

Bill No. SB 1678

Barcode 665308

CHAMBER ACTION

Senate

House

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The Committee on Banking and Insurance (Atwater) recommended the following amendment:

Senate Amendment (with title amendment)

Delete everything after the enacting clause

and insert:

Section 1. Subsection (9) of section 624.501, Florida Statutes, is amended to read:

624.501 Filing, license, appointment, and miscellaneous fees.--The department, commission, or office, as appropriate, shall collect in advance, and persons so served shall pay to it in advance, fees, licenses, and miscellaneous charges as follows:

(9)(a) Except as provided in paragraph (b), all limited appointments as agent, as provided for in s. 626.321. Agent's original appointment and biennial renewal or continuation thereof, each insurer:

Appointment fee.....	\$42.00
State tax.....	12.00
County tax.....	6.00

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1 Total.....\$60.00

2 (b) For all limited appointments as agent as provided
3 in s. 626.321(1)(d), the agent's original appointment and
4 biennial renewal or continuation thereof for each insurer
5 shall be equal to the number of offices, branch offices, or
6 places of business covered by the license multiplied by the
7 fees set forth in paragraph (a).

8 Section 2. Section 624.6082, Florida Statutes, is
9 created to read:

10 624.6082 "Travel insurance" defined.--"Travel
11 insurance" means policies or certificates of insurance that
12 provide coverage for risks incidental to travel, planned
13 travel, or accommodations while traveling, including, but not
14 limited to, accidental death and dismemberment of a traveler;
15 trip cancellation, interruption, or delay; loss of or damage
16 to personal effects or travel documents; baggage delay;
17 emergency medical travel or evacuation of a traveler; or
18 medical, surgical, and hospital expenses related to an illness
19 or emergency of a traveler.

20 Section 3. Paragraphs (c) and (d) of subsection (1) of
21 section 626.321, Florida Statutes, are amended to read:

22 626.321 Limited licenses.--

23 (1) The department shall issue to a qualified
24 individual, or a qualified individual or entity under
25 paragraphs (c), (d), (e), and (i), a license as agent
26 authorized to transact a limited class of business in any of
27 the following categories:

28 (c) Travel ~~Personal accident~~ insurance.--License
29 covering only policies of travel ~~personal accident~~ insurance
30 as defined in s. 624.6082 covering the risks of travel, except
31 as provided in subparagraph 2. Any such policy or certificate

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1 may be issued for terms longer than 60 days, but each policy
2 or certificate must be limited to coverage for travel or use
3 of accommodations of no longer than 60 days. The license may
4 be issued only:

5 1. To a full-time salaried employee of a common
6 carrier or a full-time salaried employee or owner of a
7 transportation ticket agency and may authorize the sale of
8 such ticket policies only in connection with the sale of
9 transportation tickets, or to the full-time salaried employee
10 of such an agent. No such policy shall be for a duration of
11 more than 48 hours or for the duration of a specified one-way
12 trip or round trip.

13 2. To an entity or individual that is:

14 a. The developer of a timeshare plan that is the
15 subject of an approved public offering statement under chapter
16 721;

17 b. An exchange company operating an exchange program
18 approved under chapter 721;

19 c. A managing entity operating a timeshare plan
20 approved under chapter 721;

21 d. A seller of travel as defined in chapter 559; or

22 e. A subsidiary or affiliate of any of the entities
23 described in sub-subparagraphs a.-d.

24
25 A licensee shall require each employee who offers policies or
26 certificates under this subparagraph to receive initial
27 training from a general lines agent or an insurer authorized
28 under chapter 624 to transact insurance within this state. For
29 an entity applying for a license as a travel insurance agent,
30 the fingerprinting requirement of this section applies only to
31 the president, secretary, and treasurer and to any other

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1 officer or person who directs or controls the travel insurance
2 operations of the entity. ~~To a full-time salaried employee of~~
3 ~~a business which offers motor vehicles for rent or lease, or~~
4 ~~to a business entity which offers motor vehicles for rent or~~
5 ~~lease. A business office licensed or a person licensed~~
6 ~~pursuant to this subparagraph may, as an agent of an insurer,~~
7 ~~transact insurance that provides coverage for accidental~~
8 ~~personal injury or death of the lessee and any passenger who~~
9 ~~is riding or driving with the covered lessee in the rental~~
10 ~~motor vehicle if the lease or rental agreement is for not more~~
11 ~~than 30 days, or if the lessee is not provided coverage for~~
12 ~~more than 30 consecutive days per lease period; however, if~~
13 ~~the lease is extended beyond 30 days, the coverage may be~~
14 ~~extended one time only for a period not to exceed an~~
15 ~~additional 30 days.~~

16 (d) ~~Baggage and Motor vehicle rental excess liability~~
17 ~~insurance.--~~

18 1. License covering only insurance of the risks set
19 forth in this paragraph when offered, sold, or solicited with
20 and incidental to the rental or lease of a motor vehicle and
21 which applies only to the motor vehicle that is the subject of
22 the lease or rental agreement and occupants of the motor
23 vehicle:

24 a. Excess motor vehicle liability insurance providing
25 coverage in excess of the standard liability limits provided
26 by the lessor in its lease to a person renting or leasing a
27 motor vehicle from the licensee's employer for liability
28 arising in connection with the negligent operation of the
29 leased or rented motor vehicle.

30 b. Insurance covering the liability of the lessee to
31 the lessor for damage to the leased or rented motor vehicle.

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1 c. Insurance covering the loss of or damage to
 2 baggage, personal effects, or travel documents of a person
 3 renting or leasing a motor vehicle.

4 d. Insurance covering accidental personal injury or
 5 death of the lessee and any passenger who is riding or driving
 6 with the covered lessee in the leased or rented motor vehicle.

7 2. Insurance under this license may be issued only if
 8 the lease or rental agreement is for no more than 60 days; the
 9 lessee is not provided coverage for more than 60 consecutive
 10 days per lease period; and the lessee is given written notice
 11 that his or her personal insurance policy providing coverage
 12 on an owned motor vehicle may provide coverage of these risks
 13 and that the purchase of the insurance is not required in
 14 connection with the lease or rental of a motor vehicle. If the
 15 lease is extended beyond 60 days, the coverage may be extended
 16 one time only for a period not to exceed an additional 60
 17 days. Insurance may be provided to the lessee as an additional
 18 insured on a policy issued to the licensee's employer.

19 ~~personal effects except as provided in subparagraph 2.~~

20 3. The license may be issued only+

21 ~~a. To a full-time salaried employee of a common~~
 22 ~~carrier or a full-time salaried employee or owner of a~~
 23 ~~transportation ticket agency, which person is engaged in the~~
 24 ~~sale or handling of transportation of baggage and personal~~
 25 ~~effects of travelers, and may authorize the sale of such~~
 26 ~~insurance only in connection with such transportation; or~~

27 ~~b. to the full-time salaried employee of a licensed~~
 28 ~~general lines agent or to a business entity that offers motor~~
 29 ~~vehicles for rent or lease if insurance sales activities~~
 30 ~~authorized by the license are in connection with and~~
 31 ~~incidental to the rental or lease of a motor vehicle.~~

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1 a. A license issued to a business entity that offers
 2 motor vehicles for rent or lease must license each office,
 3 branch office, or place of business making use of the entity's
 4 business name in order to offer, solicit, and sell insurance
 5 pursuant to this paragraph.

6 b. The application for licensure must list the name,
 7 address, and phone number for each office, branch office, or
 8 place of business that is to be covered by the license. The
 9 licensee shall notify the department of the name, address, and
 10 phone number of any new location that is to be covered by the
 11 license before the office, branch office, or place of business
 12 engages in the sale of insurance pursuant to this paragraph.

13 The licensee shall notify the department within 30 days after
 14 closing or terminating an office, branch office, or place of
 15 business. Upon receipt of the notice, the department shall
 16 delete the office, branch office, or place of business from
 17 the license. An entity applying for a license under this
 18 sub-subparagraph:

19 ~~(I) Is required to submit only one application for a~~
 20 ~~license under s. 626.171. The requirements of s. 626.171(4)~~
 21 ~~shall apply only to the officers and directors of the entity~~
 22 ~~submitting the application.~~

23 ~~(II) Is required to obtain a license for each office,~~
 24 ~~branch office, or place of business making use of the entity's~~
 25 ~~business name by applying to the department for the license on~~
 26 ~~a simplified application form developed by rule of the~~
 27 ~~department for this purpose.~~

28 ~~(III) Is required to pay the applicable fees for a~~
 29 ~~license as prescribed in s. 624.501, be appointed under s.~~
 30 ~~626.112, and pay the prescribed appointment fee under s.~~
 31 ~~624.501.~~

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1 c. A licensed and appointed entity ~~is~~ ~~shall be~~
2 directly responsible and accountable for all acts of the
3 licensee's employees.

4
5 ~~The purchaser of baggage insurance shall be provided written~~
6 ~~information disclosing that the insured's homeowner's policy~~
7 ~~may provide coverage for loss of personal effects and that the~~
8 ~~purchase of such insurance is not required in connection with~~
9 ~~the purchase of tickets or in connection with the lease or~~
10 ~~rental of a motor vehicle.~~

11 ~~2.~~ A business entity that offers motor vehicles for
12 rent or lease, may include lessees under a master contract
13 providing coverage to the lessor or may transact excess motor
14 vehicle liability insurance providing coverage in excess of
15 the standard liability limits provided by the lessor in its
16 lease to a person renting or leasing a motor vehicle from the
17 licensee's employer for liability arising in connection with
18 the negligent operation of the leased or rented motor vehicle,
19 provided that the lease or rental agreement is for not more
20 than 30 days; that the lessee is not provided coverage for
21 more than 30 consecutive days per lease period, and, if the
22 lease is extended beyond 30 days, the coverage may be extended
23 one time only for a period not to exceed an additional 30
24 days; that the lessee is given written notice that his or her
25 personal insurance policy providing coverage on an owned motor
26 vehicle may provide additional excess coverage; and that the
27 purchase of the insurance is not required in connection with
28 the lease or rental of a motor vehicle. The excess liability
29 insurance may be provided to the lessee as an additional
30 insured on a policy issued to the licensee's employer.

31 ~~3.~~ A business entity that offers motor vehicles for

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1 ~~rent or lease, may, as an agent of an insurer, transact~~
 2 ~~insurance that provides coverage for the liability of the~~
 3 ~~lessee to the lessor for damage to the leased or rented motor~~
 4 ~~vehicle if:~~

5 ~~a. The lease or rental agreement is for not more than~~
 6 ~~30 days; or the lessee is not provided coverage for more than~~
 7 ~~30 consecutive days per lease period, but, if the lease is~~
 8 ~~extended beyond 30 days, the coverage may be extended one time~~
 9 ~~only for a period not to exceed an additional 30 days;~~

10 ~~b. The lessee is given written notice that his or her~~
 11 ~~personal insurance policy that provides coverage on an owned~~
 12 ~~motor vehicle may provide such coverage with or without a~~
 13 ~~deductible; and~~

14 ~~c. The purchase of the insurance is not required in~~
 15 ~~connection with the lease or rental of a motor vehicle.~~

16 Section 4. This act shall take effect October 1, 2007.

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 18

19 ===== T I T L E A M E N D M E N T =====

20 And the title is amended as follows:

21 Delete everything before the enacting clause

22
 23 and insert:

24 A bill to be entitled
 25 An act relating to limited insurance licenses;
 26 amending s. 624.501, F.S.; providing
 27 appointment fees for motor vehicle rental
 28 insurance agents; creating s. 624.6082, F.S.;
 29 defining the term "travel insurance"; amending
 30 s. 626.321, F.S.; providing for limited
 31 licenses to transact travel insurance;

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1 specifying authorized entities; specifying
2 applicable coverage; providing limitations;
3 providing requirements for training; providing
4 for limited licenses to transact motor vehicle
5 rental insurance; specifying authorized
6 entities; specifying applicable coverage;
7 providing limitations; providing application
8 requirements; providing responsibilities of
9 licensees; providing an effective date.

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