

Amendment No. \_\_\_\_ (for drafter's use only)

	<u>Senate</u>	CHAMBER ACTION	<u>House</u>
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Representative(s) Alexander offered the following:

**Amendment to Senate Amendment (145300) (with title amendment)**

On page 1, between lines 20 and 21 of the amendment

insert:

Section 2. Section 324.031, Florida Statutes, is amended to read:

324.031 Manner of proving financial responsibility.--The owner or operator of a taxicab, limousine, jitney, or any other for-hire passenger transportation vehicle may prove financial responsibility by providing satisfactory evidence of holding a motor vehicle liability policy as defined in s. 324.021(8) or s. 324.151, which policy is issued by an insurance carrier which is a member of the Florida Insurance Guaranty Association. The operator or owner of any other vehicle may prove his or her financial responsibility by:

- (1) Furnishing satisfactory evidence of holding a motor vehicle liability policy as defined in ss. 324.021(8)

1 and 324.151;

2 (2) Posting with the department a satisfactory bond of  
3 a surety company authorized to do business in this state,  
4 conditioned for payment of the amount specified in s.  
5 324.021(7);

6 (3) Furnishing a certificate of the department showing  
7 a deposit of cash or securities in accordance with s. 324.161;  
8 or

9 (4) Furnishing a certificate of self-insurance issued  
10 by the department in accordance with s. 324.171.

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12 Any person, including any firm, partnership, association,  
13 corporation, or other person, other than a natural person,  
14 electing to use the method of proof specified in subsection  
15 (2) or subsection (3) shall post a bond or deposit equal to  
16 the number of vehicles owned times \$30,000, to a maximum of  
17 \$120,000; in addition, any such person, other than a natural  
18 person, shall maintain insurance providing coverage in excess  
19 of limits of \$10,000/20,000/10,000 or \$30,000 combined single  
20 limits, and such excess insurance shall provide minimum limits  
21 of ~~\$125,000/250,000/50,000~~ ~~\$50,000/100,000/50,000~~ or ~~\$300,000~~  
22 ~~\$150,000~~ combined single limits. These increased limits shall  
23 not affect the requirements for proving financial  
24 responsibility under s. 324.032(1).

25 Section 3. Subsection (1) of section 324.032, Florida  
26 Statutes, is amended to read:

27 324.032 Manner of proving financial responsibility;  
28 for-hire passenger transportation vehicles.--

29 (1) Notwithstanding the provisions of s. 324.031, a  
30 person who is either the owner or a lessee required to  
31 maintain insurance under s. 324.021(9)(b) and who operates at

1 least 300 taxicabs, limousines, jitneys, or any other for-hire  
2 passenger transportation vehicles may prove financial  
3 responsibility by satisfying the following:

- 4 (a) Furnishing satisfactory evidence of holding a  
5 motor vehicle liability policy as defined in s. 324.031; or  
6 (b) Complying with the provisions of s. 324.171, such  
7 compliance to be demonstrated by maintaining at its principal  
8 place of business an audited financial statement, prepared in  
9 accordance with generally accepted accounting principles, and  
10 providing to the department a certification issued by a  
11 certified public accountant that the applicant's net worth is  
12 at least equal to the requirements of s. 324.171 as determined  
13 by the Department of Insurance, including claims liabilities  
14 in an amount certified as adequate by a Fellow of the Casualty  
15 Actuarial Society.

16  
17 Upon request by the department, the applicant must provide the  
18 department at the applicant's principal place of business in  
19 this state access to the applicant's underlying financial  
20 information and financial statements that provide the basis of  
21 the certified public accountant's certification. The  
22 applicant shall reimburse the requesting department for all  
23 reasonable costs incurred by it in reviewing the supporting  
24 information. The maximum amount of self-insurance permissible  
25 under this subsection is \$100,000 and must be stated on a  
26 per-occurrence basis, and the applicant shall maintain  
27 adequate excess insurance issued by an authorized or eligible  
28 insurer licensed or approved by the Department of Insurance.  
29 All risks self-insured shall remain with the owner or lessee  
30 providing it, and the risks are not transferable to any other  
31 person, unless a policy complying with paragraph (a) is

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1 obtained.

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

5 And the title is amended as follows:

6 On page 6, line 19 after the first semicolon of the  
7 amendment

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10 insert:

11 amending ss. 324.031, 324.032, F.S., specifying  
12 manner of proving financial responsibility;

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