

RESOLUTION NO. 2013-22-1818

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, URGING THE FLORIDA LEGISLATURE TO REPEAL THE PROVISION OF FLORIDA STATUTE 627.736 REQUIRING MANDATORY MEDICAL TREATMENT WITHIN FOURTEEN (14) DAYS OF AN AUTOMOBILE ACCIDENT; PROVIDING FOR INSTRUCTIONS TO THE CITY CLERK; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, pursuant to the Personal Injury Protection (PIP) statute, automobile insurers must cover eighty percent (80%) of reasonable medical expenses for individuals involved in an accident, regardless of fault, and

WHEREAS, on May 4, 2012, Governor Rick Scott signed into law House Bill 119, which amended the PIP statute to require individuals involved in motor vehicle accidents to seek medical treatment within fourteen (14) days, or otherwise be barred from reimbursement of medical expenses, and

WHEREAS, injuries do not always present immediately after an accident, and

WHEREAS, Vice Mayor Lisa Davis recommends that the City Council adopts this Resolution to urge the Florida Legislature to repeal the provisions of Section 627.736(1)(a) of the Florida Statutes, which makes it compulsory to receive medical treatment within fourteen (14) days of an accident,

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA AS FOLLOWS:

Section 1: ADOPTION OF REPRESENTATIONS: The foregoing Whereas paragraphs are hereby ratified and confirmed as being true, and the same are hereby made a specific part of this Resolution.

Section 2: AUTHORIZATION: The City Council of the City of Miami Gardens hereby urges the Florida Legislature to repeal the provisions of Florida Statute 627.736

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requiring mandatory medical treatment within fourteen (14) days of an automobile accident.

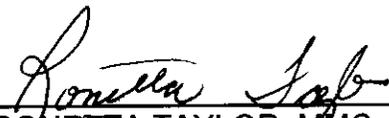
Section 3: INSTRUCTIONS TO THE CITY CLERK: The City Clerk is hereby directed to transmit certified copies of this Resolution to Governor Rick Scott, the President of the Florida Senate, and the Speaker of the Florida House of Representative.

Section 4: EFFECTIVE DATE: This Resolution shall take effect immediately upon its final passage.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS AT ITS REGULAR MEETING HELD ON JANUARY 23, 2013.

  
\_\_\_\_\_  
OLIVER GILBERT, III, MAYOR

ATTEST:

  
\_\_\_\_\_  
RONETTA TAYLOR, MMC, CITY CLERK

PREPARED BY: SONJA KNIGHTON DICKENS, ESQ., CITY ATTORNEY  
SPONSORED BY: VICE MAYOR LISA DAVIS

Moved by: Councilwoman Odom  
Second by: Councilman Harris

VOTE: 7-0

Mayor Oliver Gilbert, III	<u>X</u> (Yes)	____ (No)
Vice Mayor Lisa Davis	<u>X</u> (Yes)	____ (No)
Councilwoman Lillie Q. Odom	<u>X</u> (Yes)	____ (No)
Councilman David Williams Jr	<u>X</u> (Yes)	____ (No)
Councilwoman Felicia Robinson	<u>X</u> (Yes)	____ (No)
Councilman Rodney Harris	<u>X</u> (Yes)	____ (No)
Councilman Erhabor Ighodaro, Ph.D.	<u>X</u> (Yes)	____ (No)



## City of Miami Gardens Agenda Cover Memo

<b>Council Meeting Date:</b> <i>(Enter X in box)</i>	January 23, 2013		<b>Item Type:</b> <i>(Enter X in box)</i>	<b>Resolution</b>	<b>Ordinance</b>	<b>Other</b>	
				X			
<b>Fiscal Impact:</b> <i>(Enter X in box)</i>	<b>Yes</b>	<b>No</b>	<b>Ordinance Reading:</b> <i>(Enter X in box)</i>	<b>1<sup>st</sup> Reading</b>		<b>2<sup>nd</sup> Reading</b>	
		X		<b>Public Hearing:</b> <i>(Enter X in box)</i>	<b>Yes</b>	<b>No</b>	<b>Yes</b>
					X		
<b>Funding Source:</b>	N/A		<b>Advertising Requirement:</b> <i>(Enter X in box)</i>	<b>Yes</b>		<b>No</b>	
					X		
<b>Contract/P.O. Required:</b> <i>(Enter X in box)</i>	<b>Yes</b>	<b>No</b>	<b>RFP/RFQ/Bid #:</b>	N/A			
		X					
<b>Strategic Plan Related</b> <i>(Enter X in box)</i>	<b>Yes</b>	<b>No</b>	<b>Strategic Plan Priority Area:</b>	<b>Strategic Plan Obj./Strategy:</b> <i>(list the specific objective/strategy this item will address)</i>			
		X					
			Enhance Organizational	<input type="checkbox"/>	N/A		
			Bus. & Economic Dev	<input type="checkbox"/>			
			Public Safety	<input type="checkbox"/>			
			Quality of Education	<input type="checkbox"/>			
			Qual. of Life & City Image	<input type="checkbox"/>			
			Communcation	<input type="checkbox"/>			
<b>Sponsor Name</b>	Vice Mayor Lisa Davis		<b>Department:</b>	Mayor and City Council			

### Short Title:

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, URGING THE FLORIDA LEGISLATURE TO REPEAL THE PROVISION OF FLORIDA STATUTE 627.736 REQUIRING MANDATORY MEDICAL TREATMENT WITHIN FOURTEEN (14) DAYS OF AN AUTOMOBILE ACCIDENT; PROVIDING FOR INSTRUCTIONS TO THE CITY CLERK; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING FOR AN EFFECTIVE DATE.**

### Staff Summary:

Pursuant to the Personal Injury Protection (PIP) statute, automobile insurers must cover 80% of reasonable medical expenses for individuals involved in an accident, regardless of fault.

**ITEM K-10) CONSENT AGENDA  
RESOLUTION  
Urging the repeal of F.S. 627.736**

On May 4, 2012, Governor Rick Scott signed into law House Bill 119, which amended the PIP statute. Under the amended PIP statute, automobile insurance carriers will reimburse reasonable medical expenses, only if, medical services are sought within fourteen (14) days of an automobile accident.

Injuries do not always present immediately after an accident. Therefore, Vice Mayor Lisa Davis recommends that the City Council adopts this Resolution to urge the State Legislature to repeal the provisions of Section 627.736(1)(a) of the Florida Statutes, which makes it compulsory to receive medical treatment within fourteen (14) days of an accident.

**Proposed Action:**

That the City Council approve the attached Resolution.

**Attachment:**