

Amendment No. 5

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	<u>    </u>	(Y/N)
ADOPTED AS AMENDED	<u>    </u>	(Y/N)
ADOPTED W/O OBJECTION	<u>    </u>	(Y/N)
FAILED TO ADOPT	<u>    </u>	(Y/N)
WITHDRAWN	<u>    </u>	(Y/N)
OTHER	<u>    </u>	

1 Committee/Subcommittee hearing bill: Commerce Committee  
 2 Representative Fischer offered the following:

3

4 **Amendment (with title amendment)**

5 Between lines 541 and 542, insert:

6 Section 18. Effective upon this act becoming law, paragraph (h)  
 7 of subsection (1) and subsection (16) of section 627.748,  
 8 Florida Statutes, is added to read:

9 627.748 Transportation network companies.—

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

11 (h) "Luxury Ground Transportation Network Company" or  
 12 "Luxury Ground TNC" means an entity that complies with all  
 13 applicable requirements for a TNC in accordance with subsection  
 14 (16), but uses its digital network to connect riders exclusively  
 15 to drivers who operate for-hire vehicles as defined in s.

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16 320.01(15), including limousines and luxury sedans and excluding  
17 taxicabs.

18 (16) LUXURY GROUND TRANSPORTATION NETWORK COMPANIES.

19 (a) A Luxury Ground TNC may elect, upon written  
20 notification to the Department of Financial Services, to be  
21 regulated pursuant to this section. In such instance, a Luxury  
22 Ground TNC shall be required to comply with all requirements of  
23 this section applicable to a TNC except subsections (7) and (8)  
24 and except as specified in paragraph (b).

25 (b) To the extent an entity owns and operates both a TNC  
26 and a Luxury Ground TNC that elects to be regulated pursuant to  
27 this section, paragraphs (11)(e) and (f) shall apply exclusively  
28 to the TNC entity and not to the Luxury Ground TNC.

29 (c) To the extent a Luxury Ground TNC elects to be  
30 regulated pursuant to this section, a county, municipality,  
31 special district, or other local governmental entity or  
32 subdivision may not:

33 1. Require the Luxury Ground TNC, or drivers or for-hire  
34 vehicles as defined by s. 320.01(15) affiliated with such Luxury  
35 Ground TNC, to pay a tax or hold a license, if such tax or  
36 license relates to providing rides through the Luxury Ground TNC;

37 2. Subject the Luxury Ground TNC, or drivers or for-hire  
38 vehicles as defined by s. 320.01(15) affiliated with such Luxury  
39 Ground TNC, to any rate, entry, operation, or other requirement  
40 of the county, municipality, special district, or other local

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41 governmental entity or subdivision, except that insurance  
42 requirements applicable to for-hire vehicles as defined by s.  
43 320.01(15), which includes requirements applicable to limousines  
44 or luxury sedans or the owners or operators of such vehicles,  
45 shall remain in effect; or

46 3. Require the Luxury Ground TNC, or drivers or for-hire  
47 vehicles as defined in s. 320.01(15) affiliated with such Luxury  
48 Ground TNC, to obtain a business license or any other type of  
49 similar authorization to operate within the local governmental  
50 entity's jurisdiction.

51  
52 This paragraph does not prohibit an airport or seaport from  
53 requiring permits for for-hire vehicles as defined by s.  
54 320.01(15) and charging reasonable pickup fees for for-hire  
55 vehicles as defined in s. 320.01(15).

56 -----  
57 **T I T L E A M E N D M E N T**

58 Remove line 39 and insert:  
59 establish cancer prevention best practices; amending s. 627.748,  
60 F.S.; defining the term "luxury ground transportation network  
61 company"; authorizing a luxury ground transportation network  
62 company to elect to be regulated as a transportation network  
63 company; providing notice requirements; providing exceptions to  
64 applicable statutes; prohibiting local governmental entities

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/CS/HB 1393 (2019)

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65 | from regulating certain aspects of luxury ground transportation  
66 | network companies; providing an exception; amending