



Contact:

Allison Aubuchon, APR | 850.766.5255

communications@allisonaubuchon.com

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Florida Governor Signs Bill Fixing Cracks in Windshield Laws

Governor Ron DeSantis Signs Senate Bill 1002

TALLAHASSEE, Fla. (May 25, 2023) – Today, Florida Governor Ron DeSantis signed [Senate Bill 1002](#) into law, fixing the cracks in the state’s auto glass laws. In Florida, a law meant to encourage drivers to repair or replace damaged windshields was exploited by glass repair shops and attorneys, leading to exorbitant legal fees churned out by abusive litigation. The legislation – championed by Senator Linda Stewart (D-Orlando) and Representative Griff Griffiths (R-Panama City Beach) – addresses 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.

Members of the [Fix the Cracks](#) initiative shared the following statements on the legislative changes, now Florida law:

“Florida leaders made it their mission to stop rampant fraud in the property market, and we’re thankful they prioritized fixing the cracks in the auto market as well,” said **Michael Carlson, president and CEO of the Personal Insurance Federation of Florida**. “This is an important win for the health of the marketplace and Florida consumers. Eyes have been opened to the cottage industry of predatory claims and litigation. The signing of SB 1002 means Florida can reset and even become an example to other states tackling this type of exploitation.

We're grateful to Governor DeSantis, CFO Patronis, Senator Stewart, Representative Griffitts and partners in the Fix the Cracks initiative for the collective effort to address the glass harvesting and litigation crisis in Florida."

"The measure will help reduce fraudulent activity, improve safety conditions in Florida, and shield consumers from rising insurance rates," said **David J. Glawe, president and CEO of the National Insurance Crime Bureau (NICB)**. "NICB is especially grateful to the Florida Legislature, Senator Stewart, Representative Griffitts, Chief Financial Officer Patronis, and Governor DeSantis for their leadership on this critical issue. These reforms will go a long way toward protecting consumers from criminal actors and irresponsible litigation. NICB is proud to work together with our member companies, and Florida state and local law enforcement, to help detect, prevent, and deter insurance crimes, including auto glass fraud."

"The Coalition and its members are grateful that the last step in protecting Floridians from unscrupulous repair shops and scam-focused lawyers has been achieved with Governor DeSantis signing this into law," said **Matthew J. Smith, Esq., executive director of the Coalition Against Insurance Fraud**. "We thank the Governor for his support and Florida's unwavering leaders on this crucial issue, as this has been a year fueled by anti-fraud-focused action. The Coalition also extends its gratitude towards the diverse organizations it has worked with that have supported this critical initiative. Floridians now have a new law on their side! This is a great blow against insurance fraud which is the crime we all pay for. Once again, thank you Governor DeSantis."

"Passage of SB 1002 and the Fix the Cracks initiative is a big win for drivers in our state, and NAMIC commends the Governor for signing this important measure into law," said **Caitlin Murray, regional vice president for the National Association of Mutual Insurance Companies (NAMIC)**. "The bill is like a belt and suspenders that, along with the momentous lawsuit abuse reforms passed earlier this session, all work together to protect Florida consumers."

"With the enactment of CS/SB 1002, unscrupulous vendors will no longer be able to use assignments to seize consumers' insurance policy benefits and file expensive lawsuits based on inflated claims to line their own pockets," said **William Large, president of the Florida Justice Reform Institute**. "FJRI applauds the Florida Legislature for taking aggressive action to combat this growing problem."

Now law, SB 1002:

- Prohibits the assignment of policy benefits (“AOB”) relating to an automobile glass claim;
- Prohibits the use of inducements such as gift cards which are offered in exchange for the filing of an insurance claim;
- Defines auto glass “advanced driver assistance systems,” and includes calibration and recalibration of such systems under the definition of motor vehicle repair;
- Requires 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
- Prevents an insurer from “steering” a glass claim to a particular vendor or location.

Background:

- 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 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.

To learn more and view resources, visit [FixtheCracksFL.com](https://www.fixthecracksfl.com).

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