

By Senator Brandes

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1 A bill to be entitled
2 An act relating to transportation network companies;
3 amending s. 316.003, F.S.; defining terms; creating s.
4 316.680, F.S.; providing transportation network
5 company (TNC) and TNC driver insurance requirements;
6 creating s. 316.682, F.S.; providing TNC driver
7 requirements; creating s. 316.684, F.S.; prohibiting a
8 TNC from owning, controlling, operating, or managing
9 the vehicles used by TNC drivers; providing that a
10 TNC's insurer shall require, at a minimum, any motor
11 vehicle that a TNC driver will use to meet certain
12 safety and emissions requirements; requiring a TNC
13 driver to exclusively accept rides booked through the
14 TNC's digital network or software application service;
15 prohibiting a TNC driver from soliciting or accepting
16 street hails; providing an effective date.

17
18 Be It Enacted by the Legislature of the State of Florida:

19
20 Section 1. Subsections (94), (95), and (96) are added to
21 section 316.003, Florida Statutes, to read:

22 316.003 Definitions.—The following words and phrases, when
23 used in this chapter, shall have the meanings respectively
24 ascribed to them in this section, except where the context
25 otherwise requires:

26 (94) TRANSPORTATION NETWORK COMPANY OR TNC.—An entity
27 licensed pursuant to this chapter and operating in this state
28 which uses a digital network or software application service to
29 connect passengers to TNC services provided by TNC drivers. The

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30 term does not include a taxicab association or a for-hire
31 passenger vehicle owner.

32 (95) TNC DRIVER.—An individual who operates a motor vehicle
33 that he or she owns, leases, or is otherwise authorized to drive
34 to provide TNC services. The term does not include the driver of
35 a taxi, jitney, limousine, or any other for-hire passenger
36 vehicle subject to regulation under s. 125.01 or any other law.

37 (96) TNC SERVICES.—Transportation of a passenger between
38 points chosen by the passenger and prearranged with a TNC driver
39 through the use of a TNC digital network or software
40 application. TNC services begin when a TNC driver accepts a
41 request for transportation received through the TNC's digital
42 network or software application service, continue while the TNC
43 driver transports the passenger in the TNC driver's vehicle, and
44 end when the passenger exits the TNC driver's vehicle. The term
45 does not include services provided by a taxi, a for-hire
46 passenger vehicle, or a street hail service.

47 Section 2. Section 316.680, Florida Statutes, is created to
48 read:

49 316.680 TNC and TNC driver insurance requirements.—

50 (1) On or before October 1, 2015, and thereafter, TNCs and
51 TNC drivers shall comply with the automobile liability insurance
52 requirements of this section.

53 (2) The following automobile liability insurance
54 requirements apply during the time a TNC driver is operating a
55 vehicle but has not accepted a request for transportation
56 received through a TNC's digital network or software
57 application:

58 (a) Automobile liability insurance that meets at least the

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59 minimum coverage requirements under s. 324.021(7)(a), (b), and
60 (c). Automobile liability insurance in the amount required in
61 this paragraph shall be maintained by a TNC, which shall provide
62 coverage in the event a participating TNC driver's own
63 automobile liability insurance policy excludes coverage
64 according to its policy terms or does not provide at least the
65 minimum coverage required in this paragraph.

66 (b) Automobile liability insurance that provides the
67 minimum coverage required under s. 627.736.

68 (3) The following automobile liability insurance is
69 required while a TNC driver is providing TNC services:

70 (a) Primary automobile liability insurance that recognizes
71 the TNC driver's provision of TNC services and covers the TNC
72 driver when providing TNC services.

73 (b) Automobile liability insurance that provides at least
74 \$1 million in coverage for death, personal injury, and property
75 damage.

76 (c) Automobile liability insurance that provides the
77 minimum coverage required under s. 627.736.

78 (4) The insurance coverage requirements of subsection (3)
79 may be satisfied by any of the following:

80 (a) Automobile liability insurance maintained by the TNC
81 driver;

82 (b) Automobile liability insurance maintained by the TNC;
83 or

84 (c) Any combination of liability insurance specified in
85 paragraphs (a) and (b).

86 Section 3. Section 316.682, Florida Statutes, is created to
87 read:

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88 316.682 TNC driver requirements.-

89 (1) Before allowing an individual to act as a TNC driver on
90 its digital platform, a TNC shall:

91 (a) Require the individual to submit an application to the
92 TNC which includes his or her full name, address, age, driver
93 license number and type, driving history, motor vehicle
94 registration, automobile liability insurance, and other
95 information required by the TNC;

96 (b) Conduct, or have a third party conduct, a local and
97 national criminal background check for each applicant which must
98 include:

99 1. The Multi-State/Multi-Jurisdiction Criminal Records
100 Locator or another similar, validated commercial nationwide
101 database as its primary search source;

102 2. A National Sex Offender Registry database search; and

103 3. A driving history research report for such individual.

104 (2) A TNC may not allow an individual to be listed as a TNC
105 driver on its digital platform who:

106 (a) Has had more than three moving violations in the prior
107 3-year period, or one major violation in the prior 3-year
108 period, including, but not limited to, attempting to evade the
109 police, reckless driving, or driving with a suspended or revoked
110 license;

111 (b) Has been convicted within the past 7 years of driving
112 under the influence of drugs or alcohol, use of a motor vehicle
113 to commit a felony, or any crime involving fraud, a sexual
114 offense, property damage, theft, an act of violence, or an act
115 of terror;

116 (c) Is listed in the National Sex Offender Registry

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117 database;

118 (d) Does not possess a valid driver license;

119 (e) Does not possess proof of registration for the motor
120 vehicle used to provide TNC services;

121 (f) Does not possess proof of automobile liability
122 insurance for the motor vehicle used to provide TNC services; or

123 (g) Is not at least 19 years of age.

124 Section 4. Section 316.684, Florida Statutes, is created to
125 read:

126 316.684 TNC requirements; vehicle safety and emissions; no
127 street hails.-

128 (1) A TNC may not own, control, operate, or manage the
129 vehicles used by TNC drivers.

130 (2) A TNC's insurer shall require, at a minimum, that any
131 motor vehicle a TNC driver will use to provide TNC services
132 meets the vehicle safety and emissions requirements of chapter
133 316.

134 (3) A TNC driver must only accept rides booked exclusively
135 through a TNC's digital network or software application service
136 and may not solicit or accept street hails.

137 Section 5. This act shall take effect July 1, 2015.