

Amendment No. 1a.

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	<u> </u>	(Y/N)
ADOPTED AS AMENDED	<u> </u>	(Y/N)
ADOPTED W/O OBJECTION	<u> </u>	(Y/N)
FAILED TO ADOPT	<u> </u>	(Y/N)
WITHDRAWN	<u> </u>	(Y/N)
OTHER	<u> </u>	

1 Committee/Subcommittee hearing bill: Transportation & Ports
 2 Subcommittee
 3 Representative Hager offered the following:

4
 5 **Amendment to Amendment (775181) by Representative Gaetz**
 6 **(with title amendment)**

7 Between lines 10 and 11 of the amendment, insert:

8 (a) "Application" means an Internet-enabled application or
 9 platform belonging to a transportation network company.

10 Between lines 37 and 38 of the amendment, insert:

11 (c) "Transportation network company insurance" means an
 12 insurance policy that expressly provides coverage for a
 13 participating driver's use of a motor vehicle in connection with
 14 an application.

15 Remove lines 88-193 of the amendment and insert:

16 (8) TRANSPORTATION NETWORK COMPANY INSURANCE.-

Amendment No. 1a.

17 (a)1. Notwithstanding any provision of chapter 627, a
18 transportation network company and a participating driver shall
19 maintain transportation network company insurance as provided in
20 this paragraph.

21 2. From the moment a driver accepts a ride request on an
22 application until the driver completes the request on the
23 application or until the ride is complete, whichever is later,
24 transportation network company insurance shall provide:

25 A. Liability coverage in the amount of \$1 million for
26 death, bodily injury, and property damage.

27 B. Uninsured and underinsured motorist coverage in the
28 amount of \$1 million.

29 C. Personal injury protection as required by s. 627.736.

30 D. Physical damage coverage, including collision or
31 comprehensive physical damage coverage, if the driver carries
32 such coverage on his or her personal motor vehicle insurance
33 policy. This subparagraph does not apply if the driver maintains
34 transportation network company insurance.

35 3. From the moment a driver logs onto an application until
36 the driver accepts a ride request; from the moment a driver
37 completes a request on an application, or the ride is complete,
38 whichever is later; and until the driver accepts another ride
39 request on the application or logs off the application, a
40 transportation network company insurance policy shall provide:

41 A. Liability coverage for death and bodily injury in the
42 amount of \$125,000 per person and \$250,000 per incident.

Amendment No. 1a.

43 B. Liability coverage for property damage in the amount of
44 \$50,000.

45 C. Uninsured and underinsured motorist coverage in the
46 amount of \$250,000.

47 D. Personal injury protection as required by s. 627.736.

48 E. Physical damage coverage, including collision or
49 comprehensive physical damage coverage, if the driver carries
50 such coverage on his or her personal motor vehicle insurance
51 policy. This subparagraph does not apply if the driver maintains
52 transportation network company insurance.

53 4. The coverage requirements of this subsection may be
54 satisfied by transportation network company insurance maintained
55 by a driver, a company, or a combination of a driver and a
56 company. If the requirement is satisfied by a policy maintained
57 by a driver, the company shall verify that the insurance policy
58 is specifically written to cover the driver's use of a motor
59 vehicle in connection with an application.

60 5. A transportation network company insurance policy shall
61 not require as a prerequisite of coverage that another motor
62 vehicle insurance policy first deny a claim.

63 6. If transportation network company insurance maintained
64 by a driver has lapsed or ceased to exist, the company must
65 provide insurance coverage required by this section beginning
66 with the first dollar of a claim.

67 (b) A transportation network company shall disclose in
68 writing to a participating driver the insurance coverage and

Amendment No. 1a.

69 limits of liability the company provides when the driver uses a
70 motor vehicle in connection with an application. The company
71 shall advise the driver that the personal motor vehicle
72 insurance policy of the driver may not provide insurance
73 coverage required pursuant to this subsection.

74 (c) An insurer that provides transportation network
75 company insurance shall defend and indemnify the insured.

76 (d)1. Nothing in this subsection shall be construed to
77 require that a participating driver's personal motor vehicle
78 insurance policy provide primary or excess coverage from the
79 moment the driver logs on to an application until the driver
80 logs off the application or a ride is complete, whichever is
81 later.

82 2. From the moment a driver logs on to an application
83 until the driver logs off the application, or until a ride is
84 complete, whichever is later, the personal motor vehicle
85 insurance policy of the driver or motor vehicle owner shall not:

86 A. Provide any coverage to the driver, motor vehicle
87 owner, or a third party unless the policy expressly provides for
88 such coverage, with or without a separate charge, or the policy
89 contains an amendment or endorsement to provide such coverage,
90 for which a separately stated premium is charged; or

91 B. Have a duty to defend or indemnify the driver's
92 activities in connection with the company,

93
94 unless the policy expressly provides otherwise, with or without

Amendment No. 1a.

95 a separate charge, or the policy contains an amendment or
96 endorsement to provide such coverage, for which a separately
97 stated premium is charged.

98 3. Notwithstanding any other law, a personal motor vehicle
99 insurer may offer a motor vehicle liability insurance policy
100 that covers a driver in connection with an application only if
101 the policy expressly provides for coverage during the periods
102 specified in subparagraph 2., with or without a separate charge,
103 or the policy contains an amendment or an endorsement to provide
104 such coverage, for which a separately stated premium may be
105 charged.

106 (e) In a claims investigation, a transportation network
107 company or its insurer shall cooperate with other insurers to
108 facilitate the exchange of information, including the dates and
109 times at which an accident occurred that involved a
110 participating driver and the precise times that the driver
111 logged on and off the application.

112 (f) A participating driver shall carry proof of
113 transportation network company insurance coverage at all times
114 during his or her use of a motor vehicle in connection with an
115 application. In the event of an accident, a driver shall, upon
116 request, provide insurance coverage information to any party
117 involved in the accident and to a police officer.

118 (g) Notwithstanding any law regarding primary or excess
119 policy coverage, this section determines the obligations of an
120 insurance policy issued to a transportation network company and

Amendment No. 1a.

121 a participating driver using a motor vehicle in connection with
122 an application.

124 -----

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

126 Remove lines 334-335 of the amendment and insert:
127 electronic receipt to a passenger; eestablishing motor vehicle
128 insurance requirements for transportation network companies and
129 participating drivers during certain periods; requiring a
130 transportation network company to make certain disclosures in
131 writing; requiring a transportation network company and its
132 insurer to cooperate with certain claims coverage
133 investigations; providing for application of certain coverage
134 requirements;