

## CHAPTER 452

## BONDS OF EMPLOYEES OF COMMON CARRIERS

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**452.01 Common carrier not to require employee to furnish surety bond of certain company.**—No common carrier authorized to do business in this state, when requiring of an employee that he give it a bond or undertaking of any nature whatsoever, shall require such employee to have such bond or undertaking executed as a surety by any particular person, or by any one or more of any number of such persons, named by such common carrier; and no such common carrier shall reject any such bond or undertaking for any reason other than the financial insufficiency of such bond or undertaking.

**History.**—s. 1, ch. 6519, 1913; RGS 4041; CGL 5963.

**452.02 Foreign corporations as surety.**—No common carrier authorized to do business in this state, when requiring of any employee that he give it a bond or undertaking of any nature whatsoever, shall require as surety thereon any person not a resident of this state; nor shall such common carrier accept as such surety any company, corporation, or association unless the same is a corporation duly organized under the laws of Florida, or who shall have designated an agent residing within this state upon whom service of legal process against it may be had as provided by law for foreign corporations doing business in this state, and shall also have in this state a general office where it shall require that every such bond or undertaking shall be approved, and canceled, and where a complete record thereof shall be kept.

**History.**—s. 2, ch. 6519, 1913; RGS 4042; CGL 5964.

**452.03 Bond to cover definite term; cancellation; proviso.**—Every bond or undertaking of any nature whatsoever given by an employee of any common car-

rier authorized to do business in this state shall be made to cover a definite term; and no such bond or undertaking shall be canceled without the consent of all parties thereto, except for a breach of one or more of the conditions thereof. Any such employee who shall have given any such bond or undertaking may, upon breach of any of the conditions thereof by the other party thereto, cancel the same by giving the surety or sureties thereon and the common carrier for the benefit of whom the same shall have been made, at least 10 days' notice in writing, setting out in full the reason for canceling the same, said notice to be signed by such employee and sworn to by him in this state before any officer authorized to administer oaths. Any such notice to a company, corporation, or association may be served by leaving the same with any person upon whom service of legal process upon such company, corporation, or association may be had. Any surety of any such bond or undertaking may, upon the breach of any of the conditions thereof by the common carrier and employee for whom the same shall have been made, cancel the same by giving such employee at least 10 days' notice in writing, setting out in full the reason for canceling the same, the said notice to be signed by an agent or manager of such surety, then a resident of this state and then authorized to approve or disapprove similar bonds or undertakings for such surety, and to be sworn to by the person signing the same in this state before an officer authorized to administer oaths; provided, that nothing herein shall affect any right of action accruing to any person upon the breach of a contract.

**History.**—s. 3, ch. 6519, 1913; RGS 4043; CGL 5965.

**452.04 Bonds violating chapter void.**—Any bond, contract, or undertaking made in violation of the provisions of this chapter shall be void.

**History.**—s. 4, ch. 6519, 1913; RGS 4044; CGL 5966.

**452.05 Violation of regulations as to employment bonds; penalty.**—Any person who shall violate any of the provisions of this chapter shall be guilty of a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083.

**History.**—s. 4, ch. 6519, 1913; RGS 5672; CGL 7677; s. 382, ch. 71-136.