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LEGISLATIVE ACTION

Senate

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House

Floor: WD/2R

05/04/2017 04:14 PM

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Senator Bean moved the following:

1           **Senate Amendment to Amendment (505904) (with title**  
2 **amendment)**

3  
4           Between lines 426 and 427  
5 insert:

6           Section 14. Paragraph (a) of subsection (1) of section  
7 324.151, Florida Statutes, is amended to read:

8           324.151 Motor vehicle liability policies; required  
9 provisions.—

10           (1) A motor vehicle liability policy to be proof of  
11 financial responsibility under s. 324.031(1), shall be issued to



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12 owners or operators under the following provisions:

13 (a) An owner's liability insurance policy shall designate  
14 by explicit description or by appropriate reference all motor  
15 vehicles with respect to which coverage is thereby granted and  
16 shall insure the owner named therein and, except for an excluded  
17 driver under s. 627.747, any other person as operator using such  
18 motor vehicle or motor vehicles with the express or implied  
19 permission of such owner against loss from the liability imposed  
20 by law for damage arising out of the ownership, maintenance, or  
21 use of such motor vehicle or motor vehicles within the United  
22 States or the Dominion of Canada, subject to limits, exclusive  
23 of interest and costs with respect to each such motor vehicle as  
24 is provided for under s. 324.021(7). Insurers may make  
25 available, with respect to property damage liability coverage, a  
26 deductible amount not to exceed \$500. In the event of a property  
27 damage loss covered by a policy containing a property damage  
28 deductible provision, the insurer shall pay to the third-party  
29 claimant the amount of any property damage liability settlement  
30 or judgment, subject to policy limits, as if no deductible  
31 existed.

32 Section 15. Section 627.747, Florida Statutes, is created  
33 to read:

34 627.747 Named driver exclusion.-

35 (1) A private passenger motor vehicle policy may exclude an  
36 identified individual who is not a named insured from the  
37 following coverages while the identified individual is operating  
38 a motor vehicle, provided the identified individual is named on  
39 the declarations page and the named insured consents in writing:

40 (a) Any coverage that the named insured is not required by



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- 41 law to purchase.
- 42 (b) Property damage liability coverage.
- 43 (c) Notwithstanding the Florida Motor Vehicle No-Fault Law,
- 44 the personal injury protection coverage specifically applicable
- 45 to the identified individual's injuries, lost wages, and death
- 46 benefits.
- 47 (d) Uninsured motorist coverage for any damages sustained
- 48 by the identified excluded individual, if the named insured has
- 49 purchased such coverage.
- 50 (e) Bodily injury liability coverage, if required by law
- 51 and purchased by the named insured.
- 52 (2) A private passenger motor vehicle policy may not
- 53 exclude coverage when:
- 54 (a) The identified individual is injured while not
- 55 operating a motor vehicle.
- 56 (b) The exclusion is unfairly discriminatory under the
- 57 Florida Insurance Code as determined by the office.
- 58 (c) The exclusion is inconsistent with the underwriting
- 59 rules filed by the insurer pursuant to s. 627.0651(13)(a).

60  
61 ===== T I T L E A M E N D M E N T =====

62 And the title is amended as follows:

63 Delete line 483

64 and insert:

65 applicability; amending s. 324.151, F.S.; providing an  
66 exception from a requirement under motor vehicle  
67 liability policies to reference specified persons;  
68 creating s. 627.747, F.S.; authorizing private  
69 passenger motor vehicle policies to exclude certain



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70 identified individuals from specified coverages under  
71 certain circumstances; prohibiting such policies from  
72 excluding coverage under certain circumstances;  
73 providing an effective date.