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LEGISLATIVE ACTION

Senate

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House

The Committee on Banking and Insurance (Negron) recommended the following:

Senate Amendment (with title amendment)

Between lines 173 and 174

insert:

Section 3. Paragraph (d) of subsection (1) of section 626.321, Florida Statutes, is amended to read:

626.321 Limited licenses.—

(1) The department shall issue to a qualified applicant a license as agent authorized to transact a limited class of business in any of the following categories of limited lines



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11 insurance:

12 (d) *Motor vehicle rental insurance.*—

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

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

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

27 c. Insurance covering the loss of or damage to baggage,
28 personal effects, or travel documents of a person renting or
29 leasing a motor vehicle.

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

33 2. Insurance under a motor vehicle rental insurance license
34 may be issued only if the lease or rental agreement is for less
35 ~~no more~~ than 1 year ~~60 days~~, the lessee is not provided coverage
36 for more than 364 ~~60~~ consecutive days per lease period, and the
37 lessee is given written notice that his or her personal
38 insurance policy providing coverage on an owned motor vehicle
39 may provide coverage of such risks and that the purchase of the



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40 insurance is not required in connection with the lease or rental
41 of a motor vehicle, unless it is required under s.
42 324.021(9)(b). If the lease is extended beyond 364 ~~60~~ days, the
43 coverage may be extended once ~~one time only~~ for a period not to
44 exceed an additional 364 ~~60~~ days. Insurance may be provided to
45 the lessee as an additional insured on a policy issued to the
46 licensee's employer.

47 3. The license may be issued only to the full-time salaried
48 employee of a licensed general lines agent or to a business
49 entity that offers motor vehicles for rent or lease if insurance
50 sales activities authorized by the license are in connection
51 with and incidental to the rental or lease of a motor vehicle.

52 a. A license issued to a business entity that offers motor
53 vehicles for rent or lease encompasses each office, branch
54 office, employee, authorized representative located at a
55 designated branch, or place of business making use of the
56 entity's business name in order to offer, solicit, and sell
57 insurance pursuant to this paragraph.

58 b. The application for licensure must list the name,
59 address, and phone number for each office, branch office, or
60 place of business that is to be covered by the license. The
61 licensee shall notify the department of the name, address, and
62 phone number of any new location that is to be covered by the
63 license before the new office, branch office, or place of
64 business engages in the sale of insurance pursuant to this
65 paragraph. The licensee must notify the department within 30
66 days after closing or terminating an office, branch office, or
67 place of business. Upon receipt of the notice, the department
68 shall delete the office, branch office, or place of business



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69 from the license.

70 c. A licensed and appointed entity is directly responsible
71 and accountable for all acts of the licensee's employees.

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

74 And the title is amended as follows:

75 Delete lines 11 - 12

76 and insert:

77 operator of the motor vehicle; revising the
78 applicability of certain provisions relating to
79 financial responsibility requirements and limits on
80 liability; amending s. 636.321, F.S.; extending the
81 length of a lease or rental agreement for which motor
82 vehicle rental insurance may be issued; conforming
83 provisions to changes made by the act; providing an
84 effective date.