

Senate Bill No. 2294

An act relating to communications equipment property insurance; amending s. 626.321, F.S.; including certificates under a group master policy in an authorization to sell under a license; exempting certain communications equipment property insurance licensees from certain fingerprinting requirements; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Paragraph (i) of subsection (1) and subsection (3) of section 626.321, Florida Statutes, are amended to read:

626.321 Limited licenses.—

(1) The department shall issue to a qualified individual, or a qualified individual or entity under paragraphs (c), (d), (e), and (i), a license as agent authorized to transact a limited class of business in any of the following categories:

(i) In-transit and storage personal property insurance; communications equipment property insurance or communications equipment inland marine insurance.—

1. A license covering only the insurance of personal property not held for resale, covering the risks of transportation or storage in rented or leased motor vehicles, trailers, or self-service storage facilities, as the latter are defined in s. 83.803, may be issued, without examination, only to employees or authorized representatives of lessors who rent or lease motor vehicles, trailers, or self-service storage facilities and who are authorized by an insurer to issue certificates or other evidences of insurance to lessees of such motor vehicles, trailers, or self-service storage facilities under an insurance policy issued to the lessor. A person licensed under this paragraph shall give a prospective purchaser of in-transit or storage personal property insurance written notice that his or her homeowner's policy may provide coverage for the loss of personal property and that the purchase of such insurance is not required under the lease terms.

2. A license covering only communications equipment, for the loss, theft, mechanical failure, malfunction of or damage to, communications equipment. The license may be issued only to:

a. Employees or authorized representatives of a licensed general lines agent;

b. Each business location of a retail vendor of communications equipment; or

c. Employees, agents, or authorized representatives of a retail vendor of communications equipment.

The license authorizes the sale of such policies, or certificates under a group master policy, only with respect to the sale of, or provision of communications service for, communications equipment. A general lines agent is not required to obtain a license under this subparagraph to offer or sell communications equipment property insurance or communication equipment inland marine insurance. The provisions of this chapter requiring submission of fingerprints do not apply to communications equipment licenses issued to qualified entities under this subparagraph. Licensees offering policies under this subparagraph must receive initial training from, and have a contractual relationship with, a general lines agent. For the purposes of this subparagraph, the term "communications equipment" means handsets, pagers, personal digital assistants, portable computers, automatic answering devices, and other devices or accessories used to originate or receive communications signals or service, and includes services related to the use of such devices, such as consumer access to a wireless network; however, the term does not include telecommunications switching equipment, transmission wires, cell site transceiver equipment, or other equipment and systems used by telecommunications companies to provide telecommunications service to consumers.

(3) Except as otherwise expressly provided, a person ~~an individual~~ applying for or holding a limited license shall be subject to the same applicable requirements and responsibilities as apply to general lines agents in general, if licensed as to motor vehicle physical damage and mechanical breakdown insurance, credit property insurance, industrial fire insurance or burglary insurance, in-transit and storage personal property insurance, communications equipment property insurance or communications equipment inland marine insurance, baggage and motor vehicle excess liability insurance, or credit insurance; or as apply to life agents or health agents in general, as the case may be, if licensed as to personal accident insurance or credit life or credit disability insurance.

Section 2. This act shall take effect upon becoming a law.

Approved by the Governor June 26, 2003.

Filed in Office Secretary of State June 26, 2003.