

Amendment No.

CHAMBER ACTION

Senate

House

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Representative(s) Precourt offered the following:

Amendment

Remove line(s) 65-236 and insert:

certificate, other than a policy or certificate providing coverage for air ambulatory services only, must be limited to coverage for travel or use of accommodations of no longer than 60 days covering the risks of travel, except as provided in
~~subparagraph 2.~~ The license may be issued only:

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

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17 2. To an entity or individual that is:

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

20 b. An exchange company operating an exchange program
21 approved under chapter 721;

22 c. A managing entity operating a timeshare plan approved
23 under chapter 721;

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

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

27
28 A licensee shall require each employee who offers policies or
29 certificates under this subparagraph to receive initial training
30 from a general lines agent or an insurer authorized under
31 chapter 624 to transact insurance within this state. For an
32 entity applying for a license as a travel insurance agent, the
33 fingerprinting requirement of this section applies only to the
34 president, secretary, and treasurer and to any other officer or
35 person who directs or controls the travel insurance operations
36 of the entity. ~~To a full time salaried employee of a business~~
37 ~~which offers motor vehicles for rent or lease, or to a business~~
38 ~~entity which offers motor vehicles for rent or lease. A business~~
39 ~~office licensed or a person licensed pursuant to this~~
40 ~~subparagraph may, as an agent of an insurer, transact insurance~~
41 ~~that provides coverage for accidental personal injury or death~~
42 ~~of the lessee and any passenger who is riding or driving with~~
43 ~~the covered lessee in the rental motor vehicle if the lease or~~
44 ~~rental agreement is for not more than 30 days, or if the lessee~~
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45 ~~is not provided coverage for more than 30 consecutive days per~~
46 ~~lease period, however, if the lease is extended beyond 30 days,~~
47 ~~the coverage may be extended one time only for a period not to~~
48 ~~exceed an additional 30 days.~~

49 (d) ~~Baggage and Motor vehicle rental excess liability~~
50 ~~insurance.--~~

51 1. License covering only insurance of the risks set forth
52 in this paragraph when offered, sold, or solicited with and
53 incidental to the rental or lease of a motor vehicle and which
54 applies only to the motor vehicle that is the subject of the
55 lease or rental agreement and occupants of the motor vehicle:

56 a. Excess motor vehicle liability insurance providing
57 coverage in excess of the standard liability limits provided by
58 the lessor in the lessor's lease to a person renting or leasing
59 a motor vehicle from the licensee's employer for liability
60 arising in connection with the negligent operation of the leased
61 or rented motor vehicle.

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

64 c. Insurance covering the loss of or damage to baggage,
65 personal effects, or travel documents of a person renting or
66 leasing a motor vehicle.

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

70 2. Insurance under a motor vehicle rental insurance
71 license may be issued only if the lease or rental agreement is
72 for no more than 60 days, the lessee is not provided coverage

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73 for more than 60 consecutive days per lease period, and the
74 lessee is given written notice that his or her personal
75 insurance policy providing coverage on an owned motor vehicle
76 may provide coverage of such risks and that the purchase of the
77 insurance is not required in connection with the lease or rental
78 of a motor vehicle. If the lease is extended beyond 60 days, the
79 coverage may be extended one time only for a period not to
80 exceed an additional 60 days. Insurance may be provided to the
81 lessee as an additional insured on a policy issued to the
82 licensee's employer ~~personal effects except as provided in~~
83 ~~subparagraph 2.~~

84 3. The license may be issued only+

85 ~~a. To a full-time salaried employee of a common carrier or~~
86 ~~a full-time salaried employee or owner of a transportation~~
87 ~~ticket agency, which person is engaged in the sale or handling~~
88 ~~of transportation of baggage and personal effects of travelers,~~
89 ~~and may authorize the sale of such insurance only in connection~~
90 ~~with such transportation; or~~

91 ~~b.~~ to the full-time salaried employee of a licensed
92 general lines agent or to a business entity that offers motor
93 vehicles for rent or lease if insurance sales activities
94 authorized by the license are in connection with and incidental
95 to the rental or lease of a motor vehicle.

96 a. A license issued to a business entity that offers motor
97 vehicles for rent or lease shall encompass each office, branch
98 office, or place of business making use of the entity's business
99 name in order to offer, solicit, and sell insurance pursuant to
100 this paragraph.

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101 b. The application for licensure must list the name,
102 address, and phone number for each office, branch office, or
103 place of business that is to be covered by the license. The
104 licensee shall notify the department of the name, address, and
105 phone number of any new location that is to be covered by the
106 license before the new office, branch office, or place of
107 business engages in the sale of insurance pursuant to this
108 paragraph. The licensee shall notify the department within 30
109 days after closing or terminating an office, branch office, or
110 place of business. Upon receipt of the notice, the department
111 shall delete the office, branch office, or place of business
112 from the license. An entity applying for a license under this
113 sub-subparagraph:

114 ~~(I) Is required to submit only one application for a~~
115 ~~license under s. 626.171. The requirements of s. 626.171(4)~~
116 ~~shall apply only to the officers and directors of the entity~~
117 ~~submitting the application.~~

118 ~~(II) Is required to obtain a license for each office,~~
119 ~~branch office, or place of business making use of the entity's~~
120 ~~business name by applying to the department for the license on a~~
121 ~~simplified application form developed by rule of the department~~
122 ~~for this purpose.~~

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

126 c. A licensed and appointed entity is shall be directly
127 responsible and accountable for all acts of the licensee's
128 employees.

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130 ~~The purchaser of baggage insurance shall be provided written~~
131 ~~information disclosing that the insured's homeowner's policy may~~
132 ~~provide coverage for loss of personal effects and that the~~
133 ~~purchase of such insurance is not required in connection with~~
134 ~~the purchase of tickets or in connection with the lease or~~
135 ~~rental of a motor vehicle.~~

136 ~~2. A business entity that offers motor vehicles for rent~~
137 ~~or lease, may include lessees under a master contract providing~~
138 ~~coverage to the lessor or may transact excess motor vehicle~~
139 ~~liability insurance providing coverage in excess of the standard~~
140 ~~liability limits provided by the lessor in its lease to a person~~
141 ~~renting or leasing a motor vehicle from the licensee's employer~~
142 ~~for liability arising in connection with the negligent operation~~
143 ~~of the leased or rented motor vehicle, provided that the lease~~
144 ~~or rental agreement is for not more than 30 days; that the~~
145 ~~lessee is not provided coverage for more than 30 consecutive~~
146 ~~days per lease period, and, if the lease is extended beyond 30~~
147 ~~days, the coverage may be extended one time only for a period~~
148 ~~not to exceed an additional 30 days; that the lessee is given~~
149 ~~written notice that his or her personal insurance policy~~
150 ~~providing coverage on an owned motor vehicle may provide~~
151 ~~additional excess coverage; and that the purchase of the~~
152 ~~insurance is not required in connection with the lease or rental~~
153 ~~of a motor vehicle. The excess liability insurance may be~~
154 ~~provided to the lessee as an additional insured on a policy~~
155 ~~issued to the licensee's employer.~~

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156 ~~3. A business entity that offers motor vehicles for rent~~
157 ~~or lease, may, as an agent of an insurer, transact insurance~~
158 ~~that provides coverage for the liability of the lessee to the~~
159 ~~lessor for damage to the leased or rented motor vehicle if:~~

160 ~~a. The lease or rental agreement is for not more than 30~~
161 ~~days; or the lessee is not provided coverage for more than 30~~
162 ~~consecutive days per lease period, but, if the lease is extended~~
163 ~~beyond 30 days, the coverage may be extended one time only for a~~
164 ~~period not to exceed an additional 30 days;~~

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

169 ~~e. The purchase of the insurance is not required in~~
170 ~~connection with the lease or rental of a motor vehicle.~~

171 (5) Nothing in this section shall permit the sale of an
172 insurance policy or certificate for any limited class of
173 business in a category identified under subsection (1) by a
174 person or entity other than an insurance policy or certificate
175 offered by an authorized insurer in this state or an eligible
176 surplus lines insurer in this state.

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