

Effective 5/10/2016

13-51-203 Payment of a claim from the fund.

- (1) A person that holds a lien on a vehicle used by a transportation network driver to provide transportation network services may submit a claim to the division for payment from the fund for physical damage to the vehicle.
- (2) The division shall pay a claim for payment from the fund to a person that holds a lien on a vehicle described in Subsection (1) for physical damage to the vehicle if:
 - (a) the physical damage to the vehicle occurred during a waiting period or a prearranged ride;
 - (b) the lien complies with Section 41-1a-601;
 - (c) the person required the transportation network driver, by contract, to maintain insurance coverage for physical damage to the vehicle;
 - (d) the insurance coverage described in Subsection (2)(c):
 - (i) names the person as the loss payee;
 - (ii) was in effect at the time the physical damage occurred; and
 - (iii) denied coverage to the person as the loss payee on the sole basis that the transportation network driver used the vehicle to provide transportation network services in the state; and
 - (e) the division determines, no earlier than 10 days after the day on which the person makes the claim, that:
 - (i) no other insurance is available from the relevant transportation network company; and
 - (ii) the fund has enough money to cover the cost of the claim.
- (3) If the division grants a claim to a person for a lien on a transportation network driver's vehicle under Subsection (2), the fund shall pay the person the lesser of, as estimated by the division:
 - (a) the cost to repair the vehicle; or
 - (b) the actual cash value of the vehicle less any salvage costs.

Enacted by Chapter 359, 2016 General Session