

Amendment No.

CHAMBER ACTION

Senate

House

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Representative Santiago offered the following:

Amendment to Amendment (183848) (with title amendment)

Between lines 2113 and 2114 of the amendment, insert:

Section 41. Paragraph (a) of subsection (1) of section 324.151, Florida Statutes, is amended to read:

324.151 Motor vehicle liability policies; required provisions.-

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

(a) An owner's liability insurance policy shall designate by explicit description or by appropriate reference all motor

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

31 Section 42. Section 627.747, Florida Statutes, is created
32 to read:

33 627.747 Named driver exclusion.-

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

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- 39 consents in writing:
- 40 (a) Coverage that the named insured is not required by law
- 41 to purchase.
- 42 (b) Property damage liability coverage.
- 43 (c) Notwithstanding the Florida Motor Vehicle No-Fault
- 44 Law, the personal injury protection coverage specifically
- 45 applicable to the identified individual's injuries, lost wages,
- 46 and death benefits.
- 47 (d) Uninsured motorist coverage for any damages sustained
- 48 by the identified individual if the named insured has purchased
- 49 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).

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

Remove line 2727 of the amendment and insert:

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64 | passenger transportation vehicle; amending s. 324.151,
65 | F.S.; providing an exception from a requirement to
66 | designate certain persons as operators under motor
67 | vehicle liability policies; creating s. 627.747, F.S.;
68 | authorizing private passenger motor vehicle policies
69 | to exclude certain identified individuals from
70 | specified coverages under certain circumstances;
71 | prohibiting such policies from excluding coverage
72 | under certain circumstances; amending s. 715.07,

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