

Bill No. CS for SB 874

Amendment No.     

	<u>Senate</u>	CHAMBER ACTION	<u>House</u>
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11	Senators Dyer, Hargrett and Jones moved the following		
12	substitute for amendment (160500):		
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14	<b>Senate Amendment</b>		
15	On page 24, lines 5-26, delete those lines		
16			
17	and insert:		
18	<u>768.099 Limits on liability for loaned, rented, or</u>		
19	<u>leased private passenger motor vehicles.--</u>		
20	<u>(1) Notwithstanding any other provision of law, a</u>		
21	<u>motor vehicle rental business that rents or leases a private</u>		
22	<u>passenger motor vehicle as defined in subsection (3) for a</u>		
23	<u>term of less than 1 year shall not be vicariously liable for</u>		
24	<u>noneconomic damages and is liable for the actions of the</u>		
25	<u>person operating the vehicle in economic damages only up to</u>		
26	<u>\$500,000 per incident without a showing of negligence or</u>		
27	<u>intentional misconduct on the part of the motor vehicle rental</u>		
28	<u>business. If a motor vehicle rental business chooses to</u>		
29	<u>purchase liability insurance coverage, this subsection does</u>		
30	<u>not in any way limit the duty of an insurer that provides such</u>		
31	<u>coverage to act in good faith under existing common and</u>		

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1 statutory law, and such an insurer is subject to full  
2 liability under the law for a breach of such duty to the same  
3 extent as if the responsibility of ownership had not been  
4 limited by this subsection.

5 (2) Notwithstanding any other provision of law, a  
6 natural person who owns a private passenger motor vehicle as  
7 defined in subsection (3) and lends it to another who is not  
8 an employee, agent, or resident relative of the owner, without  
9 compensation and for personal, noncommercial use, shall be  
10 liable for the actions of any person operating the vehicle  
11 only up to \$100,000 per person and \$300,000 per incident or  
12 the maximum limit of such owner's available insurance  
13 coverage, whichever is greater, without a showing of  
14 negligence or intentional misconduct on the part of the owner.  
15 If any such owner chooses to purchase liability insurance  
16 coverage, this subsection does not in any way limit the duty  
17 of an insurer that provides such coverage to act in good faith  
18 under existing common and statutory law, and such an insurer  
19 is subject to full liability under the law for a breach of  
20 such duty to the same extent as if the responsibility of  
21 ownership had not been limited by this subsection.

22 (3) As used in this section, the term "private  
23 passenger motor vehicle" means a motor vehicle that is not  
24 used for occupational, professional, or business purposes and  
25 includes a sedan, station wagon, jeep-type vehicle, pickup  
26 truck, panel truck, van, camper, or motor home.

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