

1 **INSURANCE REQUIREMENTS FOR CHILD CARE BUSES**

2 2011 GENERAL SESSION

3 STATE OF UTAH

4 **Chief Sponsor: Johnny Anderson**

5 Senate Sponsor: Karen Mayne

7 **LONG TITLE**

8 **General Description:**

9 This bill modifies the Motor Carrier Safety Act by amending provisions relating to
10 minimum motor vehicle liability coverage for certain motor carriers.

11 **Highlighted Provisions:**

12 This bill:

- 13 ▶ provides that the Department of Transportation shall not require a motor carrier to
- 14 comply with certain federal minimum security requirements if the motor carrier
- 15 meets certain specified criteria;
- 16 ▶ provides minimum motor vehicle liability coverage requirements for certain motor
- 17 carriers; and
- 18 ▶ makes technical changes.

19 **Money Appropriated in this Bill:**

20 None

21 **Other Special Clauses:**

22 None

23 **Utah Code Sections Affected:**

24 AMENDS:

25 **72-9-103**, as last amended by Laws of Utah 2008, Chapter 382

27 *Be it enacted by the Legislature of the state of Utah:*

28 Section 1. Section **72-9-103** is amended to read:

29 **72-9-103. Rulemaking -- Motor vehicle liability coverage for certain motor**

30 carriers -- Adjudicative proceedings.

31 (1) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the
32 department shall make rules:

33 (a) adopting by reference in whole or in part the Federal Motor Carrier Safety
34 Regulations including minimum security requirements for motor carriers;

35 (b) specifying the equipment required to be carried in each tow truck, including limits
36 on loads that may be moved based on equipment capacity and load weight;

37 (c) specifying collection procedures, in conjunction with the administration and
38 enforcement of the safety or security requirements, for the motor carrier fee under Section
39 72-9-706; and

40 (d) providing for the necessary administration and enforcement of this chapter.

41 (2) (a) Notwithstanding Subsection (1)(a), the department shall not require a motor
42 carrier to comply with 49 C.F.R. Part 387 Subpart B if the motor carrier is:

43 (i) engaging in or transacting the business of transporting passengers by an intrastate
44 commercial vehicle that has a seating capacity of no more than 30 passengers; and

45 (ii) a licensed child care provider under Section 26-39-401.

46 (b) Policies containing motor vehicle liability coverage for a motor carrier described
47 under Subsection (2)(a) shall require minimum coverage of:

48 (i) \$1,000,000 for a vehicle with a seating capacity of up to 20 passengers; or

49 (ii) \$1,500,000 for a vehicle with a seating capacity of up to 30 passengers.

50 [~~2~~] (3) The department shall comply with Title 63G, Chapter 4, Administrative
51 Procedures Act, in its adjudicative proceedings.