

By Representative Mealor

1                                   A bill to be entitled  
2           An act relating to motor vehicles; amending s.  
3           322.09, F.S.; providing that a foster parent or  
4           a group home representative who signs an  
5           application for a learner's driver's license  
6           for a minor who is in foster care is not, by  
7           reason of having signed the application,  
8           assuming any obligation or liability for any  
9           damages caused by the minor; creating s.  
10          627.746, F.S.; prohibiting insurers that issue  
11          insurance policies for private passenger  
12          automobiles from charging an additional premium  
13          for a minor who operates his or her parent's  
14          vehicle, during the time that the minor has a  
15          learner's driver's license; providing an  
16          effective date.

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

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20           Section 1. Section 322.09, Florida Statutes, is  
21 amended to read:

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23           322.09 Application of minors.--

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25           (1)(a) The application of any person under the age of  
26 18 years for a driver's license must be signed and verified  
27 before a person authorized to administer oaths by the father,  
28 mother, or guardian, or, if there is no parent or guardian, by  
29 another responsible adult who is willing to assume the  
30 obligation imposed under this chapter upon a person signing  
31 the application of a minor. This section does not apply to a  
person under the age of 18 years who is emancipated by  
marriage.

1 (b) There shall be submitted with each application a  
2 certified copy of a United States birth certificate, a valid  
3 United States passport, an alien registration receipt card  
4 (green card), an employment authorization card issued by the  
5 United States Department of Justice, or proof of nonimmigrant  
6 classification provided by the United States Department of  
7 Justice, for an original license.

8 (2) Any negligence or willful misconduct of a minor  
9 under the age of 18 years when driving a motor vehicle upon a  
10 highway shall be imputed to the person who has signed the  
11 application of such minor for a permit or license, which  
12 person shall be jointly and severally liable with such minor  
13 for any damages caused by such negligence or willful  
14 misconduct.

15 (3) The department may not issue a driver's license or  
16 learner's driver's license to any applicant under the age of  
17 18 years who is not in compliance with the requirements of s.  
18 322.091.

19 (4) Notwithstanding the provisions of subsections (1)  
20 and (2), if a foster parent of a minor who is under the age of  
21 18 years and is in foster care as defined in s. 39.01, or an  
22 authorized representative of a residential group home at which  
23 such a minor resides, signs the minor's application for a  
24 learner's driver's license, that foster parent or group home  
25 representative does not assume any obligation or become liable  
26 for any damages caused by the negligence or willful misconduct  
27 of the minor, by reason of having signed the application.

28 Section 2. Section 627.746, Florida Statutes, is  
29 created to read:

30 627.746 Coverage for minors who have a learner's  
31 driver's license; additional premium prohibited.--An insurer

1 that issues an insurance policy on a private passenger motor  
2 vehicle to a named insured who is a parent or foster parent of  
3 a minor child may not charge an additional premium for  
4 coverage of the minor child while the child is operating the  
5 parent's insured vehicle, for the period of time that the  
6 minor has a learner's driver's license, until such time as the  
7 minor obtains a driver's license.

8           Section 3. This act shall take effect July 1, 2001,  
9 and section 627.746, Florida Statutes, as created by this act,  
10 shall apply to insurance policies that are issued or renewed  
11 on or after that date.

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14   SENATE SUMMARY

15 Provides that a foster parent or a group home  
16 representative who signs an application for a learner's  
17 driver's license for a minor who is in foster care is  
18 not, by reason of having signed the application, assuming  
19 any obligation or liability for any damages caused by the  
20 minor. Prohibits insurers that issue insurance policies  
21 for private passenger automobiles from charging an  
22 additional premium for a minor who operates his or her  
23 parent's vehicle, during the time that the minor has a  
24 learner's driver's license.  
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