

Amendment No.

CHAMBER ACTION

Senate

House

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Representative Rodríguez, J. offered the following:

Amendment to Amendment (840433) (with title amendment)

Remove lines 11-85 and insert:

\$125,000 for death and bodily injury per person, \$250,000 for death and bodily injury per incident, and \$25,000 for property damage; and

2. Primary automobile insurance that provides the minimum coverage requirements under ss. 627.730-627.7405.

(b) While a transportation network company driver is engaged in a prearranged ride, the automobile insurance requirements that apply are primary automobile liability insurance of at least \$1 million for death and bodily injury and \$50,000 for property damage.

512089

Approved For Filing: 4/28/2015 9:55:55 AM

Amendment No.

15 (c) The following automobile insurance requirements apply
16 at all times other than the periods specified in paragraph (a)
17 or paragraph (b) if a driver has an agreement with a
18 transportation network company to provide any form of
19 transportation services to riders:

20 1. Primary automobile liability insurance of at least
21 \$100,000 for death and bodily injury per person, \$200,000 for
22 death and bodily injury per incident, and \$25,000 for property
23 damage; and

24 2. Primary automobile insurance that provides the minimum
25 coverage requirements under ss. 627.730-627.7405.

26 (d) The coverage requirements of paragraphs (a) and (b)
27 may be satisfied by any of the following:

28 1. Automobile insurance maintained by the transportation
29 network company driver;

30 2. Automobile insurance maintained by the transportation
31 network company; or

32 3. Any combination of subparagraphs 1. and 2.

33 (e) If automobile insurance maintained by a driver under
34 paragraph (a) or paragraph (b) has lapsed or does not provide
35 the required coverage, automobile insurance maintained by a
36 transportation network company must provide the coverage
37 required by this section beginning with the first dollar of a
38 claim and must require that the insurer have the duty to defend
39 such claim in this state.

512089

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Amendment No.

40 (f) Coverage under an automobile insurance policy
41 maintained by the transportation network company may not be
42 dependent on a personal automobile liability insurance policy
43 first denying a claim.

44 (g) Effective July 1, 2015, notwithstanding any other law,
45 automobile insurance required by this subsection or any other
46 provision of law in effect before the effective date of this
47 subsection that is applicable to a transportation network
48 company must be provided by an insurer authorized to do business
49 in this state which is a member of the Florida Insurance
50 Guaranty Association or an eligible surplus lines insurer under
51 s. 626.918 that is rated "A-" or higher by A. M. Best Company.

52 (h) Automobile insurance satisfying the requirements of
53 this section shall be deemed to satisfy the financial
54 responsibility requirements for a motor vehicle under chapter
55 324 and the security required under s. 627.733. However, the
56 provision of transportation to persons or goods for compensation
57 outside of this section shall subject vehicles and drivers to
58 the requirements of chapters 320 and 324.

59 (i) A transportation network company driver shall carry
60 proof of insurance coverage satisfying paragraphs (a) and (b) at
61 all times during his or her use of a personal vehicle. In the
62 event of an accident:

63 1. The driver shall provide the insurance coverage
64 information to the directly involved parties, automobile
65 insurers, and investigating police officers. Proof of financial

512089

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Amendment No.

66 responsibility pursuant to s. 316.646 may be provided through a
67 digital telephone application controlled by a transportation
68 network company.

69 2. The driver, upon request, shall disclose to directly
70 involved parties, automobile insurers, and investigating police
71 officers whether the driver, at the time of the accident, was
72 logged on to the transportation network company's digital
73 network or engaged in prearranged ride.

74 (j) Before a driver may accept a request for a prearranged
75 ride on the transportation network company's digital network,
76 the transportation network company shall disclose in writing to
77 each transportation network company driver:

78 1. The type of insurance coverage and the limit for each
79 coverage the transportation network company provides.

80 2. The type of automobile insurance coverage that the
81 driver must maintain while the driver uses a personal vehicle in
82 connection with the transportation network company.

83 3. That the provision of rides, prearranged or otherwise,
84 which do not comply with this section will subject the driver to
85 the financial responsibility limits for for-hire passenger
86 transportation provided in s. 324.032(1) and may subject the
87 driver to the penalties provided in 324.221, up to and including
88 a misdemeanor of the second degree.

89 (k) Except as otherwise provided in paragraph (g), this
90 subsection shall take effect March 1, 2016.

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Amendment No.

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

Remove line 93 and insert:
not provide the required coverage; requiring specified
insurance limits in certain circumstances; requiring a