

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; directing the  
6           Department of Highway Safety and Motor Vehicles to  
7           issue such permits; providing a permit fee; requiring  
8           an agent for service of process; requiring disclosure  
9           of a company's fares; requiring display of certain  
10          information related to a transportation network  
11          company driver; requiring that a company provide an  
12          electronic receipt to a passenger; providing  
13          requirements for automobile liability insurance and  
14          insurance disclosure; providing requirements for  
15          drivers to act as independent contractors; requiring a  
16          zero tolerance policy for drug and alcohol use;  
17          providing requirements for employment as a  
18          transportation network company driver; requiring that  
19          motor vehicles used by a transportation network  
20          company meet certain safety and emissions  
21          requirements; prohibiting specified conduct; providing  
22          certain nondiscrimination and accessibility  
23          requirements; requiring a company to maintain certain  
24          records; providing for preemption; authorizing  
25          rulemaking; amending ss. 324.031 and 324.032, F.S.;  
26          revising methods for owners or operators of certain

27 vehicles to prove financial responsibility; providing  
 28 for such proof by owners or operators of a vehicle  
 29 used in connection with a transportation network  
 30 company; amending ss. 324.022, 324.023, 324.051,  
 31 324.071, 324.151, and 627.733, F.S.; conforming  
 32 provisions to changes made by the act; providing an  
 33 effective date.

34

35 Be It Enacted by the Legislature of the State of Florida:

36

37 Section 1. Section 316.680, Florida Statutes, is created  
 38 to read:

39 316.680 Transportation network companies.—

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

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

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

48 1. Owned, leased, or otherwise authorized for use by a  
 49 transportation network company driver.

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

52 (c) "Transportation network company" or "company" means an

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

65 (d) "Transportation network company driver" or "driver"  
66 means an individual who:

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

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

75 (e) "Transportation network company rider" or "rider"  
76 means an individual or person who uses a transportation network  
77 company's digital network to connect with a transportation  
78 network company driver who provides transportation network

79 company service to the rider in the driver's personal vehicle  
80 between points chosen by the rider.

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

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

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

98 (3) PERMIT REQUIRED.—

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

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

105 (4) AGENT FOR SERVICE OF PROCESS REQUIRED.—A  
106 transportation network company must designate and maintain an  
107 agent for service of process in this state. If the registered  
108 agent of the company cannot, with reasonable diligence, be found  
109 or if the company fails to designate or maintain a registered  
110 agent in this state, the executive director of the department  
111 must be an agent of the transportation network company upon whom  
112 any process, notice, or demand may be served.

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

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

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

- 129 (a) The origin and destination of the trip.  
130 (b) The total time and distance of the trip.

131 (c) An itemization of the total fare paid.

132 (8) TRANSPORTATION NETWORK COMPANY AND DRIVER INSURANCE  
133 REQUIREMENTS.—

134 (a) Beginning March 1, 2017, a transportation network  
135 company driver or transportation network company on the driver's  
136 behalf shall maintain primary automobile insurance that  
137 recognizes that the driver is a transportation network company  
138 driver or otherwise uses a vehicle to transport passengers for  
139 compensation and covers the driver:

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

142 2. While the driver is engaged in transportation network  
143 company service.

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

149 1. Primary automobile liability insurance in the amount of  
150 at least \$50,000 for death and bodily injury per person,  
151 \$100,000 for death and bodily injury per incident, and \$25,000  
152 for property damage.

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

155 (c) The following automobile insurance requirements apply  
156 while a driver is engaged in transportation network company

157 service:

158 1. Primary automobile liability insurance that provides at  
159 least \$1 million for death, bodily injury, and property damage.

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

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

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

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

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

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

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

182 (g) Insurance required by this section may be placed with

183 an insurer authorized to do business in the state or with a  
184 surplus lines insurer eligible under the Surplus Lines Law under  
185 ss. 626.913-626.937.

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

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

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

209 repairing the vehicle or jointly to the owner of the vehicle and  
210 the primary lienholder on the covered vehicle.

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

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

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

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

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

235 to:

236 a. Liability coverage for bodily injury and property  
237 damage.

238 b. Uninsured and underinsured motorist coverage.

239 c. Medical payments coverage.

240 d. Comprehensive physical damage coverage.

241 e. Collision physical damage coverage.

242 f. Personal injury protection.

243 2. The exclusions described in subparagraph 1. apply  
244 notwithstanding any requirement under chapter 324. This section  
245 does not require or imply that a personal automobile insurance  
246 policy provide coverage while the driver is logged into the  
247 transportation network company's digital network, while the  
248 driver is engaged in transportation network company service, or  
249 while the driver otherwise uses a vehicle to transport  
250 passengers for compensation.

251 3. This section does not preclude an insurer from  
252 providing coverage by contract or endorsement for the driver's  
253 vehicle.

254 (c)1. An insurer that excludes the coverage described in  
255 subparagraph (b)1. has no duty to defend or indemnify any claim  
256 expressly excluded thereunder. This section does not invalidate  
257 or limit an exclusion contained in a policy, including a policy  
258 in use or approved for use in this state before July 1, 2016.

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 the following conditions are met:

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

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

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

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

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

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

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

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

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

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

311 (12) TRANSPORTATION NETWORK COMPANY DRIVER REQUIREMENTS.—

312 (a) Before allowing a person to act as a driver on its

313 digital network, and at least once every 2 years thereafter, the  
314 company shall:

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

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

322 (b) The company shall prohibit a person from acting as a  
323 driver on its digital network if the person:

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

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

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

336 4. Does not possess a valid driver license;

337 5. Does not possess proof of registration for the motor  
338 vehicle used to provide transportation network company service;

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

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

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

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

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

351 (b) Solicit or accept street hails.

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

359 (15) NONDISCRIMINATION; ACCESSIBILITY.—

360 (a) A company may not discriminate against a driver on the  
361 basis of race, color, national origin, religious belief or  
362 affiliation, sex, disability, age, or sexual orientation. A  
363 company shall adopt a policy to assist a driver who reasonably  
364 believes that he or she has received a negative rating from a

365 passenger because of his or her race, color, national origin,  
366 religious belief or affiliation, sex, disability, age, or sexual  
367 orientation.

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

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

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

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

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

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

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

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

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

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

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

415 Section 2. Section 324.031, Florida Statutes, is amended  
416 to read:

417           324.031 Manner of proving financial responsibility.—The  
418 owner or operator of a taxicab, limousine, jitney, any vehicle  
419 used in connection with a transportation network company or any  
420 other for-hire passenger transportation vehicle may prove  
421 financial responsibility by providing satisfactory evidence of  
422 holding a motor vehicle liability policy as defined in s.  
423 324.021(8) or s. 324.151, which policy is issued by an insurance  
424 carrier which is a member of the Florida Insurance Guaranty  
425 Association or an eligible surplus lines insurer under s.  
426 626.918 that is rated "A-" or higher by A. M. Best Company. The  
427 operator or owner of any other vehicle may prove his or her  
428 financial responsibility by:

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

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

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

436  
437 ~~Any person, including any firm, partnership, association,~~  
438 ~~corporation, or other person, other than a natural person,~~  
439 ~~electing to use the method of proof specified in subsection (2)~~  
440 ~~shall furnish a certificate of deposit equal to the number of~~  
441 ~~vehicles owned times \$30,000, to a maximum of \$120,000; in~~  
442 ~~addition, any such person, other than a natural person, shall~~

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

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

451 324.032 Manner of proving financial responsibility; for-  
452 hire passenger transportation vehicles.—Notwithstanding the  
453 provisions of s. 324.031:

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

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

467 ~~(2) An owner or a lessee who is required to maintain~~  
468 ~~insurance under s. 324.021(9)(b) and who operates at least 300~~

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

481  
482 ~~Upon request by the department, the applicant must provide the~~  
483 ~~department at the applicant's principal place of business in~~  
484 ~~this state access to the applicant's underlying financial~~  
485 ~~information and financial statements that provide the basis of~~  
486 ~~the certified public accountant's certification. The applicant~~  
487 ~~shall reimburse the requesting department for all reasonable~~  
488 ~~costs incurred by it in reviewing the supporting information.~~  
489 ~~The maximum amount of self-insurance permissible under this~~  
490 ~~subsection is \$300,000 and must be stated on a per-occurrence~~  
491 ~~basis, and the applicant shall maintain adequate excess~~  
492 ~~insurance issued by an authorized or eligible insurer licensed~~  
493 ~~or approved by the Office of Insurance Regulation. All risks~~  
494 ~~self-insured shall remain with the owner or lessee providing it,~~

495 ~~and the risks are not transferable to any other person, unless a~~  
496 ~~policy complying with subsection (1) is obtained.~~

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

499 324.022 Financial responsibility for property damage.—

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

521 | irrespective of their joinder with covered claims.

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

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

528 |             1. A mobile home.

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

534 |             3. A school bus as defined in s. 1006.25.

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

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

540 |             324.023 Financial responsibility for bodily injury or  
 541 | death.—In addition to any other financial responsibility  
 542 | required by law, every owner or operator of a motor vehicle that  
 543 | is required to be registered in this state, or that is located  
 544 | within this state, and who, regardless of adjudication of guilt,  
 545 | has been found guilty of or entered a plea of guilty or nolo  
 546 | contendere to a charge of driving under the influence under s.

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

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

568 324.051 Reports of crashes; suspensions of licenses and  
569 registrations.—

570 (2) (a) Thirty days after receipt of notice of any accident  
571 described in paragraph (1) (a) involving a motor vehicle within  
572 this state, the department shall suspend, after due notice and

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

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

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

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

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

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

599  
 600 No such policy or bond shall be effective under this subsection  
 601 unless it contains limits of not less than those specified in s.  
 602 324.021(7).

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

605 324.071 Reinstatement; renewal of license; reinstatement  
 606 fee.—Any operator or owner whose license or registration has  
 607 been suspended pursuant to s. 324.051(2), s. 324.072, s.  
 608 324.081, or s. 324.121 may effect its reinstatement upon  
 609 compliance with the provisions of s. 324.051(2)(a)3. or 4., or  
 610 s. 324.081(2) and (3), as the case may be, and with ~~one of the~~  
 611 ~~provisions of~~ s. 324.031 and upon payment to the department of a  
 612 nonrefundable reinstatement fee of \$15. Only one such fee shall  
 613 be paid by any one person irrespective of the number of licenses  
 614 and registrations to be then reinstated or issued to such  
 615 person. All such fees shall be deposited to a department trust  
 616 fund. When the reinstatement of any license or registration is  
 617 effected by compliance with s. 324.051(2)(a)3. or 4., the  
 618 department shall not renew the license or registration within a  
 619 period of 3 years from such reinstatement, nor shall any other  
 620 license or registration be issued in the name of such person,  
 621 unless the operator is continuing to comply with ~~one of the~~  
 622 ~~provisions of~~ s. 324.031.

623 Section 8. Subsection (1) of section 324.151, Florida  
 624 Statutes, is amended to read:

625           324.151 Motor vehicle liability policies; required  
626 provisions.—

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

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

648           (b) An operator's motor vehicle liability policy of  
649 insurance shall insure the person named therein against loss  
650 from the liability imposed upon him or her by law for damages

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

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

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

673 627.733 Required security.—

674 (1)

675 (b) Every owner or registrant of a motor vehicle used as a  
676 taxicab shall not be governed by paragraph (1)(a) but shall

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

680 (3) Such security shall be provided:

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

688 Section 10. This act shall take effect July 1, 2016.