

By the Committee on Civil Justice & Claims and  
Representatives Flanagan, Cosgrove, Warner and Thrasher

1                                   A bill to be entitled  
2           An act relating to rental car liability;  
3           amending s. 324.021, F.S.; providing that the  
4           lessor of a motor vehicle under certain rental  
5           agreements shall be deemed the owner of the  
6           vehicle for the purpose of determining  
7           liability for the operation of the vehicle  
8           within certain limits; providing for  
9           application; providing an effective date.

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

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13           Section 1. Paragraph (b) of subsection (9) of section  
14 324.021, Florida Statutes, is amended to read:15           324.021 Definitions; minimum insurance required.--The  
16 following words and phrases when used in this chapter shall,  
17 for the purpose of this chapter, have the meanings  
18 respectively ascribed to them in this section, except in those  
19 instances where the context clearly indicates a different  
20 meaning:

21           (9) OWNER; OWNER/LESSOR.--

22           (b) Owner/lessor.--Notwithstanding any other provision  
23 of the Florida Statutes or existing case law:724           1. The lessor, under an agreement to lease a motor  
25 vehicle for 1 year or longer which requires the lessee to  
26 obtain insurance acceptable to the lessor which contains  
27 limits not less than \$100,000/\$300,000 bodily injury liability  
28 and \$50,000 property damage liability or not less than  
29 \$500,000 combined property damage liability and bodily injury  
30 liability, shall not be deemed the owner of said motor vehicle  
31 for the purpose of determining financial responsibility for

1 the operation of said motor vehicle or for the acts of the  
2 operator in connection therewith; further, this subparagraph  
3 ~~paragraph~~ shall be applicable so long as the insurance meeting  
4 these requirements is in effect. The insurance meeting such  
5 requirements may be obtained by the lessor or lessee,  
6 provided, if such insurance is obtained by the lessor, the  
7 combined coverage for bodily injury liability and property  
8 damage liability shall contain limits of not less than \$1  
9 million and may be provided by a lessor's blanket policy.

10 2. The lessor, under an agreement to rent or lease a  
11 motor vehicle for a period of less than 1 year, shall be  
12 deemed the owner of the motor vehicle for the purpose of  
13 determining liability for the operation of said vehicle or the  
14 acts of the operator in connection therewith only up to  
15 \$100,000 per person and up to \$300,000 per incident for bodily  
16 injury and up to \$50,000 for property damage. In the event  
17 the lessee or the operator of the motor vehicle is uninsured  
18 or has any insurance with limits less than \$500,000 combined  
19 property damage and bodily injury liability, the lessor shall  
20 be liable for up to an additional \$500,000 in economic damages  
21 only arising out of the use of the motor vehicle. The  
22 additional specified liability of the lessor for economic  
23 damages shall be reduced by amounts actually recovered from  
24 the lessee, the operator, and from any insurance or self  
25 insurance covering the lessee or operator. Nothing in this  
26 paragraph shall be construed to affect the liability of the  
27 lessor for its own negligence.

28 Section 2. This act shall take effect October 1 of the  
29 year in which enacted.

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HOUSE SUMMARY

Provides that the lessor of a motor vehicle, under an agreement to rent or lease a motor vehicle for a period of less than 1 year which requires the lessee to obtain certain insurance, shall be deemed the owner of the motor vehicle for the purpose of determining liability for the operation of the vehicle within described financial limits. See bill for details.