate**. “I’m grateful to Senator Stewart and the Legislature for taking action and recognizing that this type of scheme impacts insurance consumers and the industry as a whole. The provisions in SB 1002 are significant and will increase consumer protections while decreasing opportunities for fraud and exploitation.”

"Fraudulent conduct ultimately impacts every consumer as unlawful claims lead to higher insurance premiums that innocent policyholders are left to bear," said **Eric De Campos, NICB government affairs director**. "Delivering these reforms would go a long way toward protecting consumers from criminal actors and irresponsible litigation. Removing these financial incentives will help reduce fraudulent activity, improve conditions in Florida, and protect consumers from rising rates."

"Florida has been riddled with fraudulent auto glass claims and as we all know, this drives up premiums for law-abiding citizens which is a perfect example of why the Coalition always states, *'Insurance Fraud is the Crime, We All Pay For,'*" said **Joseph Matos, chief of communications, outreach & creative services for the Coalition Against Insurance Fraud**. "Standing together the Coalition, IASIU, NICB and additional anti-fraud leaders understand the urgency of these very important bills passing so that policyholders are not left holding the bag due to the aftermath caused by fraudsters' actions. Official standards need to be set in place and enforced to secure submitted legitimate claims by the public without the interference or coercion of those that are constantly focused on greed. We are very pleased and thank those government leaders for seeing the grave impact and doing the right thing to eliminate these abuses for all Floridians."

"APCIA applauds the Senate Rules Committee for passing Senate Bill 1002 to help put an end to rampant AOB auto glass schemes in Florida and protect consumers from these scams," said **Logan McFaddin, vice president of state government relations for American Property Casualty Insurance Association (APCIA)**. "AOB auto glass abuse litigation has exploded in recent years, which drives up costs for all Floridians. The Florida Legislature continues to show tremendous leadership in addressing legal system abuse in Florida to help lower costs and protect consumers."

"In many cases, the insurer has no idea a claim has been made until it receives an invoice and often an inflated demand for payment," said **Michael Carlson, president and CEO of the Personal Insurance Federation of Florida**. "If the insurer does not pay what's demanded, the vendor files a lawsuit in the consumer's name, often without the consumer's knowledge. We're grateful for the bipartisan action against fraud and lawmakers saying enough is enough. The scams have to stop."

To learn more, view resources and get engaged, visit [FixtheCracksFL.com](http://FixtheCracksFL.com).

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