



174606

LEGISLATIVE ACTION

Senate

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House

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Floor: 2/AD/2R

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04/19/2023 05:42 PM

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Senator Garcia moved the following:

1 **Senate Substitute for Amendment (881130) (with title**
2 **amendment)**

3
4 Before line 44

5 insert:

6 Section 1. Subsection (7) of section 327.54, Florida
7 Statutes, is amended to read:

8 327.54 Liveries; safety regulations; penalty.—

9 (7) A livery may not lease or rent or offer to lease or
10 rent any livery vessel unless the livery: ~~first~~

11 (a) Obtains and carries in full force and effect a policy



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12 from a licensed insurance carrier in this state which insures
13 the livery ~~and the renter~~ against any accident, loss, injury,
14 property damage, or other casualty caused by or resulting from
15 the operation of the livery vessel. The insurance policy must
16 provide coverage of at least \$500,000 per person and \$1 million
17 per event. The livery shall have proof of such insurance
18 available for inspection at the location where livery vessels
19 are being leased or rented, or offered for lease or rent, and
20 shall provide to each renter the insurance carrier's name and
21 address and the insurance policy number; and

22 (b) Either:

23 1. Obtains and carries in full force and effect a policy
24 from a licensed insurance carrier in this state which insures
25 the renter in the same manner and amounts of the policy obtained
26 by the livery under paragraph (a) and provides to each renter
27 the insurance carrier's name and address and the insurance
28 policy number; or

29 2. Presents the renter with the opportunity to purchase
30 coverage which insures the renter against any accident, loss,
31 injury, property damage, or other casualty caused by or
32 resulting from the operation of the livery vessel of at least
33 \$500,000 per person and \$1 million per event. If a renter
34 chooses not to purchase the coverage, the livery must obtain a
35 signed acknowledgement from the renter which includes an
36 attestation as to whether the renter has a Florida boating
37 safety identification card issued by the commission, a temporary
38 certificate, or another form of boating certification authorized
39 pursuant to s. 327.395, and that includes the following
40 statement:



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41
42 I UNDERSTAND THAT I AM REFUSING TO PURCHASE A VESSEL
43 RENTAL INSURANCE POLICY FOR COVERAGE OF AT LEAST
44 \$500,000 PER PERSON AND \$1 MILLION PER EVENT FOR ANY
45 DAMAGE OR INJURIES CAUSED DIRECTLY OR INDIRECTLY BY MY
46 OPERATION OF THE VESSEL.

47
48 THE VESSEL RENTAL INSURANCE POLICY COVERAGE IS BEING
49 OFFERED TO ME AT THE FOLLOWING PRICE: [INSERT BINDABLE
50 PRICE HERE OF INSURANCE BEING DECLINED].

51
52 I UNDERSTAND THAT I MAY NOT HAVE OTHER INSURANCE TO
53 COVER ANY DAMAGE OR INJURIES CAUSED DIRECTLY OR
54 INDIRECTLY BY MY OPERATION OF THE VESSEL AND THAT I
55 MAY BE PERSONALLY LIABLE FOR ANY SUCH DAMAGE OR
56 INJURIES DURING THE RENTAL PERIOD.

57
58 This subsection does not apply to human-powered vessels.

59
60 ===== T I T L E A M E N D M E N T =====

61 And the title is amended as follows:

62 Delete line 2

63 and insert:

64 An act relating to insurance; amending s. 327.54,
65 F.S.; revising requirements relating to insurance for
66 liveries that lease or rent or offer to lease or rent
67 livery vessels; amending s. 624.4621,