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13-51-108 Insurance.

- (1) A transportation network company or a transportation network driver shall maintain insurance that covers, on a primary basis, a transportation network driver's use of a vehicle during a prearranged ride and that includes:
 - (a) an acknowledgment that the transportation network driver is using the vehicle in connection with a transportation network company during a prearranged ride or that the transportation network driver is otherwise using the vehicle for a commercial purpose;
 - (b) liability coverage for a minimum amount of \$1,000,000 per occurrence;
 - (c) personal injury protection to the extent required under Sections 31A-22-306 through 31A-22-309;
 - (d) uninsured motorist coverage where required by Section 31A-22-305; and
 - (e) underinsured motorist coverage where required by Section 31A-22-305.3.
- (2) A transportation network company or a transportation network driver shall maintain insurance that covers, on a primary basis, a transportation network driver's use of a vehicle during a waiting period and that includes:
 - (a) an acknowledgment that the transportation network driver is using the vehicle in connection with a transportation network company during a waiting period or that the transportation network driver is otherwise using the vehicle for a commercial purpose;
 - (b) liability coverage in a minimum amount, per occurrence, of:
 - (i) \$50,000 to any one individual;
 - (ii) \$100,000 to all individuals; and
 - (iii) \$30,000 for property damage;
 - (c) personal injury protection to the extent required under Sections 31A-22-306 through 31A-22-309;
 - (d) uninsured motorist coverage where required by Section 31A-22-305; and
 - (e) underinsured motorist coverage where required by Section 31A-22-305.3.
- (3) A transportation network company or a transportation network driver shall maintain comprehensive and collision insurance that covers, on a primary or contingent basis, a transportation network driver's use of a vehicle while providing transportation network services, and that includes:
 - (a) an acknowledgment that the transportation network driver is using the vehicle in connection with a transportation network company during a prearranged ride or waiting period, or that the transportation network driver is otherwise using the vehicle for a commercial purpose; and
 - (b) coverage limits that are at least equal to such coverage limits, if any, for the personal automobile insurance maintained by the vehicle's owner and reported to the transportation network company.
- (4) A transportation network company and a transportation network driver may satisfy the requirements of Subsections (1), (2), and (3) by:
 - (a) the transportation network driver purchasing coverage that complies with Subsections (1), (2), and (3);
 - (b) the transportation network company purchasing, on the transportation network driver's behalf, coverage that complies with Subsections (1), (2), and (3); or
 - (c) a combination of Subsections (4)(a) and (b).
- (5) An insurer may offer to a transportation network driver a personal automobile liability insurance policy, or an amendment or endorsement to a personal automobile liability policy, that:

- (a) covers a private passenger motor vehicle while used to provide transportation network services; and
 - (b) satisfies the coverage requirements described in Subsection (1), (2), or (3).
- (6) Nothing in this section requires a personal automobile insurance policy to provide coverage while a driver is providing transportation network services.
- (7) If a transportation network company does not purchase a policy that complies with Subsections (1), (2), and (3) on behalf of a transportation network driver, the transportation network company shall verify that the driver has purchased a policy that complies with Subsections (1), (2), and (3).
- (8) An insurance policy that a transportation network company or a transportation network driver maintains under Subsection (1) or (2):
- (a) satisfies the security requirements of Section 41-12a-301; and
 - (b) may, along with insurance maintained under Subsection (3), be placed with:
 - (i) an insurer that is certified under Section 31A-4-103; or
 - (ii) a surplus lines insurer licensed under Section 31A-23a-104.
- (9) An insurer that provides coverage for a transportation network driver explicitly for the transportation network driver's transportation network services under Subsection (1) or (2) shall have the duty to defend a liability claim arising from an occurrence while the transportation network driver is providing transportation network services.
- (10)
- (a) If insurance a transportation network driver maintains under Subsection (1), (2), or (3) lapses or ceases to exist, a transportation network company shall provide coverage complying with Subsection (1), (2), or (3) beginning with the first dollar of a claim.
 - (b) Subsection (10)(a) does not apply to comprehensive or collision insurance otherwise required under Subsection (3) if, at the time of a claim for damage to a vehicle being used to provide transportation network services, there is no outstanding lien on the vehicle.
- (11)
- (a) An insurance policy that a transportation network company or transportation network driver maintains under Subsection (1) or (2) may not provide that coverage is dependent on a transportation network driver's personal automobile insurance policy first denying a claim.
 - (b) Subsection (11)(a) does not apply to coverage a transportation network company provides under Subsection (9) in the event a transportation network driver's coverage under Subsection (1) or (2) lapses or ceases to exist.
- (12) A personal automobile insurer:
- (a) notwithstanding Section 31A-22-302, may offer a personal automobile liability policy that excludes coverage for a loss that arises from the use of the insured vehicle to provide transportation network services; and
 - (b) does not have the duty to defend or indemnify a loss if an exclusion described in Subsection (12)(a) excludes coverage according to the policy's terms.