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CHAMBER ACTION

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The Committee on Insurance recommends the following:

**Committee Substitute**

Remove the entire bill and insert:

A bill to be entitled

An act relating to personal accident insurance agent limited licenses; amending s. 626.321, F.S.; revising criteria for issuing an agent's license for limited classes of business relating to insurance sales incidental to the rental or lease of motor vehicles; providing additional license application requirements; providing an effective date.

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

Section 1. Paragraphs (c) and (d) of subsection (1) of section 626.321, Florida Statutes, are amended to read:

626.321 Limited licenses.--

(1) The department shall issue to a qualified individual, or a qualified individual or entity under paragraphs (c), (d), (e), and (i), a license as agent authorized to transact a limited class of business in any of the following categories:



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28 (c) Personal accident insurance.--License covering only  
29 policies of personal accident insurance covering the risks of  
30 travel, except as provided in subparagraph 2. The license may be  
31 issued only:

32 1. To a full-time salaried employee of a common carrier or  
33 a full-time salaried employee or owner of a transportation  
34 ticket agency and may authorize the sale of such ticket policies  
35 only in connection with the sale of transportation tickets, or  
36 to the full-time salaried employee of such an agent. No such  
37 policy shall be for a duration of more than 48 hours or for the  
38 duration of a specified one-way trip or round trip.

39 2. ~~To a full-time salaried employee of a business which~~  
40 ~~offers motor vehicles for rent or lease, or to a business office~~  
41 ~~of a business~~ entity which offers motor vehicles for rent or  
42 lease if insurance sales activities authorized by the license  
43 are in connection with and incidental to the rental of a motor  
44 vehicle limited to full-time salaried employees. An entity  
45 applying for a license under this section:

46 a. Is required to submit only one application for a  
47 license under s. 626.171. The requirements of s. 626.171(5)  
48 shall only apply to the officers and directors of the entity  
49 submitting the application.

50 b. Is required to obtain a license for each office, branch  
51 office, or place of business making use of the entity's business  
52 name by applying to the department for the license on a  
53 simplified application form developed by rule of the department  
54 for this purpose.



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55 c. Is required to pay the applicable fees for a license as  
56 prescribed in s. 624.501, be appointed under s. 626.112, and pay  
57 the prescribed appointment fee under s. 624.501. A licensed and  
58 appointed entity shall be directly responsible and accountable  
59 for all acts of the licensee's employees.

60 3. A business entity ~~office licensed or a person licensed~~  
61 ~~pursuant to this subparagraph~~ may, as an agent of an insurer,  
62 transact insurance that provides coverage for accidental  
63 personal injury or death of the lessee and any passenger who is  
64 riding or driving with the covered lessee in the rental motor  
65 vehicle if the lease or rental agreement is for not more than 30  
66 days, or if the lessee is not provided coverage for more than 30  
67 consecutive days per lease period; however, if the lease is  
68 extended beyond 30 days, the coverage may be extended one time  
69 only for a period not to exceed an additional 30 days.

70 (d) Baggage and motor vehicle excess liability  
71 insurance.--

72 1. License covering only insurance of personal effects  
73 except as provided in subparagraph 2. The license may be issued  
74 only:

75 a. To a full-time salaried employee of a common carrier or  
76 a full-time salaried employee or owner of a transportation  
77 ticket agency, which person is engaged in the sale or handling  
78 of transportation of baggage and personal effects of travelers,  
79 and may authorize the sale of such insurance only in connection  
80 with such transportation; or

81 b. ~~To the full-time salaried employee of a licensed~~  
82 ~~general lines agent, a full-time salaried employee of a business~~



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83 ~~which offers motor vehicles for rent or lease, or to a business~~  
84 ~~office of~~ a business entity which offers motor vehicles for rent  
85 or lease if insurance sales activities authorized by the license  
86 are in connection with and incidental to the rental of a motor  
87 vehicle limited to full-time salaried employees. An entity  
88 applying for a license under this section:

89 (I) Is required to submit only one application for a  
90 license under s. 626.171. The requirements of s. 626.171(5)  
91 shall only apply to the officers and directors of the entity  
92 submitting the application.

93 (II) Is required to obtain a license for each office,  
94 branch office, or place of business making use of the entity's  
95 business name by applying to the department for the license on a  
96 simplified application form developed by rule of the department  
97 for this purpose.

98 (III) Is required to pay the applicable fees for a license  
99 as prescribed in s. 624.501, be appointed under s. 626.112, and  
100 pay the prescribed appointment fee under s. 624.501. A licensed  
101 and appointed entity shall be directly responsible and  
102 accountable for all acts of the licensee's employees.

103  
104 The business entity offering ~~purchaser of baggage~~ insurance  
105 shall make available ~~be provided written~~ information ~~disclosing~~  
106 that states that the insured's homeowner's policy may provide  
107 coverage for loss of personal effects and that the purchase of  
108 such insurance is not required in connection with the purchase  
109 of tickets or in connection with the lease or rental of a motor  
110 vehicle.



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111           2. A business entity ~~office licensed pursuant to~~  
112 ~~subparagraph 1., or a person licensed pursuant to subparagraph~~  
113 ~~1. who is a full-time salaried employee of a business~~ which  
114 offers motor vehicles for rent or lease, may include lessees  
115 under a master contract providing coverage to the lessor or may  
116 transact excess motor vehicle liability insurance providing  
117 coverage in excess of the standard liability limits provided by  
118 the lessor in its lease to a person renting or leasing a motor  
119 vehicle from the licensee's employer for liability arising in  
120 connection with the negligent operation of the leased or rented  
121 motor vehicle, provided that the lease or rental agreement is  
122 for not more than 30 days; that the lessee is not provided  
123 coverage for more than 30 consecutive days per lease period,  
124 and, if the lease is extended beyond 30 days, the coverage may  
125 be extended one time only for a period not to exceed an  
126 additional 30 days; that the lessee is given written notice that  
127 his or her personal insurance policy providing coverage on an  
128 owned motor vehicle may provide additional excess coverage; and  
129 that the purchase of the insurance is not required in connection  
130 with the lease or rental of a motor vehicle. The excess  
131 liability insurance may be provided to the lessee as an  
132 additional insured on a policy issued to the licensee's  
133 employer.

134           3. A business entity ~~office licensed pursuant to~~  
135 ~~subparagraph 1., or a person licensed pursuant to subparagraph~~  
136 ~~1. who is a full-time salaried employee of a business~~ which  
137 offers motor vehicles for rent or lease, may, as an agent of an  
138 insurer, transact insurance that provides coverage for the



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139 liability of the lessee to the lessor for damage to the leased  
140 or rented motor vehicle if:

141 a. The lease or rental agreement is for not more than 30  
142 days; or the lessee is not provided coverage for more than 30  
143 consecutive days per lease period, but, if the lease is extended  
144 beyond 30 days, the coverage may be extended one time only for a  
145 period not to exceed an additional 30 days;

146 b. The business entity makes available information that  
147 states that:

148 (I) The lessee's ~~lessee is given written notice that his~~  
149 ~~or her~~ personal insurance policy that provides coverage on an  
150 owned motor vehicle may provide such coverage with or without a  
151 deductible; and

152 (II) ~~e.~~ The purchase of the insurance is not required in  
153 connection with the lease or rental of a motor vehicle.

154 Section 2. This act shall take effect upon becoming a law.