



1 A bill to be entitled
2 An act relating to transportation network companies;
3 creating s. 316.680, F.S.; providing definitions;
4 providing requirements for a person to obtain a permit
5 as a transportation network company; providing a
6 permit fee; requiring an agent for service of process;
7 requiring disclosure of a company's fares; requiring
8 display of certain information related to a
9 transportation network company driver; requiring that
10 a company provide an electronic receipt to a
11 passenger; providing requirements for automobile
12 liability insurance and insurance disclosure;
13 providing requirements for drivers to act as
14 independent contractors; requiring a zero tolerance
15 policy for drug and alcohol use; providing
16 requirements for employment as a transportation
17 network company driver; requiring that motor vehicles
18 used by a transportation network company meet certain
19 safety and emissions requirements; prohibiting
20 specified conduct; providing certain nondiscrimination
21 and accessibility requirements; requiring a company to
22 maintain certain records; providing for preemption;
23 authorizing rulemaking; amending ss. 324.031 and
24 324.032, F.S.; revising methods for owners or
25 operators of certain vehicles to prove financial
26 responsibility; providing for such proof by owners or



27 operators of a vehicle used in connection with a
 28 transportation network company; amending ss. 324.022,
 29 324.023, 324.051, 324.071, 324.151, and 627.733, F.S.;
 30 conforming provisions to changes made by the act;
 31 providing an effective date.

32
 33 Be It Enacted by the Legislature of the State of Florida:

34
 35 Section 1. Section 316.680, Florida Statutes, is created
 36 to read:

37 316.680 Transportation network companies.—

38 (1) DEFINITIONS.—As used in this section, the term:

39 (a) "Digital network" means any online-enabled application,
 40 software, website, or system offered or used by a transportation
 41 network company that enables the prearrangement of rides with
 42 transportation network company drivers.

43 (b) "Personal vehicle" means a vehicle that is used by a
 44 transportation network company driver in connection with
 45 providing transportation network company service and is:

46 1. Owned, leased, or otherwise authorized for use by a
 47 transportation network company driver; and

48 2. Not a taxi, jitney, limousine, or for-hire vehicle as
 49 defined in s. 320.01(15).

50 (c) "Transportation network company" or "company" means an
 51 entity granted a permit under this section to operate in this
 52 state using a digital network or software application service to



53 connect passengers to transportation network company service
54 provided by drivers. A company is not deemed to own, control,
55 operate, or manage the vehicles used by drivers; is not deemed
56 to control or manage drivers; and is not a taxicab association
57 or for-hire vehicle owner. A transportation network company does
58 not include an individual, corporation, partnership, sole
59 proprietorship, or other entity arranging nonemergency medical
60 transportation for individuals qualifying for Medicaid or
61 Medicare pursuant to a contract with the state or a managed care
62 organization.

63 (d) "Transportation network company driver" or "driver"
64 means an individual who:

65 1. Receives connections to potential passengers and
66 related services from a transportation network company in
67 exchange for payment of a fee to the transportation network
68 company; and

69 2. Uses a personal vehicle to provide transportation
70 network company service to passengers upon connection through a
71 digital network controlled by a transportation network company
72 in return for compensation or payment of a fee.

73 (e) "Transportation network company rider" or "rider"
74 means an individual or person who uses a transportation network
75 company's digital network to connect with a transportation
76 network company driver who provides transportation network
77 company service to the rider in the driver's personal vehicle
78 between points chosen by the rider.



79 (f) "Transportation network company service" means the
80 provision of transportation by a driver to a rider, beginning
81 when a driver accepts a ride requested by a rider through a
82 digital network controlled by a transportation network company,
83 continuing while the driver transports a rider, and ending when
84 the last rider departs from the personal vehicle. The term does
85 not include a taxi, for-hire vehicle, or street hail service.

86 (g) "Trip" means the duration of transportation network
87 company service beginning at a point of origin where the
88 passenger enters the driver's vehicle and ending at a point of
89 destination where the passenger exits the vehicle.

90 (2) NOT A COMMON CARRIER.—A transportation network company
91 or driver is not a common carrier and does not provide taxi or
92 for-hire vehicle service. In addition, a driver is not required
93 to register the vehicle that the driver uses for transportation
94 network company service as a commercial vehicle or a for-hire
95 vehicle.

96 (3) PERMIT REQUIRED.—

97 (a) A person must obtain a permit from the department to
98 operate a transportation network company in this state.

99 (b) The department shall issue a permit to each applicant
100 that meets the requirements for a transportation network company
101 pursuant to this section and pays an annual permit fee of \$5,000
102 to the department.

103 (4) AGENT FOR SERVICE OF PROCESS REQUIRED.—A
104 transportation network company must designate and maintain an



105 agent for service of process in this state. If the registered
106 agent of the company cannot, with reasonable diligence, be found
107 or if the company fails to designate or maintain a registered
108 agent in this state, the executive director of the department
109 must be an agent of the transportation network company upon whom
110 any process, notice, or demand may be served.

111 (5) FARE COLLECTED FOR SERVICES.—A company may collect a
112 fare on behalf of a driver for the services provided to
113 passengers; however, if a fare is collected from a passenger,
114 the company shall disclose to the passenger the fare calculation
115 method on its website or within its software application. The
116 company shall also provide the passenger with the applicable
117 rates being charged and the option to receive an estimated fare
118 before the passenger enters the driver's vehicle.

119 (6) IDENTIFICATION OF VEHICLES AND DRIVERS.—The company's
120 software application service or website shall display a picture
121 of the driver and the license plate number of the motor vehicle
122 used to provide transportation network company service before
123 the passenger enters the driver's vehicle.

124 (7) ELECTRONIC RECEIPT.—Within a reasonable period of
125 time, the company shall provide an electronic receipt to the
126 passenger which lists:

- 127 (a) The origin and destination of the trip.
128 (b) The total time and distance of the trip.
129 (c) An itemization of the total fare paid.

130 (8) TRANSPORTATION NETWORK COMPANY AND DRIVER INSURANCE



131 REQUIREMENTS.—

132 (a) Beginning March 1, 2016, a transportation network
133 company driver or transportation network company on the driver's
134 behalf shall maintain primary automobile insurance that
135 recognizes that the driver is a transportation network company
136 driver or otherwise uses a vehicle to transport passengers for
137 compensation and covers the driver:

138 1. While the driver is logged into the transportation
139 network company's digital network; or

140 2. While the driver is engaged in transportation network
141 company service.

142 (b) The following automobile insurance requirements apply
143 while a participating driver is logged into the transportation
144 network company's digital network and is available to receive
145 transportation requests but is not engaged in transportation
146 network company service:

147 1. Primary automobile liability insurance in the amount of
148 at least \$50,000 for death and bodily injury per person,
149 \$100,000 for death and bodily injury per incident, and \$25,000
150 for property damage.

151 2. Primary automobile liability insurance that provides
152 the minimum coverage requirements under ss. 627.730-627.7405.

153 (c) The following automobile insurance requirements apply
154 while a driver is engaged in transportation network company
155 service:

156 1. Primary automobile liability insurance that provides at



157 least \$1 million for death, bodily injury, and property damage;

158 and

159 2. Primary automobile liability insurance that provides
160 the minimum coverage requirements where required of a limousine
161 under ss. 627.730-627.7405.

162 (d) The coverage requirements of paragraphs (b) and (c)
163 may be satisfied by:

164 1. Automobile liability insurance maintained by the
165 driver;

166 2. Automobile liability insurance maintained by the
167 company; or

168 3. A combination of coverage maintained as provided in
169 subparagraphs 1. and 2.

170 (e) If insurance maintained by a driver under paragraph
171 (b) or paragraph (c) has lapsed or does not provide the required
172 coverage, insurance maintained by a transportation network
173 company shall provide the coverage required by this section
174 beginning with the first dollar of a claim.

175 (f) Coverage under an automobile insurance policy
176 maintained by the transportation network company is not
177 dependent on a personal automobile insurer's first denying a
178 claim, and a personal automobile insurance policy is not
179 required for the transportation network company's insurer to
180 deny a claim.

181 (g) Insurance required by this section may be placed with
182 an insurer authorized to do business in the state or with a



183 surplus lines insurer eligible under the Surplus Lines Law under
184 ss. 626.913-626.937.

185 (h) Insurance satisfying the requirements of this section
186 is deemed to satisfy the financial responsibility requirement
187 for a motor vehicle under chapter 324 and the security required
188 under s. 627.733.

189 (i) A driver shall carry proof of coverage satisfying
190 paragraphs (b) and (c) with him or her at all times during his
191 or her use of a vehicle in connection with a transportation
192 network company's digital network. In the event of an accident,
193 the driver shall provide this insurance coverage information to
194 the directly interested parties, automobile insurers, and
195 investigating police officers. Such proof of financial
196 responsibility may be presented through a digital phone
197 application under s. 316.646 controlled by a transportation
198 network company. Upon such request, the driver shall also
199 disclose to directly interested parties, automobile insurers,
200 and investigating police officers whether he or she was logged
201 into the transportation network company's digital network or
202 engaged in transportation network company service at the time of
203 the accident.

204 (j) If a transportation network company's insurer makes a
205 payment for a claim covered under comprehensive coverage or
206 collision coverage, the transportation network company shall
207 cause its insurer to issue the payment directly to the business
208 repairing the vehicle or jointly to the owner of the vehicle and



209 the primary lienholder on the covered vehicle.

210 (9) TRANSPORTATION NETWORK COMPANY AND INSURER;
211 EXCLUSIONS; DISCLOSURE.—

212 (a) The transportation network company shall disclose in
213 writing to drivers the following before they are allowed to
214 accept a request for transportation network company service on
215 the transportation network company's digital network:

216 1. The insurance coverage, including the types of coverage
217 and the limits for each coverage, that the transportation
218 network company provides while the driver uses a personal
219 vehicle in connection with a transportation network company's
220 digital network; and

221 2. That the driver's own automobile insurance policy might
222 not provide any coverage while the driver is logged into the
223 transportation network company's digital network and is
224 available to receive transportation requests or is engaged in
225 transportation network company service depending on its terms.

226 (b)1. An insurer that provides automobile liability
227 insurance policies under part XI of chapter 627 may exclude any
228 and all coverage afforded under the owner's insurance policy for
229 any loss or injury that occurs while a driver is logged into a
230 transportation network company's digital network or while a
231 driver provides transportation network company service. This
232 right to exclude all coverage may apply to any coverage included
233 in an automobile insurance policy, including, but not limited
234 to:



- 235 a. Liability coverage for bodily injury and property
236 damage.
- 237 b. Uninsured and underinsured motorist coverage.
- 238 c. Medical payments coverage.
- 239 d. Comprehensive physical damage coverage.
- 240 e. Collision physical damage coverage.
- 241 f. Personal injury protection.
- 242 2. The exclusions described in subparagraph 1. apply
243 notwithstanding any requirement under chapter 324. This section
244 does not require or imply that a personal automobile insurance
245 policy provide coverage while the driver is logged into the
246 transportation network company's digital network, while the
247 driver is engaged in transportation network company service, or
248 while the driver otherwise uses a vehicle to transport
249 passengers for compensation.
- 250 3. This section does not preclude an insurer from
251 providing coverage by contract or endorsement for the driver's
252 vehicle.
- 253 (c)1. An insurer that excludes the coverage described in
254 subparagraph (b)1. has no duty to defend or indemnify any claim
255 expressly excluded thereunder. This section does not invalidate
256 or limit an exclusion contained in a policy, including any
257 policy in use or approved for use in this state before July 1,
258 2015.
- 259 2. An automobile insurer that defends or indemnifies a
260 claim against a driver, which is excluded under the terms of its



261 policy, has a right of contribution against other insurers that
262 provide automobile insurance to the same driver in satisfaction
263 of the coverage requirements of subsection (8) at the time of
264 loss.

265 (d) In a claims coverage investigation, transportation
266 network companies and any insurer potentially providing coverage
267 under subsection (8) shall cooperate to facilitate the exchange
268 of relevant information with directly involved parties and any
269 insurer of the driver, if applicable, including the precise
270 times that a driver logged into and off of the transportation
271 network company's digital network during the 12-hour period
272 immediately before and the 12-hour period immediately after the
273 accident and disclose to one another a clear description of the
274 coverage, exclusions, and limits provided under any automobile
275 insurance maintained under subsection (8).

276 (10) DRIVERS AS INDEPENDENT CONTRACTORS.—

277 (a) A driver is an independent contractor and not an
278 employee of the company if all of the following conditions are
279 met:

280 1. The company does not prescribe specific hours during
281 which the driver must be logged into the company's digital
282 network.

283 2. The company does not impose restrictions on the
284 driver's ability to use digital networks from other companies.

285 3. The company does not assign the driver to a particular
286 territory in which transportation network company services are



287 authorized to be provided.

288 4. The company does not restrict the driver from engaging
289 in any other occupation or business.

290 5. The company and the driver agree in writing that the
291 driver is an independent contractor of the company.

292 (b) A company operating under this section is not required
293 to provide workers' compensation coverage to a transportation
294 network company driver who is classified as an independent
295 contractor pursuant to this section.

296 (11) ZERO TOLERANCE FOR DRUG OR ALCOHOL USE.—

297 (a) A company shall implement a zero tolerance policy on
298 use of illegal drugs or alcohol by a driver who is providing
299 transportation network company service or who is logged into the
300 company's digital network but is not providing service.

301 (b) A company shall provide notice on its website of a
302 zero tolerance policy under paragraph (a) and shall provide
303 procedures for a passenger to file a complaint about a driver
304 who the passenger reasonably suspects was under the influence of
305 drugs or alcohol during the course of a trip.

306 (c) Upon receipt of a passenger complaint alleging a
307 violation of the zero tolerance policy, the company shall
308 immediately suspend the accused driver's access to the company's
309 digital network and shall conduct an investigation into the
310 reported incident. The suspension shall last for the duration of
311 the investigation.

312 (12) TRANSPORTATION NETWORK COMPANY DRIVER REQUIREMENTS.—



313 (a) Before allowing a person to act as a driver on its
314 digital network, and at least once every 2 years thereafter, the
315 company shall:

316 1. Require the person to submit an application to the
317 company, including his or her address, date of birth, driver
318 license number, driving history, motor vehicle registration,
319 automobile liability insurance, and other information required
320 by the company.

321 2. Conduct a level 2 background screening, also including
322 a driving history research report for such individual.

323 (b) The company shall prohibit a person to act as a driver
324 on its digital network if the person:

325 1. Has had more than three moving violations in the
326 preceding 3-year period or one major violation in the preceding
327 3-year period. A major violation includes, but is not limited
328 to, fleeing or attempting to elude a law enforcement officer,
329 reckless driving, or driving with a suspended or revoked
330 license;

331 2. Has been convicted, within the past 7 years, of driving
332 under the influence of drugs or alcohol, fraud, sexual offenses,
333 use of a motor vehicle to commit a felony, a crime involving
334 property damage or theft, acts of violence, or acts of terror;

335 3. Is a match in the Dru Sjodin National Sex Offender
336 Public Website;

337 4. Does not possess a valid driver license;

338 5. Does not possess proof of registration for the motor



339 vehicle used to provide transportation network company service;

340 6. Does not possess proof of automobile liability
341 insurance for the motor vehicle used to provide transportation
342 network company service; or

343 7. Has not attained the age of 19 years.

344 (13) VEHICLE SAFETY AND EMISSIONS.—A company shall require
345 that a personal vehicle used by a driver to provide
346 transportation network company service meets the vehicle safety
347 and emissions requirements for a private motor vehicle of the
348 state in which the vehicle is registered.

349 (14) PROHIBITED CONDUCT.—A driver may not:

350 (a) Accept a ride other than a ride arranged through a
351 digital network or software application service.

352 (b) Solicit or accept street hails.

353 (c) Solicit or accept cash payments from passengers. A
354 company shall adopt a policy prohibiting solicitation or
355 acceptance of cash payments from passengers and notify drivers
356 of such policy. Such policy must require a payment for
357 transportation network company service to be made electronically
358 using the company's digital network or software application
359 service.

360 (15) NONDISCRIMINATION; ACCESSIBILITY.—

361 (a) A company may not discriminate against a driver on the
362 basis of race, color, national origin, religious belief or
363 affiliation, sex, disability, age, or sexual orientation. A
364 company shall adopt a policy to assist drivers who reasonably



365 believe that they have received a negative rating from a
366 passenger because of their race, color, national origin,
367 religious belief or affiliation, sex, disability, age, or sexual
368 orientation.

369 (b) A company shall adopt a policy of nondiscrimination on
370 the basis of destination, race, color, national origin,
371 religious belief or affiliation, sex, disability, age, or sexual
372 orientation with respect to passengers and potential passengers
373 and shall notify drivers of such policy.

374 (c) A driver shall comply with the nondiscrimination
375 policy.

376 (d) A driver shall comply with all applicable laws
377 relating to accommodation of service animals.

378 (e) A company may not impose additional charges for
379 providing transportation network company service to persons with
380 physical disabilities because of those disabilities.

381 (f) A company shall provide passengers an opportunity to
382 indicate whether they require a wheelchair-accessible vehicle.
383 If a company cannot arrange wheelchair-accessible service, it
384 shall direct the passenger to an alternate provider of
385 wheelchair-accessible service, if available.

386 (16) RECORDS.—A company shall maintain:

387 (a) Individual trip records for at least 1 year after the
388 date each trip was provided.

389 (b) Driver records for at least 1 year after the date on
390 which a driver's activation on the company's digital network has



391 ended.

392 (c) The company shall maintain records of written
393 passenger complaints received through the company's software
394 application for at least 2 years after the date such complaint
395 is received by the company.

396 (17) PREEMPTION.—It is the intent of the Legislature to
397 provide for uniformity of laws governing transportation network
398 companies and transportation network company drivers throughout
399 the state. Notwithstanding any other provision of law,
400 transportation network companies and drivers are governed
401 exclusively by this section and any rules adopted by the
402 department to administer this section. A county, municipality,
403 special district, or other local governmental entity or
404 subdivision may not impose a tax on, or require a license for, a
405 company or a driver, or a vehicle used by a driver, if such tax
406 or license relates to providing transportation network company
407 services, or subject a company to any rate, entry, operational,
408 or other requirements of the county, municipality, special
409 district, or other local governmental entity or subdivision.
410 This section does not prohibit an airport from charging an
411 appropriate fee for use of the airport's facilities or
412 designating locations for staging, pickup, and other similar
413 operations at the airport.

414 (18) RULEMAKING.—The department may adopt rules to
415 administer this section.

416 Section 2. Section 324.031, Florida Statutes, is amended



417 to read:

418 324.031 Manner of proving financial responsibility.—The
419 owner or operator of a taxicab, limousine, jitney, any vehicle
420 used in connection with a transportation network company or any
421 other for-hire passenger transportation vehicle may prove
422 financial responsibility by providing satisfactory evidence of
423 holding a motor vehicle liability policy as defined in s.
424 324.021(8) or s. 324.151, which policy is issued by an insurance
425 carrier which is a member of the Florida Insurance Guaranty
426 Association or an eligible surplus lines insurer under s.
427 626.918 that is rated "A-" or higher by A. M. Best Company. The
428 operator or owner of any other vehicle may prove his or her
429 financial responsibility by±

430 ~~(1) furnishing satisfactory evidence of holding a motor~~
431 ~~vehicle liability policy as defined in ss. 324.021(8) and~~
432 ~~324.151.~~

433 ~~(2) Furnishing a certificate of self-insurance showing a~~
434 ~~deposit of cash in accordance with s. 324.161; or~~

435 ~~(3) Furnishing a certificate of self-insurance issued by~~
436 ~~the department in accordance with s. 324.171.~~

437
438 ~~Any person, including any firm, partnership, association,~~
439 ~~corporation, or other person, other than a natural person,~~
440 ~~electing to use the method of proof specified in subsection (2)~~
441 ~~shall furnish a certificate of deposit equal to the number of~~
442 ~~vehicles owned times \$30,000, to a maximum of \$120,000; in~~



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443 ~~addition, any such person, other than a natural person, shall~~
444 ~~maintain insurance providing coverage in excess of limits of~~
445 ~~\$10,000/20,000/10,000 or \$30,000 combined single limits, and~~
446 ~~such excess insurance shall provide minimum limits of~~
447 ~~\$125,000/250,000/50,000 or \$300,000 combined single limits.~~
448 ~~These increased limits shall not affect the requirements for~~
449 ~~proving financial responsibility under s. 324.032(1).~~

450 Section 3. Section 324.032, Florida Statutes, is amended
451 to read:

452 324.032 Manner of proving financial responsibility; for-
453 hire passenger transportation vehicles.—Notwithstanding the
454 provisions of s. 324.031:

455 (1) ~~(a)~~ A person who is either the owner or a lessee
456 required to maintain insurance under s. 627.733(1)(b) and who
457 operates one or more taxicabs, limousines, jitneys, or any other
458 for-hire passenger transportation vehicles may prove financial
459 responsibility by furnishing satisfactory evidence of holding a
460 motor vehicle liability policy, but with minimum limits of
461 \$125,000/250,000/50,000.

462 (2) ~~(b)~~ A person who is either the owner or a lessee
463 required to maintain insurance under s. 324.021(9)(b) and who
464 operates limousines, jitneys, or any other for-hire passenger
465 vehicles, other than taxicabs, may prove financial
466 responsibility by furnishing satisfactory evidence of holding a
467 motor vehicle liability policy as defined in s. 324.031.

468 ~~(2) An owner or a lessee who is required to maintain~~



469 ~~insurance under s. 324.021(9)(b) and who operates at least 300~~
470 ~~taxicabs, limousines, jitneys, or any other for-hire passenger~~
471 ~~transportation vehicles may provide financial responsibility by~~
472 ~~complying with the provisions of s. 324.171, such compliance to~~
473 ~~be demonstrated by maintaining at its principal place of~~
474 ~~business an audited financial statement, prepared in accordance~~
475 ~~with generally accepted accounting principles, and providing to~~
476 ~~the department a certification issued by a certified public~~
477 ~~accountant that the applicant's net worth is at least equal to~~
478 ~~the requirements of s. 324.171 as determined by the Office of~~
479 ~~Insurance Regulation of the Financial Services Commission,~~
480 ~~including claims liabilities in an amount certified as adequate~~
481 ~~by a Fellow of the Casualty Actuarial Society.~~

482
483 ~~Upon request by the department, the applicant must provide the~~
484 ~~department at the applicant's principal place of business in~~
485 ~~this state access to the applicant's underlying financial~~
486 ~~information and financial statements that provide the basis of~~
487 ~~the certified public accountant's certification. The applicant~~
488 ~~shall reimburse the requesting department for all reasonable~~
489 ~~costs incurred by it in reviewing the supporting information.~~
490 ~~The maximum amount of self-insurance permissible under this~~
491 ~~subsection is \$300,000 and must be stated on a per-occurrence~~
492 ~~basis, and the applicant shall maintain adequate excess~~
493 ~~insurance issued by an authorized or eligible insurer licensed~~
494 ~~or approved by the Office of Insurance Regulation. All risks~~



495 ~~self-insured shall remain with the owner or lessee providing it,~~
 496 ~~and the risks are not transferable to any other person, unless a~~
 497 ~~policy complying with subsection (1) is obtained.~~

498 Section 4. Subsection (1) and paragraph (a) of subsection
 499 (2) of section 324.022, Florida Statutes, are amended to read:

500 324.022 Financial responsibility for property damage.—

501 (1) Every owner or operator of a motor vehicle required to
 502 be registered in this state shall establish and maintain the
 503 ability to respond in damages for liability on account of
 504 accidents arising out of the use of the motor vehicle in the
 505 amount of \$10,000 because of damage to, or destruction of,
 506 property of others in any one crash. The requirements of this
 507 section may be met by ~~one of~~ the methods established in s.
 508 324.031; by self-insuring as authorized by s. 768.28(16); or by
 509 maintaining an insurance policy providing coverage for property
 510 damage liability in the amount of at least \$10,000 because of
 511 damage to, or destruction of, property of others in any one
 512 accident arising out of the use of the motor vehicle. The
 513 requirements of this section may also be met by having a policy
 514 which provides coverage in the amount of at least \$30,000 for
 515 combined property damage liability and bodily injury liability
 516 for any one crash arising out of the use of the motor vehicle.
 517 The policy, with respect to coverage for property damage
 518 liability, must meet the applicable requirements of s. 324.151,
 519 subject to the usual policy exclusions that have been approved
 520 in policy forms by the Office of Insurance Regulation. No



521 insurer shall have any duty to defend uncovered claims
522 irrespective of their joinder with covered claims.

523 (2) As used in this section, the term:

524 (a) "Motor vehicle" means any self-propelled vehicle that
525 has four or more wheels and that is of a type designed and
526 required to be licensed for use on the highways of this state,
527 and any trailer or semitrailer designed for use with such
528 vehicle. The term does not include:

529 1. A mobile home.

530 2. A motor vehicle that is used in mass transit and
531 designed to transport more than five passengers, exclusive of
532 the operator of the motor vehicle, and that is owned by a
533 municipality, transit authority, or political subdivision of the
534 state.

535 3. A school bus as defined in s. 1006.25.

536 4. A vehicle providing for-hire transportation that is
537 subject to ~~the provisions of~~ s. 324.031. A taxicab shall
538 maintain security as required under s. 324.032 ~~324.032(1)~~.

539 Section 5. Section 324.023, Florida Statutes, is amended
540 to read:

541 324.023 Financial responsibility for bodily injury or
542 death.—In addition to any other financial responsibility
543 required by law, every owner or operator of a motor vehicle that
544 is required to be registered in this state, or that is located
545 within this state, and who, regardless of adjudication of guilt,
546 has been found guilty of or entered a plea of guilty or nolo



547 | contendere to a charge of driving under the influence under s.
548 | 316.193 after October 1, 2007, shall, by ~~one of~~ the methods
549 | established in s. 324.031 ~~324.031(1) or (2)~~, establish and
550 | maintain the ability to respond in damages for liability on
551 | account of accidents arising out of the use of a motor vehicle
552 | in the amount of \$100,000 because of bodily injury to, or death
553 | of, one person in any one crash and, subject to such limits for
554 | one person, in the amount of \$300,000 because of bodily injury
555 | to, or death of, two or more persons in any one crash and in the
556 | amount of \$50,000 because of property damage in any one crash.
557 | If the owner or operator chooses to establish and maintain such
558 | ability by furnishing a certificate of deposit ~~pursuant to s.~~
559 | ~~324.031(2)~~, such certificate of deposit must be at least
560 | \$350,000. Such higher limits must be carried for a minimum
561 | period of 3 years. If the owner or operator has not been
562 | convicted of driving under the influence or a felony traffic
563 | offense for a period of 3 years after ~~from~~ the date of
564 | reinstatement of driving privileges for a violation of s.
565 | 316.193, the owner or operator shall be exempt from this
566 | section.

567 | Section 6. Paragraph (a) of subsection (2) of section
568 | 324.051, Florida Statutes, is amended to read:

569 | 324.051 Reports of crashes; suspensions of licenses and
570 | registrations.—

571 | (2) (a) Thirty days after receipt of notice of any accident
572 | described in paragraph (1) (a) involving a motor vehicle within



573 | this state, the department shall suspend, after due notice and
574 | opportunity to be heard, the license of each operator and all
575 | registrations of the owner of the vehicles operated by such
576 | operator whether or not involved in such crash and, in the case
577 | of a nonresident owner or operator, shall suspend such
578 | nonresident's operating privilege in this state, unless such
579 | operator or owner shall, prior to the expiration of such 30
580 | days, be found by the department to be exempt from the operation
581 | of this chapter, based upon evidence satisfactory to the
582 | department that:

583 | 1. The motor vehicle was legally parked at the time of
584 | such crash.

585 | 2. The motor vehicle was owned by the United States
586 | Government, this state, or any political subdivision of this
587 | state or any municipality therein.

588 | 3. Such operator or owner has secured a duly acknowledged
589 | written agreement providing for release from liability by all
590 | parties injured as the result of said crash and has complied
591 | with ~~one of the provisions of~~ s. 324.031.

592 | 4. Such operator or owner has deposited with the
593 | department security to conform with s. 324.061 when applicable
594 | and has complied with ~~one of the provisions of~~ s. 324.031.

595 | 5. One year has elapsed since such owner or operator was
596 | suspended pursuant to subsection (3), the owner or operator has
597 | complied with ~~one of the provisions of~~ s. 324.031, and no bill
598 | of complaint of which the department has notice has been filed



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599 | in a court of competent jurisdiction.

600

601 | No such policy or bond shall be effective under this subsection
602 | unless it contains limits of not less than those specified in s.
603 | 324.021(7).

604 | Section 7. Section 324.071, Florida Statutes, is amended
605 | to read:

606 | 324.071 Reinstatement; renewal of license; reinstatement
607 | fee.—Any operator or owner whose license or registration has
608 | been suspended pursuant to s. 324.051(2), s. 324.072, s.
609 | 324.081, or s. 324.121 may effect its reinstatement upon
610 | compliance with the provisions of s. 324.051(2)(a)3. or 4., or
611 | s. 324.081(2) and (3), as the case may be, and with ~~one of the~~
612 | ~~provisions of~~ s. 324.031 and upon payment to the department of a
613 | nonrefundable reinstatement fee of \$15. Only one such fee shall
614 | be paid by any one person irrespective of the number of licenses
615 | and registrations to be then reinstated or issued to such
616 | person. All such fees shall be deposited to a department trust
617 | fund. When the reinstatement of any license or registration is
618 | effected by compliance with s. 324.051(2)(a)3. or 4., the
619 | department shall not renew the license or registration within a
620 | period of 3 years from such reinstatement, nor shall any other
621 | license or registration be issued in the name of such person,
622 | unless the operator is continuing to comply with ~~one of the~~
623 | ~~provisions of~~ s. 324.031.

624 | Section 8. Subsection (1) of section 324.151, Florida



625 Statutes, is amended to read:

626 324.151 Motor vehicle liability policies; required
627 provisions.—

628 (1) A motor vehicle liability policy to be proof of
629 financial responsibility under s. 324.031 ~~324.031(1)~~, shall be
630 issued to owners or operators under the following provisions:

631 (a) An owner's liability insurance policy shall designate
632 by explicit description or by appropriate reference all motor
633 vehicles with respect to which coverage is thereby granted and
634 shall insure the owner named therein and any other person as
635 operator using such motor vehicle or motor vehicles with the
636 express or implied permission of such owner against loss from
637 the liability imposed by law for damage arising out of the
638 ownership, maintenance, or use of such motor vehicle or motor
639 vehicles within the United States or the Dominion of Canada,
640 subject to limits, exclusive of interest and costs with respect
641 to each such motor vehicle as is provided for under s.
642 324.021(7). Insurers may make available, with respect to
643 property damage liability coverage, a deductible amount not to
644 exceed \$500. In the event of a property damage loss covered by a
645 policy containing a property damage deductible provision, the
646 insurer shall pay to the third-party claimant the amount of any
647 property damage liability settlement or judgment, subject to
648 policy limits, as if no deductible existed.

649 (b) An operator's motor vehicle liability policy of
650 insurance shall insure the person named therein against loss



651 from the liability imposed upon him or her by law for damages
652 arising out of the use by the person of any motor vehicle not
653 owned by him or her, with the same territorial limits and
654 subject to the same limits of liability as referred to above
655 with respect to an owner's policy of liability insurance.

656 (c) All such motor vehicle liability policies shall state
657 the name and address of the named insured, the coverage afforded
658 by the policy, the premium charged therefor, the policy period,
659 the limits of liability, and shall contain an agreement or be
660 endorsed that insurance is provided in accordance with the
661 coverage defined in this chapter as respects bodily injury and
662 death or property damage or both and is subject to all
663 provisions of this chapter. Said policies shall also contain a
664 provision that the satisfaction by an insured of a judgment for
665 such injury or damage shall not be a condition precedent to the
666 right or duty of the insurance carrier to make payment on
667 account of such injury or damage, and shall also contain a
668 provision that bankruptcy or insolvency of the insured or of the
669 insured's estate shall not relieve the insurance carrier of any
670 of its obligations under said policy.

671 Section 9. Paragraph (b) of subsection (1) and paragraph
672 (b) of subsection (3) of section 627.733, Florida Statutes, are
673 amended to read:

674 627.733 Required security.—

675 (1)

676 (b) Every owner or registrant of a motor vehicle used as a



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677 taxicab shall not be governed by paragraph (1)(a) but shall
678 maintain security as required under s. 324.032 ~~324.032(1)~~, and
679 s. 627.737 shall not apply to any motor vehicle used as a
680 taxicab.

681 (3) Such security shall be provided:

682 (b) By any other method authorized by s. 324.031
683 ~~324.031(2) or (3)~~ and approved by the Department of Highway
684 Safety and Motor Vehicles as affording security equivalent to
685 that afforded by a policy of insurance or by self-insuring as
686 authorized by s. 768.28(16). The person filing such security
687 shall have all of the obligations and rights of an insurer under
688 ss. 627.730-627.7405.

689 Section 10. This act shall take effect July 1, 2015.