

Bill No. CS for SB 874

Amendment No.

	<u>Senate</u>	CHAMBER ACTION	<u>House</u>
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11	Senator Dyer moved the following amendment:		
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13	Senate Amendment		
14	On page 24, lines 5-26, delete those lines		
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16	and insert:		
17	<u>768.099 Limits on liability for loaned, rented, or</u>		
18	<u>leased private passenger motor vehicles.--</u>		
19	<u>(1) Notwithstanding any other provision of law, a</u>		
20	<u>motor vehicle rental business that rents or leases a private</u>		
21	<u>passenger motor vehicle as defined in subsection (3) for a</u>		
22	<u>term of less than 1 year is liable for the actions of the</u>		
23	<u>person operating the vehicle only up to \$500,000 per incident</u>		
24	<u>without a showing of negligence or intentional misconduct on</u>		
25	<u>the part of the motor vehicle rental business. If a motor</u>		
26	<u>vehicle rental business chooses to purchase liability</u>		
27	<u>insurance coverage, this subsection does not in any way limit</u>		
28	<u>the duty of an insurer that provides such coverage to act in</u>		
29	<u>good faith under existing common and statutory law, and such</u>		
30	<u>an insurer is subject to full liability under the law for a</u>		
31	<u>breach of such duty to the same extent as if the</u>		

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1 responsibility of ownership had not been limited by this
2 subsection.

3 (2) Notwithstanding any other provision of law, a
4 natural person who owns a private passenger motor vehicle as
5 defined in subsection (3) and lends it to another who is not
6 an employee, agent, or resident relative of the owner, without
7 compensation and for personal, noncommercial use, shall be
8 liable for the actions of any person operating the vehicle
9 only up to \$100,000 per person and \$300,000 per incident or
10 the maximum limit of such owner's available insurance
11 coverage, whichever is greater, without a showing of
12 negligence or intentional misconduct on the part of the owner.
13 If any such owner chooses to purchase liability insurance
14 coverage, this subsection does not in any way limit the duty
15 of an insurer that provides such coverage to act in good faith
16 under existing common and statutory law, and such an insurer
17 is subject to full liability under the law for a breach of
18 such duty to the same extent as if the responsibility of
19 ownership had not been limited by this subsection.

20 (3) As used in this section, the term "private
21 passenger motor vehicle" means a motor vehicle that is not
22 used for occupational, professional, or business purposes and
23 includes a sedan, station wagon, jeep-type vehicle, pickup
24 truck, panel truck, van, camper, or motor home.

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