

By the Committee on Judiciary and Senators Burt, Latvala and Peadar

308-1567-01

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

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

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

322.09 Application of minors.--

(1)(a) The application of any person under the age of 18 years for a driver's license must be signed and verified before a person authorized to administer oaths by the father, mother, or guardian, or, if there is no parent or guardian, by another responsible adult who is willing to assume the obligation imposed under this chapter upon a person signing 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 insured vehicle, for the period of time that the minor has a
6 learner's driver's license, until such time as the minor
7 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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13 STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN
14 COMMITTEE SUBSTITUTE FOR
15 SB 1274

16 The committee substitute provides that both parents and foster
17 parents who own an automobile that will be operated by the
18 holder of a learner's driver's license may obtain insurance
19 coverage for that driver without paying an additional
20 insurance premium.
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