

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 -- Adjudicative proceedings.**

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

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

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

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

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

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

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

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

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

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

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

49 [~~2~~] (3) The department shall comply with Title 63G, Chapter 4, Administrative
50 Procedures Act, in its adjudicative proceedings.

Legislative Review Note
as of 2-17-11 3:31 PM

Office of Legislative Research and General Counsel

FISCAL NOTE

H.B. 314

SHORT TITLE: Insurance Requirements for Child Care Buses

SPONSOR: **Anderson, J.**

2011 GENERAL SESSION, STATE OF UTAH

STATE GOVERNMENT (UCA 36-12-13(2)(b))

Enactment of this bill likely will not materially impact the state budget.

LOCAL GOVERNMENTS (UCA 36-12-13(2)(c))

Enactment of this bill likely will not result in direct, measurable costs for local governments.

DIRECT EXPENDITURES BY UTAH RESIDENTS AND BUSINESSES (UCA 36-12-13(2)(d))

Enactment of this bill likely will not result in direct, measurable expenditures by Utah residents or businesses.