



944392

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
02/14/2018	.	
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Appropriations Subcommittee on Transportation, Tourism, and
Economic Development (Brandes) recommended the following:

Senate Amendment (with title amendment)

Between lines 82 and 83

insert:

Section 1. Section 322.38, Florida Statutes, is amended to
read:

322.38 Renting motor vehicle to another.—

(1) A ~~No~~ person may not ~~shall~~ rent a motor vehicle to any



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10 other person unless the other ~~latter~~ person is ~~then~~ duly
11 licensed, ~~or,~~ if a nonresident, ~~he or she shall be~~ licensed
12 under the laws of the state or country of his or her residence,
13 except a nonresident whose home state or country does not
14 require that an operator be licensed.

15 (2) ~~A No~~ person may not ~~shall~~ rent a motor vehicle to
16 another until he or she has inspected the driver license of the
17 person to whom the vehicle is to be rented, ~~and~~ has compared and
18 verified that the driver license is unexpired ~~signature thereon~~
19 ~~with the signature of such person written in his or her~~
20 presence.

21 (3) Every person renting a motor vehicle to another shall
22 keep a record of the registration number of the motor vehicle so
23 rented, the name, ~~and~~ address, and license number of the person
24 to whom the vehicle is rented, ~~the number of the license of said~~
25 ~~latter person,~~ and the ~~date and place when and where the said~~
26 license was issued. Such record shall be open to inspection by
27 any police officer, ~~or officer or employee of the department.~~

28 (4) If a rental car company rents a motor vehicle to a
29 person through digital, electronic, or other means that allows
30 the renter to obtain possession of the motor vehicle without
31 direct contact with an agent or employee of the rental car
32 company, or if through use of such means the renter does not
33 execute a rental contract at the time he or she takes possession
34 of the vehicle, the rental car company is deemed to have met the
35 requirements of subsections (1) and (2) when the rental car
36 company requires the renter to verify that he or she is duly
37 licensed and that the license is unexpired. Such verification
38 may occur at the time the renter enrolls in a membership



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39 program, master agreement, or other means of establishing use of
40 the rental car company's services or at any time thereafter.

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

42 And the title is amended as follows:

43 Delete line 2

44 and insert:

45 An act relating to transportation; amending s. 322.38,
46 F.S.; prohibiting a person from renting a motor
47 vehicle to another until he or she has verified that
48 the driver license of the person to whom the vehicle
49 is rented is unexpired; deleting the requirement that
50 a person renting a motor vehicle to another keep a
51 record of the date when the license of the person to
52 whom the vehicle is rented was issued; specifying that
53 a rental car company is deemed to have met specified
54 requirements when the rental car company requires the
55 renter to verify that he or she is duly licensed and
56 that the license is unexpired if the rental car
57 company rents a motor vehicle to a person through
58 certain digital, electronic, or other means;
59 specifying when such verification may occur; amending