Florida Senate - 2017 Bill No. CS/CS/CS/HB 545, 1st Eng.

House



LEGISLATIVE ACTION

Senator Brandes moved the following:

627.747 Named driver exclusion.-

Senate Amendment to Amendment (183848) (with title amendment)

Between lines 2113 and 2114

insert:

Section 41. Section 627.747, Florida Statutes, is created to read:

identified individual who is not a named insured from the

9 10

1 2

3 4

5

6

7

8

11

Page 1 of 3

following coverages while the identified individual is operating

(1) A private passenger motor vehicle policy may exclude an

Florida Senate - 2017 Bill No. CS/CS/CS/HB 545, 1st Eng.

313860

12       a motor vehicle, provided the identified individual is named         13       the declarations page and the named insured consents in writi         14       (a) Any coverage that the named insured is not required         15       law to purchase.         16       (b) Property damage liability coverage.         17       (c) Notwithstanding the Florida Motor Vehicle No-Fault L         18       the personal injury protection coverage specifically applicab         19       to the identified individual's injuries, lost wages, and deat         20       benefits.         21       (d) Uninsured motorist coverage for any damages sustaine         25       (d) Uninsured motorist coverage, if required by law         26       (e) Bodily injury liability coverage, if required by law         27       exclude coverage when:         28       (a) The identified individual is injured while not         29       operating a motor vehicle.         20       (b) The exclusion is unfairly discriminatory under the
14(a) Any coverage that the named insured is not required 115law to purchase.16(b) Property damage liability coverage.17(c) Notwithstanding the Florida Motor Vehicle No-Fault L18the personal injury protection coverage specifically applicab19to the identified individual's injuries, lost wages, and deat20benefits.21(d) Uninsured motorist coverage for any damages sustaine22by the identified excluded individual, if the named insured h23purchased such coverage.24(e) Bodily injury liability coverage, if required by law25and purchased by the named insured.26(2) A private passenger motor vehicle policy may not27exclude coverage when:28(a) The identified individual is injured while not29operating a motor vehicle.30(b) The exclusion is unfairly discriminatory under the
15       law to purchase.         16       (b) Property damage liability coverage.         17       (c) Notwithstanding the Florida Motor Vehicle No-Fault L         18       the personal injury protection coverage specifically applicab         19       to the identified individual's injuries, lost wages, and deat         20       benefits.         21       (d) Uninsured motorist coverage for any damages sustaine         22       by the identified excluded individual, if the named insured h         23       purchased such coverage.         24       (e) Bodily injury liability coverage, if required by law         25       and purchased by the named insured.         26       (2) A private passenger motor vehicle policy may not         27       exclude coverage when:         28       (a) The identified individual is injured while not         29       operating a motor vehicle.         30       (b) The exclusion is unfairly discriminatory under the
16       (b) Property damage liability coverage.         17       (c) Notwithstanding the Florida Motor Vehicle No-Fault L         18       the personal injury protection coverage specifically applicab         19       to the identified individual's injuries, lost wages, and deat         20       benefits.         21       (d) Uninsured motorist coverage for any damages sustaine         22       by the identified excluded individual, if the named insured h         23       purchased such coverage.         24       (e) Bodily injury liability coverage, if required by law         25       and purchased by the named insured.         26       (2) A private passenger motor vehicle policy may not         27       exclude coverage when:         28       (a) The identified individual is injured while not         29       operating a motor vehicle.         30       (b) The exclusion is unfairly discriminatory under the
17(c) Notwithstanding the Florida Motor Vehicle No-Fault L18the personal injury protection coverage specifically applicab19to the identified individual's injuries, lost wages, and deat20benefits.21(d) Uninsured motorist coverage for any damages sustaine22by the identified excluded individual, if the named insured h23purchased such coverage.24(e) Bodily injury liability coverage, if required by law25and purchased by the named insured.26(2) A private passenger motor vehicle policy may not27exclude coverage when:28(a) The identified individual is injured while not29operating a motor vehicle.30(b) The exclusion is unfairly discriminatory under the
the personal injury protection coverage specifically applicab to the identified individual's injuries, lost wages, and deat benefits.          (d) Uninsured motorist coverage for any damages sustaine         by the identified excluded individual, if the named insured h         purchased such coverage.         (e) Bodily injury liability coverage, if required by law         and purchased by the named insured.         (2) A private passenger motor vehicle policy may not         exclude coverage when:         (a) The identified individual is injured while not         operating a motor vehicle.         (b) The exclusion is unfairly discriminatory under the
19 to the identified individual's injuries, lost wages, and deat 20 benefits. 21 (d) Uninsured motorist coverage for any damages sustaine 22 by the identified excluded individual, if the named insured h 23 purchased such coverage. 24 (e) Bodily injury liability coverage, if required by law 25 and purchased by the named insured. 26 (2) A private passenger motor vehicle policy may not 27 exclude coverage when: 28 (a) The identified individual is injured while not 29 operating a motor vehicle. 30 (b) The exclusion is unfairly discriminatory under the
20 <u>benefits.</u> 21 (d) Uninsured motorist coverage for any damages sustaine 22 by the identified excluded individual, if the named insured h 23 purchased such coverage. 24 (e) Bodily injury liability coverage, if required by law 25 and purchased by the named insured. 26 (2) A private passenger motor vehicle policy may not 27 exclude coverage when: 28 (a) The identified individual is injured while not 29 operating a motor vehicle. 30 (b) The exclusion is unfairly discriminatory under the
(d) Uninsured motorist coverage for any damages sustaine by the identified excluded individual, if the named insured h purchased such coverage. (e) Bodily injury liability coverage, if required by law and purchased by the named insured. (2) A private passenger motor vehicle policy may not exclude coverage when: (a) The identified individual is injured while not operating a motor vehicle. (b) The exclusion is unfairly discriminatory under the
by the identified excluded individual, if the named insured h purchased such coverage. (e) Bodily injury liability coverage, if required by law and purchased by the named insured. (2) A private passenger motor vehicle policy may not exclude coverage when: (a) The identified individual is injured while not operating a motor vehicle. (b) The exclusion is unfairly discriminatory under the
23 <u>purchased such coverage.</u> 24 <u>(e) Bodily injury liability coverage, if required by law</u> 25 <u>and purchased by the named insured.</u> 26 <u>(2) A private passenger motor vehicle policy may not</u> 27 <u>exclude coverage when:</u> 28 <u>(a) The identified individual is injured while not</u> 29 <u>operating a motor vehicle.</u> 30 <u>(b) The exclusion is unfairly discriminatory under the</u>
<ul> <li>(e) Bodily injury liability coverage, if required by law</li> <li>and purchased by the named insured.</li> <li>(2) A private passenger motor vehicle policy may not</li> <li>(2) A private passenger motor vehicle policy may not</li> <li>exclude coverage when: <ul> <li>(a) The identified individual is injured while not</li> <li>operating a motor vehicle.</li> <li>(b) The exclusion is unfairly discriminatory under the</li> </ul> </li> </ul>
25 <u>and purchased by the named insured.</u> 26 <u>(2) A private passenger motor vehicle policy may not</u> 27 <u>exclude coverage when:</u> 28 <u>(a) The identified individual is injured while not</u> 29 <u>operating a motor vehicle.</u> 30 <u>(b) The exclusion is unfairly discriminatory under the</u>
26 <u>(2) A private passenger motor vehicle policy may not</u> 27 <u>exclude coverage when:</u> 28 <u>(a) The identified individual is injured while not</u> 29 <u>operating a motor vehicle.</u> 30 <u>(b) The exclusion is unfairly discriminatory under the</u>
<pre>27 <u>exclude coverage when:</u> 28 <u>(a) The identified individual is injured while not</u> 29 <u>operating a motor vehicle.</u> 30 <u>(b) The exclusion is unfairly discriminatory under the</u></pre>
28 (a) The identified individual is injured while not 29 operating a motor vehicle. 30 (b) The exclusion is unfairly discriminatory under the
29 <u>operating a motor vehicle.</u> 30 (b) The exclusion is unfairly discriminatory under the
30 (b) The exclusion is unfairly discriminatory under the
31 Florida Insurance Code as determined by the office.
32 (c) The exclusion is inconsistent with the underwriting
33 rules filed by the insurer pursuant to s. 627.0651(13)(a).
34
35 ========== T I T L E A M E N D M E N T ===========
36 And the title is amended as follows:
37 Delete line 2727
38 and insert:
39 passenger transportation vehicle; creating s. 627.747,
40 F.S.; authorizing private passenger motor vehicle

24-04917A-17

Florida Senate - 2017 Bill No. CS/CS/CS/HB 545, 1st Eng.



41 policies to exclude certain identified individuals 42 from specified coverages under certain circumstances; 43 prohibiting such policies from excluding coverage 44 under certain circumstances; amending s. 715.07,