A bill to be entitled
An act relating to transportation network companies; amending s. 627.748, F.S.; revising and providing definitions; deleting for-hire vehicles from the list of vehicles that are not considered TNC carriers or are not exempt from certain registration; authorizing TNC drivers to contract for installment of TNC digital advertising devices; providing requirements for such devices; requiring operators of such devices to allocate a specified percentage of advertisement inventory to certain organizations; providing construction; authorizing entities to be regulated as luxury ground TNCs; providing requirements; providing that luxury ground TNCs, luxury ground TNC drivers, and luxury ground TNC vehicles are governed by state law; providing an effective date.

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

Section 1. Paragraph (f) of subsection (1), subsections (11) through (14), and subsection (15) of section 627.748, Florida Statutes, are redesignated as paragraph (g) of subsection (1), subsections (12) through (15), and subsection (17), respectively, paragraphs (b) and (e) and present paragraph (g) of subsection (1), subsection (2), and paragraph (a) of...
present subsection (15) are amended, and a new subsection (11) and subsection (16) are added to that section, to read:

627.748 Transportation network companies.—
(1) DEFINITIONS.—As used in this section, the term:
(b) "Prearranged ride" means the provision of transportation by a TNC driver to a rider, beginning when a TNC driver accepts a ride requested by a rider through a digital network controlled by a transportation network company, continuing while the TNC driver transports the rider, and ending when the last rider exits from and is no longer occupying the TNC vehicle. The term does not include a taxicab, for hire vehicle, or street hail service and does not include ridesharing as defined in s. 341.031, carpool as defined in s. 450.28, or any other type of service in which the driver receives a fee that does not exceed the driver's cost to provide the ride.
(e) "Transportation network company" or "TNC" means an entity operating in this state pursuant to this section using a digital network to connect a rider to a TNC driver, who provides prearranged rides. A TNC is not deemed to own, control, operate, direct, or manage the TNC vehicles or TNC drivers that connect to its digital network, except where agreed to by written contract, and is not a taxicab association or for hire vehicle owner. An individual, corporation, partnership, sole proprietorship, or other entity that arranges medical transportation for individuals qualifying for Medicaid or
Medicare pursuant to a contract with the state or a managed care organization is not a TNC. This section does not prohibit a TNC from providing prearranged rides to individuals who qualify for Medicaid or Medicare if it meets the requirements of this section.

(f) "Transportation network company digital advertising device" or "TNC digital advertising device" means a device no larger than 20 inches tall and 54 inches long that is fixed to the roof of a TNC vehicle and that displays advertisements on a digital screen only while the TNC vehicle is turned on.

(h) "Transportation network company vehicle" or "TNC vehicle" means a vehicle that is not a taxicab or jitney, limousine, or for-hire vehicle as defined in s. 320.01(15) and that is:

1. Used by a TNC driver to offer or provide a prearranged ride; and

2. Owned, leased, or otherwise authorized to be used by the TNC driver.

Notwithstanding any other provision of law, a vehicle that is let or rented to another for consideration may be used as a TNC vehicle.

(2) NOT OTHER CARRIERS.—A TNC or TNC driver is not a common carrier, contract carrier, or motor carrier and does not provide taxicab or for-hire vehicle service. In addition, a TNC
driver is not required to register the vehicle that the TNC
driver uses to provide prearranged rides as a commercial motor
vehicle or a for-hire vehicle.

(11) TRANSPORTATION NETWORK COMPANY DIGITAL ADVERTISING
DEVICE.—
(a) A TNC driver may contract with an individual or
company to install a TNC digital advertising device on a TNC
vehicle.
(b) A TNC digital advertising device must be enabled with
wireless Internet access and equipped with GPS.
(c) A TNC digital advertising device may not display
advertisements when the TNC vehicle is parked or turned off.
(d) A TNC digital advertising device must follow the
lighting requirements of s. 316.2397.
(e) No portion of the TNC digital advertising device may
extend beyond the front or rear windshield of the vehicle, nor
may it impact the TNC driver's vision.
(f) A TNC digital advertising device must display
advertisements only on the sides of the device and not to the
front or rear of the vehicle. Identification of the provider
does not constitute advertising under this paragraph.
(g) A TNC digital advertising device must meet the
requirements of the MIL-STD-810G standard, as determined through
independent safety and durability testing under the review of a
licensed professional engineer, before being installed on a TNC
vehicle.
A TNC digital advertising device may not display advertisements for illegal products or services or advertisements that include nudity, violent images, or disparaging or false advertisements.

An individual or company operating a TNC digital advertisement device shall allocate 10 percent of all advertisement inventory for government, not-for-profit, or charitable organizations at no cost.

For the purposes of this chapter, a TNC advertising device shall be deemed part of a TNC vehicle.

LUXURY GROUND TRANSPORTATION NETWORK COMPANIES.—

As used in this subsection, the term "luxury ground transportation network company" or "luxury ground TNC" means a company that:

1. Meets the requirements of paragraph (b).

2. Notwithstanding other provisions of this section, uses its digital network to connect riders exclusively to drivers who operate for-hire vehicles as defined in s. 320.01(15), including limousines and luxury sedans and excluding taxicabs.

An entity may elect, upon written notification to the department, to be regulated as a luxury ground TNC. A luxury ground TNC must:

1. Comply with all of the requirements of this section applicable to a TNC, including subsection (17), that do not
conflict with subparagraph 2. or that prohibit the company from
connecting riders to drivers who operate for-hire vehicles as
defined in 320.01(15), including limousines and luxury sedans
and excluding taxicabs.

2. Maintain at all times insurance coverage at the levels
at least equal to the greater of those required in this section
and those required of for-hire vehicles, regardless of whether
the driver is operating as a for-hire vehicle driver or luxury
ground TNC driver. However, a prospective luxury ground TNC that
satisfies minimum financial responsibility at the time of
written notification to the department through compliance with
s. 324.032(2) by using self-insurance may continue to use self-
insurance to satisfy the requirements of this subparagraph.

(17) PREEMPTION.—

(a) It is the intent of the Legislature to provide for
uniformity of laws governing TNCs, TNC drivers, and TNC
vehicles, luxury ground TNCs, luxury ground TNC drivers, and
luxury ground TNC vehicles throughout the state. TNCs, TNC
drivers, and TNC vehicles, luxury ground TNCs, luxury ground TNC
drivers, and luxury ground TNC vehicles are governed exclusively
by state law, including in any locality or other jurisdiction
that enacted a law or created rules governing TNCs, TNC drivers,
or luxury ground TNC vehicles before July 1, 2017. A county,
municipality, special district, airport authority, port
authority, or other local governmental entity or subdivision may not:

1. Impose a tax on, or require a license for, a TNC, a TNC driver, or a TNC vehicle, a luxury ground TNC, a luxury ground TNC driver, or a luxury ground TNC vehicle if such tax or license relates to providing prearranged rides;

2. Subject a TNC, a TNC driver, or a TNC vehicle, a luxury ground TNC, a luxury ground TNC driver, or a luxury ground TNC vehicle to any rate, entry, operation, or other requirement of the county, municipality, special district, airport authority, port authority, or other local governmental entity or subdivision; or

3. Require a TNC, or a TNC driver, a luxury ground TNC, or a luxury ground TNC driver to obtain a business license or any other type of similar authorization to operate within the local governmental entity's jurisdiction.

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