

Amendment No. 1.

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| WITHDRAWN | 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: Highway & Waterway Safety
 2 Subcommittee

3 Representative Gaetz offered the following:

4
 5 **Amendment (with title amendment)**

6 Remove everything after the enacting clause and
 7 insert:

8 Section 1. Section 316.680, Florida Statutes, is created
 9 to read:

10 316.680 Transportation network companies.-

11 (1) DEFINITIONS.-As used in this section, the term:

12 (a) "Digital network" means any online-enabled application,
 13 software, website, or system offered or used by a transportation
 14 network company that enables the prearrangement of rides with
 15 transportation network company drivers.

16 (b) "Personal vehicle" means a vehicle that is used by a
 17 transportation network company driver in connection with

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18 providing transportation network company service and is:

19 1. Owned, leased, or otherwise authorized for use by a
20 transportation network company driver; and

21 2. Not a taxi, jitney, limousine, or for-hire vehicle as
22 defined in s. 320.01(15).

23 (c) "Transportation network company" or "company" means an
24 entity granted a permit under this section to operate in this
25 state using a digital network or software application service to
26 connect riders to transportation network company service
27 provided by drivers. A company is not deemed to own, control,
28 operate, or manage the vehicles used by drivers; is not deemed
29 to control or manage drivers; and is not a taxicab association
30 or for-hire vehicle owner. A transportation network company does
31 not include an individual, corporation, partnership, sole
32 proprietorship, or other entity arranging nonemergency medical
33 transportation for individuals qualifying for Medicaid or
34 Medicare pursuant to a contract with the state or a managed care
35 organization.

36 (d) "Transportation network company driver" or "driver"
37 means an individual who:

38 1. Receives connections to potential riders and related
39 services from a transportation network company in exchange for
40 payment of a fee to the transportation network company; and

41 2. Uses a personal vehicle to provide transportation
42 network company service to riders upon connection through a
43 digital network controlled by a transportation network company

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44 in return for compensation or payment of a fee.

45 (e) "Transportation network company rider" or "rider"
46 means an individual or person who uses a transportation network
47 company's digital network to connect with a transportation
48 network company driver who provides transportation network
49 company service to the rider in the driver's personal vehicle
50 between points chosen by the rider.

51 (f) "Transportation network company service" means the
52 provision of transportation by a driver to a rider, beginning
53 when a driver accepts a ride requested by a rider through a
54 digital network controlled by a transportation network company,
55 continuing while the driver transports a rider, and ending when
56 the last rider departs from the personal vehicle. The term does
57 not include a taxi, for-hire vehicle, or street hail service and
58 it does not include ridesharing, as defined in s. 341.031, a
59 carpool service, as defined s. 450.28, or any other type of
60 service in which the driver receives a fee that does not exceed
61 the driver's cost to provide the ride.

62 (g) "Trip" means the duration of transportation network
63 company service beginning at a point of origin where the rider
64 enters the driver's vehicle and ending at a point of destination
65 where the rider exits the vehicle.

66 (2) NOT A COMMON CARRIER.—A transportation network company
67 or driver is not a common carrier and does not provide taxi or
68 for-hire vehicle service. In addition, a driver is not required
69 to register the vehicle that the driver uses for transportation

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70 network company service as a commercial motor vehicle or a for-
71 hire vehicle.

72 (3) PERMIT REQUIRED.-

73 (a) A company must obtain a permit from the department to
74 operate a transportation network company in this state.

75 (b) The department shall issue a permit to each company
76 that meets the requirements for a transportation network company
77 pursuant to this section and pays an annual permit fee of \$5,000
78 to the department to be deposited into the Highway Safety
79 Operating Trust Fund.

80 (4) AGENT FOR SERVICE OF PROCESS REQUIRED.-A

81 transportation network company must designate and maintain an
82 agent for service of process in this state. If the registered
83 agent of the company cannot, with reasonable diligence, be found
84 or if the company fails to designate or maintain a registered
85 agent in this state, the executive director of the department
86 must be an agent of the transportation network company upon whom
87 any process, notice, or demand may be served.

88 (5) FARE COLLECTED FOR SERVICES.-A company may collect a

89 fare on behalf of a driver for the services provided to riders;
90 however, if a fare is collected from a rider, the company shall
91 disclose to the rider the fare calculation method on its website
92 or within its software application service. The company shall
93 also provide the rider with the applicable rates being charged
94 and the option to receive an estimated fare before the rider
95 enters the driver's vehicle.

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96 (6) IDENTIFICATION OF VEHICLES AND DRIVERS.—The company's
97 software application service or website shall display a picture
98 of the driver and the license plate number of the motor vehicle
99 used to provide transportation network company service before
100 the rider enters the driver's vehicle.

101 (7) ELECTRONIC RECEIPT.—Within a reasonable period of
102 time, the company shall provide an electronic receipt to the
103 rider which lists:

104 (a) The origin and destination of the trip.

105 (b) The total time and distance of the trip.

106 (c) An itemization of the total fare paid.

107 (8) TRANSPORTATION NETWORK COMPANY AND DRIVER INSURANCE
108 REQUIREMENTS.—

109 (a) Beginning March 1, 2017, a transportation network
110 company driver or transportation network company on the driver's
111 behalf shall maintain primary automobile insurance that
112 recognizes that the driver is a transportation network company
113 driver or otherwise uses a vehicle to transport riders for
114 compensation and covers the driver:

115 1. While the driver is logged into the transportation
116 network company's digital network; or

117 2. While the driver is engaged in transportation network
118 company service.

119 (b) The following automobile insurance requirements apply
120 while a participating driver is logged into the transportation
121 network company's digital network and is available to receive

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122 transportation requests but is not engaged in transportation
123 network company service:

124 1. Primary automobile liability insurance in the amount of
125 at least \$50,000 for death and bodily injury per person,
126 \$100,000 for death and bodily injury per incident, and \$25,000
127 for property damage.

128 2. Personal injury protection benefits that provide the
129 minimum coverage amounts required under ss. 627.730-627.7405.

130 (c) The following automobile insurance requirements apply
131 while a driver is engaged in transportation network company
132 service:

133 1. Primary automobile liability insurance that provides at
134 least \$1 million for death, bodily injury, and property damage;
135 and

136 2. Personal injury protection benefits that provide the
137 minimum coverage amounts where required of a limousine under ss.
138 627.730-627.7405.

139 (d) The coverage requirements of paragraphs (b) and (c)
140 may be satisfied by:

141 1. Automobile insurance maintained by the driver;

142 2. Automobile insurance maintained by the company; or

143 3. A combination of coverage maintained as provided in
144 subparagraphs 1. and 2.

145 (e) If insurance maintained by a driver under paragraph
146 (b) or paragraph (c) has lapsed or does not provide the required
147 coverage, insurance maintained by a transportation network

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148 company shall provide the coverage required by this section
149 beginning with the first dollar of a claim.

150 (f) Coverage under an automobile insurance policy
151 maintained by the transportation network company is not
152 dependent on a personal automobile insurer's first denying a
153 claim nor is a personal automobile insurance policy required to
154 first deny a claim.

155 (g) Insurance required by this section may be placed with
156 an insurer authorized to do business in the state or with a
157 surplus lines insurer eligible under the Surplus Lines Law under
158 ss. 626.913-626.937.

159 (h) Insurance satisfying the requirements of this section
160 is deemed to satisfy the financial responsibility requirement
161 for a motor vehicle under chapter 324 and the security required
162 under s. 627.733.

163 (i) A driver shall carry proof of coverage satisfying
164 paragraphs (b) and (c) with him or her at all times during his
165 or her use of a vehicle in connection with a transportation
166 network company's digital network. In the event of an accident,
167 the driver shall provide this insurance coverage information to
168 the directly interested parties, automobile insurers, and
169 investigating police officers. Such proof of financial
170 responsibility may be presented through a digital phone
171 application under s. 316.646 controlled by a transportation
172 network company. Upon such request, the driver shall also
173 disclose to directly interested parties, automobile insurers,

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174 and investigating police officers whether he or she was logged
175 into the transportation network company's digital network or
176 engaged in transportation network company service at the time of
177 the accident.

178 (j) If a transportation network company's insurer makes a
179 payment for a claim covered under comprehensive coverage or
180 collision coverage, the transportation network company shall
181 cause its insurer to issue the payment directly to the business
182 repairing the vehicle or jointly to the owner of the vehicle and
183 the primary lienholder on the covered vehicle.

184 (9) TRANSPORTATION NETWORK COMPANY AND INSURER;
185 EXCLUSIONS; DISCLOSURE.—

186 (a) The transportation network company shall disclose the
187 following in writing to drivers before they are allowed to
188 accept a request for transportation network company service on
189 the transportation network company's digital network:

190 1. The insurance coverage, including the types of coverage
191 and the limits for each coverage, that the transportation
192 network company provides while the driver uses a personal
193 vehicle in connection with a transportation network company's
194 digital network.

195 2. That the driver's own automobile insurance policy might
196 not provide any coverage while the driver is logged into the
197 transportation network company's digital network and is
198 available to receive transportation requests or is engaged in
199 transportation network company service depending on its terms.

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200 3. That the provision of rides for compensation, whether
201 prearranged or otherwise, which is not covered by this section
202 subjects the driver to the coverage requirements imposed by s.
203 324.032(1), and that failure to meet such limits subjects the
204 driver to penalties provided in s. 324.221, up to and including
205 a misdemeanor of the second degree.

206 (b)1. An insurer that provides automobile liability
207 insurance policies under part XI of chapter 627 may exclude any
208 and all coverage afforded under the owner's or driver's
209 insurance policy for any loss or injury that occurs while a
210 driver is logged into a transportation network company's digital
211 network or while a driver provides transportation network
212 company service. This right to exclude all coverage may apply to
213 any coverage included in an automobile insurance policy,
214 including, but not limited to:

215 a. Liability coverage for bodily injury and property
216 damage.

217 b. Uninsured and underinsured motorist coverage.

218 c. Medical payments coverage.

219 d. Comprehensive physical damage coverage.

220 e. Collision physical damage coverage.

221 f. Personal injury protection.

222 2. The exclusions described in subparagraph 1. apply
223 notwithstanding any requirement under chapter 324. This section
224 does not require or imply that a personal automobile insurance
225 policy provides coverage while the driver is logged into the

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226 transportation network company's digital network, while the
227 driver is engaged in transportation network company service, or
228 while the driver otherwise uses a vehicle to transport riders
229 for compensation.

230 3. This section does not preclude an insurer from
231 providing coverage by contract or endorsement for the driver's
232 vehicle.

233 (c)1. An insurer that excludes the coverage described in
234 subparagraph (b)1. has no duty to defend or indemnify any claim
235 expressly excluded thereunder. This section does not invalidate
236 or limit an exclusion contained in a policy, including a policy
237 in use or approved for use in this state before July 1, 2016.

238 2. An automobile insurer that defends or indemnifies a
239 claim against a driver, which is excluded under the terms of its
240 policy, has a right of contribution against other insurers that
241 provide automobile insurance to the same driver in satisfaction
242 of the coverage requirements of subsection (8) at the time of
243 loss.

244 (d) In a claims coverage investigation, transportation
245 network companies and any insurer providing coverage under
246 subsection (8) shall cooperate to facilitate the exchange of
247 relevant information with directly involved parties and any
248 insurer of the driver, if applicable, including the precise
249 times that a driver logged into and off of the transportation
250 network company's digital network during the 12-hour period
251 immediately before and the 12-hour period immediately after the

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252 accident and disclose to one another a clear description of the
253 coverage, exclusions, and limits provided under any automobile
254 insurance maintained under subsection (8).

255 (10) DRIVERS AS INDEPENDENT CONTRACTORS.—

256 (a) A driver is an independent contractor and not an
257 employee of the company if all of the following conditions are
258 met:

259 1. The company does not prescribe specific hours during
260 which the driver must be logged into the company's digital
261 network.

262 2. The company does not impose restrictions on the
263 driver's ability to use digital networks from other companies.

264 3. The company does not assign the driver to a particular
265 territory in which transportation network company services are
266 authorized to be provided.

267 4. The company does not restrict the driver from engaging
268 in any other occupation or business.

269 5. The company and the driver agree in writing that the
270 driver is an independent contractor of the company.

271 (b) A company operating under this section is not required
272 to provide workers' compensation coverage to a transportation
273 network company driver who is classified as an independent
274 contractor pursuant to this section.

275 (11) ZERO TOLERANCE FOR DRUG OR ALCOHOL USE.—

276 (a) A company shall implement a zero tolerance policy on
277 use of illegal drugs or alcohol by a driver who is providing

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278 transportation network company service or who is logged into the
279 company's digital network but is not providing service.

280 (b) A company shall provide notice on its website of a
281 zero tolerance policy under paragraph (a) and shall provide
282 procedures for a rider to file a complaint about a driver who
283 the rider reasonably suspects was under the influence of drugs
284 or alcohol during the course of a trip.

285 (c) Upon receipt of a rider complaint alleging a violation
286 of the zero tolerance policy, the company shall immediately
287 suspend the accused driver's access to the company's digital
288 network and shall conduct an investigation into the reported
289 incident. The suspension shall last for the duration of the
290 investigation.

291 (12) TRANSPORTATION NETWORK COMPANY DRIVER REQUIREMENTS.-

292 (a) Before allowing a person to act as a driver on its digital
293 network, and at least once annually thereafter, the company
294 shall:

295 1. Require the applicant to submit an application to the
296 company, including his or her address, date of birth, social
297 security number, driver license number, driving history, motor
298 vehicle registration, automobile liability insurance, and other
299 information required by the company.

300 2. Conduct, or have a third party conduct, a criminal
301 background check for each applicant to include:

302 a. A Multi-State/Multi-Jurisdiction Criminal Records
303 Locator or other similar commercial national database with

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304 validation.

305 b. The Dru Sjodin National Sex Offender Public Website.

306 3. Conduct a social security trace or similar
307 identification check that is designed to identify relevant
308 information about the applicant, including first name, last
309 name, middle name or initial, aliases, maiden name, alternative
310 spellings, nicknames, date of birth, and any known addresses.

311 4. Obtain and review a driving history research report for
312 such applicant.

313 (b) The company shall prohibit an applicant from acting as
314 a driver on its digital network if the applicant:

315 1. Has had more than three moving violations in the
316 preceding 3-year period or one major violation in the preceding
317 3-year period. A major violation is: fleeing or attempting to
318 elude a law enforcement officer, reckless driving, or driving
319 with a suspended or revoked license;

320 2. Has been convicted, within the past 7 years, of driving
321 under the influence of drugs or alcohol, fraud, sexual offenses,
322 use of a motor vehicle to commit a felony, a crime involving
323 property damage or theft, acts of violence, or acts of terror;

324 3. Has been convicted, within the past 7 years of any
325 offense listed in the level 2 screening standards set forth in
326 s. 435.04(2) or (3), or a substantially similar law of another
327 state or federal law;

328 4. Is a match in the Dru Sjodin National Sex Offender
329 Public Website;

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- 330 5. Does not possess a valid driver license;
331 6. Does not possess proof of registration for the motor
332 vehicle used to provide transportation network company service;
333 7. Does not possess proof of automobile liability
334 insurance for the motor vehicle used to provide transportation
335 network company service; or
336 8. Has not attained the age of 19 years.
337 (13) PROHIBITED CONDUCT.—A driver may not:
338 (a) Accept a rider other than a rider arranged through a
339 digital network or software application service.
340 (b) Solicit or accept street hails.
341 (c) Solicit or accept cash payments from riders. A company
342 shall adopt a policy prohibiting solicitation or acceptance of
343 cash payments from riders and notify drivers of such policy.
344 Such policy must require a payment for transportation network
345 company service to be made electronically using the company's
346 digital network or software application service.
347 (14) NONDISCRIMINATION; ACCESSIBILITY.—
348 (a) A company may not discriminate against a driver on the
349 basis of race, color, national origin, religious belief or
350 affiliation, sex, disability, age, or sexual orientation. A
351 company shall adopt a policy to assist a driver who reasonably
352 believes that he or she has received a negative rating from a
353 rider because of his or her race, color, national origin,
354 religious belief or affiliation, sex, disability, age, or sexual
355 orientation.

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356 (b) A company shall adopt a policy of nondiscrimination on
357 the basis of destination, race, color, national origin,
358 religious belief or affiliation, sex, disability, age, or sexual
359 orientation with respect to riders and potential riders and
360 shall notify drivers of such policy.

361 (c) A driver shall comply with the nondiscrimination
362 policy.

363 (d) A driver shall comply with all applicable laws
364 relating to accommodation of service animals.

365 (e) A company may not impose additional charges for
366 providing transportation network company service to persons with
367 physical disabilities because of those disabilities.

368 (f) A company shall provide riders an opportunity to
369 indicate whether they require a wheelchair-accessible vehicle.
370 If a company cannot arrange wheelchair-accessible service, it
371 shall direct the rider to an alternate provider of wheelchair-
372 accessible service, if available.

373 (15) RECORDS.—A company shall maintain:

374 (a) Individual trip records for at least 1 year after the
375 date each trip was provided.

376 (b) Driver records for at least 1 year after the date on
377 which a driver's activation on the company's digital network has
378 ended.

379 (c) The company shall maintain records of written rider
380 complaints received through the company's software application
381 service for at least 2 years after the date such complaint is

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382 received by the company.

383 (16) PREEMPTION.—It is the intent of the Legislature to
384 provide for uniformity of laws governing transportation network
385 companies, transportation network company drivers, and vehicles
386 used by transportation network company drivers throughout the
387 state. Transportation network companies, transportation network
388 company drivers, and vehicles used by transportation network
389 company drivers are governed exclusively by state law and any
390 rules adopted by the department. A county, municipality, special
391 district, airport authority, port authority, or other local
392 governmental entity or subdivision may not impose a tax on, or
393 require a license for, a company or a driver, or a vehicle used
394 by a driver, if such tax or license relates to providing
395 transportation network company services, or subjects a company,
396 driver, or vehicle to any rate, entry, operation, or other
397 requirement of the county, municipality, special district,
398 airport authority, port authority, or other local governmental
399 entity or subdivision. This section does not prohibit an airport
400 from charging an appropriate annual fee, not to exceed \$5,000
401 per transportation network company, for use of the airport's
402 facilities or designating locations for staging, pickup, and
403 other similar operations of the airport.

404 Section 2. Section 324.031, Florida Statutes, is amended
405 to read:

406 324.031 Manner of proving financial responsibility.—The
407 owner or operator of a taxicab, limousine, jitney, any vehicle

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408 used in connection with a transportation network company or any
409 other for-hire passenger transportation vehicle may prove
410 financial responsibility by providing satisfactory evidence of
411 holding a motor vehicle liability policy as defined in s.
412 324.021(8) or s. 324.151, which policy is issued by an insurance
413 carrier which is a member of the Florida Insurance Guaranty
414 Association or an eligible surplus lines insurer under s.
415 626.918 that is rated "A-" or higher by A. M. Best Company. The
416 operator or owner of any other vehicle may prove his or her
417 financial responsibility by:

418 (1) furnishing satisfactory evidence of holding a motor
419 vehicle liability policy as defined in ss. 324.021(8) and
420 324.151.~~7~~

421 (2) Furnishing a certificate of self-insurance showing a
422 deposit of cash in accordance with s. 324.161; or

423 (3) Furnishing a certificate of self-insurance issued by
424 the department in accordance with s. 324.171.

425

426 Any person, including any firm, partnership, association,
427 corporation, or other person, other than a natural person,
428 electing to use the method of proof specified in subsection (2)
429 shall furnish a certificate of deposit equal to the number of
430 vehicles owned times \$30,000, to a maximum of \$120,000; in
431 addition, any such person, other than a natural person, shall
432 maintain insurance providing coverage in excess of limits of
433 \$10,000/20,000/10,000 or \$30,000 combined single limits, and

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434 such excess insurance shall provide minimum limits of
435 \$125,000/250,000/50,000 or \$300,000 combined single limits.
436 These increased limits shall not affect the requirements for
437 proving financial responsibility under s. 324.032(1).

438 Section 3. Section 324.023, Florida Statutes, is amended
439 to read:

440 324.023 Financial responsibility for bodily injury or
441 death.—In addition to any other financial responsibility
442 required by law, every owner or operator of a motor vehicle that
443 is required to be registered in this state, or that is located
444 within this state, and who, regardless of adjudication of guilt,
445 has been found guilty of or entered a plea of guilty or nolo
446 contendere to a charge of driving under the influence under s.
447 316.193 after October 1, 2007, shall, by ~~one of~~ the methods
448 established in s. 324.031 ~~324.031(1) or (2)~~, establish and
449 maintain the ability to respond in damages for liability on
450 account of accidents arising out of the use of a motor vehicle
451 in the amount of \$100,000 because of bodily injury to, or death
452 of, one person in any one crash and, subject to such limits for
453 one person, in the amount of \$300,000 because of bodily injury
454 to, or death of, two or more persons in any one crash and in the
455 amount of \$50,000 because of property damage in any one crash.
456 If the owner or operator chooses to establish and maintain such
457 ability by furnishing a certificate of deposit ~~pursuant to s.~~
458 ~~324.031(2)~~, such certificate of deposit must be at least
459 \$350,000. Such higher limits must be carried for a minimum

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460 period of 3 years. If the owner or operator has not been
461 convicted of driving under the influence or a felony traffic
462 offense for a period of 3 years after ~~from~~ the date of
463 reinstatement of driving privileges for a violation of s.
464 316.193, the owner or operator shall be exempt from this
465 section.

466 Section 4. Paragraph (a) of subsection (2) of section
467 324.051, Florida Statutes, is amended to read:

468 324.051 Reports of crashes; suspensions of licenses and
469 registrations.—

470 (2)(a) Thirty days after receipt of notice of any accident
471 described in paragraph (1)(a) involving a motor vehicle within
472 this state, the department shall suspend, after due notice and
473 opportunity to be heard, the license of each operator and all
474 registrations of the owner of the vehicles operated by such
475 operator whether or not involved in such crash and, in the case
476 of a nonresident owner or operator, shall suspend such
477 nonresident's operating privilege in this state, unless such
478 operator or owner shall, prior to the expiration of such 30
479 days, be found by the department to be exempt from the operation
480 of this chapter, based upon evidence satisfactory to the
481 department that:

482 1. The motor vehicle was legally parked at the time of
483 such crash.

484 2. The motor vehicle was owned by the United States
485 Government, this state, or any political subdivision of this

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486 state or any municipality therein.

487 3. Such operator or owner has secured a duly acknowledged
488 written agreement providing for release from liability by all
489 parties injured as the result of said crash and has complied
490 with ~~one of the provisions of~~ s. 324.031.

491 4. Such operator or owner has deposited with the
492 department security to conform with s. 324.061 when applicable
493 and has complied with ~~one of the provisions of~~ s. 324.031.

494 5. One year has elapsed since such owner or operator was
495 suspended pursuant to subsection (3), the owner or operator has
496 complied with ~~one of the provisions of~~ s. 324.031, and no bill
497 of complaint of which the department has notice has been filed
498 in a court of competent jurisdiction.

499

500 No such policy or bond shall be effective under this subsection
501 unless it contains limits of not less than those specified in s.
502 324.021(7).

503 Section 5. Section 324.071, Florida Statutes, is amended
504 to read:

505 324.071 Reinstatement; renewal of license; reinstatement
506 fee.—Any operator or owner whose license or registration has
507 been suspended pursuant to s. 324.051(2), s. 324.072, s.
508 324.081, or s. 324.121 may effect its reinstatement upon
509 compliance with the provisions of s. 324.051(2)(a)3. or 4., or
510 s. 324.081(2) and (3), as the case may be, and with ~~one of the~~
511 ~~provisions of~~ s. 324.031 and upon payment to the department of a

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512 nonrefundable reinstatement fee of \$15. Only one such fee shall
513 be paid by any one person irrespective of the number of licenses
514 and registrations to be then reinstated or issued to such
515 person. All such fees shall be deposited to a department trust
516 fund. When the reinstatement of any license or registration is
517 effected by compliance with s. 324.051(2)(a)3. or 4., the
518 department shall not renew the license or registration within a
519 period of 3 years from such reinstatement, nor shall any other
520 license or registration be issued in the name of such person,
521 unless the operator is continuing to comply with ~~one of the~~
522 ~~provisions of~~ s. 324.031.

523 Section 6. Subsection (1) of section 324.151, Florida
524 Statutes, is amended to read:

525 324.151 Motor vehicle liability policies; required
526 provisions.-

527 (1) A motor vehicle liability policy to be proof of
528 financial responsibility under s. 324.031 ~~324.031(1)~~, shall be
529 issued to owners or operators under the following provisions:

530 (a) An owner's liability insurance policy shall designate
531 by explicit description or by appropriate reference all motor
532 vehicles with respect to which coverage is thereby granted and
533 shall insure the owner named therein and any other person as
534 operator using such motor vehicle or motor vehicles with the
535 express or implied permission of such owner against loss from
536 the liability imposed by law for damage arising out of the
537 ownership, maintenance, or use of such motor vehicle or motor

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538 vehicles within the United States or the Dominion of Canada,
539 subject to limits, exclusive of interest and costs with respect
540 to each such motor vehicle as is provided for under s.
541 324.021(7). Insurers may make available, with respect to
542 property damage liability coverage, a deductible amount not to
543 exceed \$500. In the event of a property damage loss covered by a
544 policy containing a property damage deductible provision, the
545 insurer shall pay to the third-party claimant the amount of any
546 property damage liability settlement or judgment, subject to
547 policy limits, as if no deductible existed.

548 (b) An operator's motor vehicle liability policy of
549 insurance shall insure the person named therein against loss
550 from the liability imposed upon him or her by law for damages
551 arising out of the use by the person of any motor vehicle not
552 owned by him or her, with the same territorial limits and
553 subject to the same limits of liability as referred to above
554 with respect to an owner's policy of liability insurance.

555 (c) All such motor vehicle liability policies shall state
556 the name and address of the named insured, the coverage afforded
557 by the policy, the premium charged therefor, the policy period,
558 the limits of liability, and shall contain an agreement or be
559 endorsed that insurance is provided in accordance with the
560 coverage defined in this chapter as respects bodily injury and
561 death or property damage or both and is subject to all
562 provisions of this chapter. Said policies shall also contain a
563 provision that the satisfaction by an insured of a judgment for

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564 such injury or damage shall not be a condition precedent to the
565 right or duty of the insurance carrier to make payment on
566 account of such injury or damage, and shall also contain a
567 provision that bankruptcy or insolvency of the insured or of the
568 insured's estate shall not relieve the insurance carrier of any
569 of its obligations under said policy.

570 Section 7. Paragraph (b) of subsection (3) of section
571 627.733, Florida Statutes, is amended to read:

572 627.733 Required security.—

573 (3) Such security shall be provided:

574 (b) By any other method authorized by s. 324.031~~(2) or (3)~~
575 and approved by the Department of Highway Safety and Motor
576 Vehicles as affording security equivalent to that afforded by a
577 policy of insurance or by self-insuring as authorized by s.
578 768.28(16). The person filing such security shall have all of
579 the obligations and rights of an insurer under ss. 627.730-
580 627.7405.

581 Section 8. This act shall take effect July 1, 2016.

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

586 Remove everything before the enacting clause and insert:
587 An act relating to transportation network companies; creating s.
588 316.680, F.S.; providing definitions; providing requirements for
589 a person to obtain a permit as a transportation network company;

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590 directing the Department of Highway Safety and Motor Vehicles to
591 issue such permits; providing a permit fee; requiring an agent
592 for service of process; requiring disclosure of a company's
593 fares; requiring display of certain information related to a
594 transportation network company driver; requiring that a company
595 provide an electronic receipt to a rider; providing requirements
596 for automobile insurance and insurance disclosure; providing
597 requirements for drivers to act as independent contractors;
598 requiring a zero tolerance policy for drug and alcohol use;
599 providing requirements for employment as a transportation
600 network company driver; prohibiting specified conduct; providing
601 certain nondiscrimination and accessibility requirements;
602 requiring a company to maintain certain records; providing for
603 preemption; amending ss. 324.031 providing for proof of
604 financial responsibility by owners or operators of a vehicle
605 used in connection with a transportation network company;
606 amending ss. 324.023, 324.051, 324.071, 324.151, and 627.733,
607 F.S.; conforming provisions to changes made by the act;
608 providing an effective date.