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LEGISLATIVE ACTION

Senate

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House

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Floor: WD/2R

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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 or by endorsement, and the named insured
40 consents in writing:



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41 (a) Any coverage that the named insured is not required by
42 law to purchase.

43 (b) Property damage liability coverage.

44 (c) Notwithstanding the Florida Motor Vehicle No-Fault Law,
45 the personal injury protection coverage specifically applicable
46 to the identified individual's injuries, lost wages, and death
47 benefits.

48 (d) Uninsured motorist coverage for any damages sustained
49 by the identified excluded individual, if the named insured has
50 purchased such coverage.

51 (e) Bodily injury liability coverage, if required by law
52 and purchased by the named insured.

53 (2) A private passenger motor vehicle policy may not
54 exclude coverage when:

55 (a) The identified individual is injured while not
56 operating a motor vehicle.

57 (b) The exclusion is unfairly discriminatory under the
58 Florida Insurance Code as determined by the office.

59 (c) The exclusion is inconsistent with the underwriting
60 rules filed by the insurer pursuant to s. 627.0651(13)(a).

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

63 And the title is amended as follows:

64 Delete line 483

65 and insert:

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



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70 passenger motor vehicle policies to exclude certain
71 identified individuals from specified coverages under
72 certain circumstances; prohibiting such policies from
73 excluding coverage under certain circumstances;
74 providing an effective date.