

Bill No. CS for SB 874

Amendment No.

	<u>Senate</u>	CHAMBER ACTION	<u>House</u>
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11	Senator Ostalkiewicz moved the following amendment:		
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13	Senate Amendment (with title amendment)		
14	On page 24, lines 3-26, delete those lines		
15			
16	and insert:		
17	Section 13. Section 768.099, Florida Statutes, is		
18	created to read:		
19	<u>768.099 Limited liability based on ownership of a</u>		
20	<u>motor vehicle.--</u>		
21	<u>(1) Notwithstanding any other provision of law, the</u>		
22	<u>owner of a motor vehicle shall not be vicariously liable in a</u>		
23	<u>civil action for damages to a third person resulting from the</u>		
24	<u>operation of the motor vehicle by a person other than the</u>		
25	<u>owner.</u>		
26	<u>(2) Notwithstanding subsection (1) or any other</u>		
27	<u>provision of law, if the owner of a motor vehicle is a</u>		
28	<u>business that rents or leases motor vehicles for a term of</u>		
29	<u>less than one year, the owner shall not be vicariously liable</u>		
30	<u>for punitive damages or non-economic damages in a civil action</u>		
31	<u>for damages to a third person resulting from the operation of</u>		

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1 the motor vehicle by a person other than the owner or other
2 than an agent or employee of the owner.

3 (3) Nothing in this section shall be construed to
4 alter the provisions of s. 324.021(9)(b) governing the
5 liability of a lessor under an agreement to lease a motor
6 vehicle for 1 year or longer.

7 (4) The limitations on liability in this section do
8 not apply to an owner of a motor vehicle that is used for
9 commercial activity in the owner's ordinary course of
10 business, other than a business that rents or leases motor
11 vehicles.

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14 ===== T I T L E A M E N D M E N T =====

15 And the title is amended as follows:

16 On page 3, lines 10-13, delete those lines

17
18 and insert:

19 limiting the liability of certain motor vehicle
20 owners; providing exceptions; creating s.

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