

Amendment No. 1a

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WITHDRAWN	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>	

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1 Committee/Subcommittee hearing bill: Appropriations Committee  
2 Representative Sprowls offered the following:

**Amendment to Amendment (111141) by Representative Fischer**

Between lines 301 and 302 of the amendment, insert:

6 Section 15. Section 324.033, Florida Statutes, is created  
7 to read:

8 324.033 Manner of proving financial responsibility;  
9 autonomous vehicles.-

10 (1) All fully autonomous vehicles must have uninsured and  
11 underinsured vehicle coverage as required by s. 627.727,  
12 personal injury protection coverage as provided by s. 627.736,  
13 and liability coverage in the amount of at least \$500,000 for  
14 combined bodily injury liability and property damage liability  
15 or at least:

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16 (a) \$100,000 for bodily injury to, or the death of, one  
17 person in any one accident;

18 (b) subject to such limits for one person, \$300,000 for  
19 bodily injury to, or the death of, two or more persons in any  
20 one accident; and

21 (c) \$50,000 for damage to, or destruction of, the property  
22 of others in any one accident;

23 (2) Notwithstanding subsection(1), the owner or operator of  
24 an autonomous vehicle, as defined in s. 316.003(2), except in  
25 the circumstance of a digital network connecting a user to a  
26 driver or an autonomous vehicle, used commercially for the  
27 pickup or delivery of passengers or goods or for providing other  
28 services for compensation may prove financial responsibility by  
29 furnishing satisfactory evidence of having automobile insurance  
30 that provides all of the following:

31 (a) Primary automobile liability coverage of at least \$2  
32 million for death, bodily injury, and property damage.

33 (b) Personal injury protection benefits that meet the  
34 minimum coverage required under ss. 627.730-627.7405.

35 (c) Uninsured and underinsured vehicle coverage as required  
36 by s. 627.727.

37 Section 16. Subsection (7) of section 627.748, Florida  
38 Statutes, is amended to read:

39 627.748 Transportation network companies.—

40 (7) TRANSPORTATION NETWORK COMPANY AND TNC DRIVER

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41 INSURANCE REQUIREMENTS.—

42 (a) ~~Beginning July 1, 2017,~~ a TNC driver or a TNC on  
43 behalf of the TNC driver shall maintain primary automobile  
44 insurance that:

45 1. Recognizes that the TNC driver is a TNC driver or  
46 otherwise uses a vehicle to transport riders for compensation;  
47 and

48 2. Covers the TNC driver while the TNC driver is logged on  
49 to the digital network of the TNC or while the TNC driver is  
50 engaged in a prearranged ride.

51 (b) The following automobile insurance requirements apply  
52 while a participating TNC driver is logged on to the digital  
53 network but is not engaged in a prearranged ride:

54 1. Automobile insurance that provides:

55 a. A primary automobile liability coverage of at least  
56 \$50,000 for death and bodily injury per person, \$100,000 for  
57 death and bodily injury per incident, and \$25,000 for property  
58 damage;

59 b. Personal injury protection benefits that meet the  
60 minimum coverage amounts required under ss. 627.730-627.7405;  
61 and

62 c. Uninsured and underinsured vehicle coverage as required  
63 by s. 627.727.

64 2. The coverage requirements of this paragraph may be  
65 satisfied by any of the following:

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- 66 a. Automobile insurance maintained by the TNC driver;  
67 b. Automobile insurance maintained by the TNC; or  
68 c. A combination of sub-subparagraphs a. and b.
- 69 (c) The following automobile insurance requirements apply  
70 while a TNC driver is engaged in a prearranged ride:
- 71 1. Automobile insurance that provides:
- 72 a. A primary automobile liability coverage of at least \$1  
73 million for death, bodily injury, and property damage;  
74 b. Personal injury protection benefits that meet the  
75 minimum coverage amounts required of a limousine under ss.  
76 627.730-627.7405; and  
77 c. Uninsured and underinsured vehicle coverage as required  
78 by s. 627.727.
- 79 2. The coverage requirements of this paragraph may be  
80 satisfied by any of the following:
- 81 a. Automobile insurance maintained by the TNC driver;  
82 b. Automobile insurance maintained by the TNC; or  
83 c. A combination of sub-subparagraphs a. and b.
- 84 (d) Beginning July 1, 2018, the following insurance  
85 requirements apply to all autonomous vehicles, as defined in s.  
86 316.003(2), used by a TNC during prearranged rides while the  
87 vehicles are being driven by an automated driving system:
- 88 1. Primary automobile liability coverage of at least \$1  
89 million for death, bodily injury, and property damage;  
90 2. Personal injury protection benefits that meet the

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91 minimum coverage amounts required of a limousine under ss.  
92 627.730-627.7405; and

93 3. Uninsured and underinsured vehicle coverage as required by s.  
94 627.727.

95 (e)~~(d)~~ If the TNC driver's insurance under paragraph (b)  
96 or paragraph (c) has lapsed or does not provide the required  
97 coverage, the insurance maintained by the TNC must provide the  
98 coverage required under this subsection, beginning with the  
99 first dollar of a claim, and have the duty to defend such claim.

100 (f)~~(e)~~ Coverage under an automobile insurance policy  
101 maintained by the TNC must not be dependent on a personal  
102 automobile insurer first denying a claim, and a personal  
103 automobile insurance policy is not required to first deny a  
104 claim.

105 (g)~~(f)~~ Insurance required under this subsection must be  
106 provided by an insurer authorized to do business in this state  
107 which is a member of the Florida Insurance Guaranty Association  
108 or an eligible surplus lines insurer that has a superior,  
109 excellent, exceptional, or equivalent financial strength rating  
110 by a rating agency acceptable to the Office of Insurance  
111 Regulation of the Financial Services Commission.

112 (h)~~(g)~~ Insurance satisfying the requirements under this  
113 subsection is deemed to satisfy the financial responsibility  
114 requirement for a motor vehicle under chapter 324 and the  
115 security required under s. 627.733 for any period when the TNC

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116 driver is logged onto the digital network or engaged in a  
117 prearranged ride.

118 (i)~~(h)~~ A TNC driver shall carry proof of coverage  
119 satisfying paragraphs (b) and (c) with him or her at all times  
120 during his or her use of a TNC vehicle in connection with a  
121 digital network. In the event of an accident, a TNC driver shall  
122 provide this insurance coverage information to any party  
123 directly involved in the accident or the party's designated  
124 representative, automobile insurers, and investigating police  
125 officers. Proof of financial responsibility may be presented  
126 through an electronic device, such as a digital phone  
127 application, under s. 316.646. Upon request, a TNC driver shall  
128 also disclose to any party directly involved in the accident or  
129 the party's designated representative, automobile insurers, and  
130 investigating police officers whether he or she was logged on to  
131 a digital network or was engaged in a prearranged ride at the  
132 time of the accident.

133 (j)~~(i)~~ If a TNC's insurer makes a payment for a claim  
134 covered under comprehensive coverage or collision coverage, the  
135 TNC shall cause its insurer to issue the payment directly to the  
136 business repairing the vehicle or jointly to the owner of the  
137 vehicle and the primary lienholder on the covered vehicle.

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