

Bill No. CS for SB 1678

Barcode 474948

CHAMBER ACTION

Senate

House

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The Committee on Regulated Industries (Haridopolos)
recommended the following amendment:

Senate Amendment (with title amendment)

Delete everything after the enacting clause

and insert:

Section 1. Subsection (9) of section 624.501, Florida
Statutes, is amended to read:

624.501 Filing, license, appointment, and
miscellaneous fees.--The department, commission, or office, as
appropriate, shall collect in advance, and persons so served
shall pay to it in advance, fees, licenses, and miscellaneous
charges as follows:

(9)(a) Except as provided in paragraph (b), all
limited appointments as agent, as provided for in s. 626.321.
Agent's original appointment and biennial renewal or
continuation thereof, each insurer:

Appointment fee.....	\$42.00
State tax.....	12.00
County tax.....	6.00

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1 Total.....\$60.00

2 (b) For all limited appointments as agent as provided
3 for in s. 626.321(1)(d), the agent's original appointment and
4 biennial renewal or continuation thereof for each insurer
5 shall be equal to the number of offices, branch offices, or
6 places of business covered by the license multiplied by the
7 fees set forth in paragraph (a).

8 Section 2. Paragraphs (c) and (d) of subsection (1) of
9 section 626.321, Florida Statutes, are amended, and subsection
10 (5) is added to that section, to read:

11 626.321 Limited licenses.--

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

17 (c) Travel ~~Personal accident~~ insurance.--License
18 covering only policies and certificates of travel ~~personal~~
19 ~~accident~~ insurance, which are subject to review by the office
20 under s. 624.605(1)(g) covering the risks of travel, except as
21 provided in subparagraph 2. Policies and certificates of
22 travel insurance may provide coverage for risks incidental to
23 travel or planned travel or accommodations while traveling,
24 including, but not limited to, accidental death and
25 dismemberment of a traveler; trip cancellation, interruption,
26 or delay; loss of or damage to personal effects or travel
27 documents; baggage delay; emergency medical travel or
28 evacuation of a traveler; or medical, surgical, and hospital
29 expenses related to an illness or emergency of a traveler. Any
30 such policy or certificate may be issued for terms longer than
31 60 days, but each policy or certificate must be limited to

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1 coverage for travel or use of accommodations of no longer than
2 60 days. The license may be issued only:

3 1. To a full-time salaried employee of a common
4 carrier or a full-time salaried employee or owner of a
5 transportation ticket agency and may authorize the sale of
6 such ticket policies only in connection with the sale of
7 transportation tickets, or to the full-time salaried employee
8 of such an agent. No such policy shall be for a duration of
9 more than 48 hours or for the duration of a specified one-way
10 trip or round trip.

11 2. To an entity or individual that is:

12 a. The developer of a timeshare plan that is the
13 subject of an approved public offering statement under chapter
14 721;

15 b. An exchange company operating an exchange program
16 approved under chapter 721;

17 c. A managing entity operating a timeshare plan
18 approved under chapter 721;

19 d. A seller of travel as defined in chapter 559; or

20 e. A subsidiary or affiliate of any of the entities
21 described in sub-subparagraphs a.-d.

22
23 A licensee shall require each employee who offers policies or
24 certificates under this subparagraph to receive initial
25 training from a general lines agent or an insurer authorized
26 under chapter 624 to transact insurance within this state. For
27 an entity applying for a license as a travel insurance agent,
28 the fingerprinting requirement of this section applies only to
29 the president, secretary, and treasurer and to any other
30 officer or person who directs or controls the travel insurance
31 operations of the entity. ~~To a full-time salaried employee of~~

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1 ~~a business which offers motor vehicles for rent or lease, or~~
2 ~~to a business entity which offers motor vehicles for rent or~~
3 ~~lease. A business office licensed or a person licensed~~
4 ~~pursuant to this subparagraph may, as an agent of an insurer,~~
5 ~~transact insurance that provides coverage for accidental~~
6 ~~personal injury or death of the lessee and any passenger who~~
7 ~~is riding or driving with the covered lessee in the rental~~
8 ~~motor vehicle if the lease or rental agreement is for not more~~
9 ~~than 30 days, or if the lessee is not provided coverage for~~
10 ~~more than 30 consecutive days per lease period; however, if~~
11 ~~the lease is extended beyond 30 days, the coverage may be~~
12 ~~extended one time only for a period not to exceed an~~
13 ~~additional 30 days.~~

14 (d) ~~Baggage and Motor vehicle rental excess liability~~
15 ~~insurance.--~~

16 1. License covering only insurance of the risks set
17 forth in this paragraph when offered, sold, or solicited with
18 and incidental to the rental or lease of a motor vehicle and
19 which applies only to the motor vehicle that is the subject of
20 the lease or rental agreement and occupants of the motor
21 vehicle:

22 a. Excess motor vehicle liability insurance providing
23 coverage in excess of the standard liability limits provided
24 by the lessor in its lease to a person renting or leasing a
25 motor vehicle from the licensee's employer for liability
26 arising in connection with the negligent operation of the
27 leased or rented motor vehicle.

28 b. Insurance covering the liability of the lessee to
29 the lessor for damage to the leased or rented motor vehicle.

30 c. Insurance covering the loss of or damage to
31 baggage, personal effects, or travel documents of a person

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1 renting or leasing a motor vehicle.

2 d. Insurance covering accidental personal injury or
3 death of the lessee and any passenger who is riding or driving
4 with the covered lessee in the leased or rented motor vehicle.

5 2. Insurance under this license may be issued only if
6 the lease or rental agreement is for no more than 60 days; the
7 lessee is not provided coverage for more than 60 consecutive
8 days per lease period; and the lessee is given written notice
9 that his or her personal insurance policy providing coverage
10 on an owned motor vehicle may provide coverage of these risks
11 and that the purchase of the insurance is not required in
12 connection with the lease or rental of a motor vehicle. If the
13 lease is extended beyond 60 days, the coverage may be extended
14 one time only for a period not to exceed an additional 60
15 days. Insurance may be provided to the lessee as an additional
16 insured on a policy issued to the licensee's employer.

17 ~~personal effects except as provided in subparagraph 2.~~

18 3. The license may be issued only+

19 ~~a. To a full-time salaried employee of a common~~
20 ~~carrier or a full-time salaried employee or owner of a~~
21 ~~transportation ticket agency, which person is engaged in the~~
22 ~~sale or handling of transportation of baggage and personal~~
23 ~~effects of travelers, and may authorize the sale of such~~
24 ~~insurance only in connection with such transportation; or~~

25 b. to the full-time salaried employee of a licensed
26 general lines agent or to a business entity that offers motor
27 vehicles for rent or lease if insurance sales activities
28 authorized by the license are in connection with and
29 incidental to the rental or lease of a motor vehicle.

30 a. A license issued to a business entity that offers
31 motor vehicles for rent or lease must license each office,

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1 branch office, or place of business making use of the entity's
2 business name in order to offer, solicit, and sell insurance
3 pursuant to this paragraph.

4 b. The application for licensure must list the name,
5 address, and phone number for each office, branch office, or
6 place of business that is to be covered by the license. The
7 licensee shall notify the department of the name, address, and
8 phone number of any new location that is to be covered by the
9 license before the office, branch office, or place of business
10 engages in the sale of insurance pursuant to this paragraph.

11 The licensee shall notify the department within 30 days after
12 closing or terminating an office, branch office, or place of
13 business. Upon receipt of the notice, the department shall
14 delete the office, branch office, or place of business from
15 the license. An entity applying for a license under this
16 ~~sub-subparagraph:~~

17 ~~(I) Is required to submit only one application for a~~
18 ~~license under s. 626.171. The requirements of s. 626.171(4)~~
19 ~~shall apply only to the officers and directors of the entity~~
20 ~~submitting the application.~~

21 ~~(II) Is required to obtain a license for each office,~~
22 ~~branch office, or place of business making use of the entity's~~
23 ~~business name by applying to the department for the license on~~
24 ~~a simplified application form developed by rule of the~~
25 ~~department for this purpose.~~

26 ~~(III) Is required to pay the applicable fees for a~~
27 ~~license as prescribed in s. 624.501, be appointed under s.~~
28 ~~626.112, and pay the prescribed appointment fee under s.~~
29 ~~624.501.~~

30 c. A licensed and appointed entity ~~is~~ shall be
31 directly responsible and accountable for all acts of the

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1 licensee's employees.

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3 ~~The purchaser of baggage insurance shall be provided written~~
4 ~~information disclosing that the insured's homeowner's policy~~
5 ~~may provide coverage for loss of personal effects and that the~~
6 ~~purchase of such insurance is not required in connection with~~
7 ~~the purchase of tickets or in connection with the lease or~~
8 ~~rental of a motor vehicle.~~

9 ~~2. A business entity that offers motor vehicles for~~
10 ~~rent or lease, may include lessees under a master contract~~
11 ~~providing coverage to the lessor or may transact excess motor~~
12 ~~vehicle liability insurance providing coverage in excess of~~
13 ~~the standard liability limits provided by the lessor in its~~
14 ~~lease to a person renting or leasing a motor vehicle from the~~
15 ~~licensee's employer for liability arising in connection with~~
16 ~~the negligent operation of the leased or rented motor vehicle,~~
17 ~~provided that the lease or rental agreement is for not more~~
18 ~~than 30 days; that the lessee is not provided coverage for~~
19 ~~more than 30 consecutive days per lease period, and, if the~~
20 ~~lease is extended beyond 30 days, the coverage may be extended~~
21 ~~one time only for a period not to exceed an additional 30~~
22 ~~days; that the lessee is given written notice that his or her~~
23 ~~personal insurance policy providing coverage on an owned motor~~
24 ~~vehicle may provide additional excess coverage; and that the~~
25 ~~purchase of the insurance is not required in connection with~~
26 ~~the lease or rental of a motor vehicle. The excess liability~~
27 ~~insurance may be provided to the lessee as an additional~~
28 ~~insured on a policy issued to the licensee's employer.~~

29 ~~3. A business entity that offers motor vehicles for~~
30 ~~rent or lease, may, as an agent of an insurer, transact~~
31 ~~insurance that provides coverage for the liability of the~~

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1 ~~lessee to the lessor for damage to the leased or rented motor~~
2 ~~vehicle if:~~

3 ~~a. The lease or rental agreement is for not more than~~
4 ~~30 days; or the lessee is not provided coverage for more than~~
5 ~~30 consecutive days per lease period, but, if the lease is~~
6 ~~extended beyond 30 days, the coverage may be extended one time~~
7 ~~only for a period not to exceed an additional 30 days;~~

8 ~~b. The lessee is given written notice that his or her~~
9 ~~personal insurance policy that provides coverage on an owned~~
10 ~~motor vehicle may provide such coverage with or without a~~
11 ~~deductible; and~~

12 ~~c. The purchase of the insurance is not required in~~
13 ~~connection with the lease or rental of a motor vehicle.~~

14 (5) Noting herein shall permit the sale of an
15 insurance policy or certificate for any limited class of
16 business in a category identified under subsection (1) by a
17 person or entity other than an insurance policy or certificate
18 offered by an authorized insurer in this state or an eligible
19 surplus lines insurer in this state.

20 Section 3. This act shall take effect January 1, 2008.

21
22
23 ===== T I T L E A M E N D M E N T =====

24 And the title is amended as follows:

25 Delete everything before the enacting clause

26
27 and insert:

28 A bill to be entitled

29 An act relating to limited insurance licenses;

30 amending s. 624.501, F.S.; providing

31 appointment fees for motor vehicle rental

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1 insurance agents; amending s. 626.321, F.S.;
2 providing for limited licenses to transact
3 travel insurance; specifying authorized
4 entities; specifying applicable coverage;
5 providing limitations; providing entity
6 training requirements; providing for limited
7 licenses to transact motor vehicle rental
8 insurance; specifying authorized entities;
9 specifying applicable coverage; providing
10 limitations; providing application
11 requirements; providing responsibilities of
12 licensees; providing an effective date.

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