



UTAH STATE SENATE

UTAH STATE CAPITOL COMPLEX • 320 STATE CAPITOL
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February 25, 2020

Mr. President,

The Transportation, Public Utilities, Energy, and Technology Committee recommends **S.B. 150, TRANSPORTATION GOVERNANCE AND FUNDING AMENDMENTS**, by Senator W. A. Harper, be replaced and reports a favorable recommendation on **1st Sub. S.B. 150, TRANSPORTATION GOVERNANCE AND FUNDING AMENDMENTS** with the following amendments:

1. *Page 1, Lines 18 through 19:*

- 18 ▶ amends provisions related to ~~{ insurance levels and }~~ safety standards of
transportation
19 network company vehicles;

2. *Page 3, Lines 57 through 59:*

- 57 13-51-107, as last amended by Laws of Utah 2017, Chapter 406
58 ~~{ 13-51-108, as last amended by Laws of Utah 2016, Chapters 138 and 359 }~~
59 17-27a-206, as last amended by Laws of Utah 2017, Chapter 428

3. *Page 7, Line 191 through Page 9, Line 268:*

- 191 shall carry proof, in physical or electronic form, that the transportation network driver is
192 covered by insurance that satisfies the requirements of Section 13-51-108.
193 ~~{ Section 4. Section 13-51-108 is amended to read:~~

Bill Number



SB0150S01

Action Class



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Action Code



SCRSUBAMD

194 ~~——13-51-108. Insurance.~~
195 ~~——(1) A transportation network company or a transportation network driver~~
196 ~~shall maintain~~
197 ~~insurance that covers, on a primary basis, a transportation network driver's use of a~~
198 ~~vehicle~~
199 ~~during a prearranged ride and that includes:~~
200 ~~——(a) an acknowledgment that the transportation network driver is using the~~
201 ~~vehicle in~~
202 ~~connection with a transportation network company during a prearranged ride or~~
203 ~~that the~~
204 ~~transportation network driver is otherwise using the vehicle for a commercial~~
205 ~~purpose;~~
206 ~~——(b) liability coverage for a minimum amount of [\$1,000,000] \$1,500,000 per~~
207 ~~occurrence;~~
208 ~~——(c) personal injury protection to the extent required under Sections 31A-22-306~~
209 ~~through 31A-22-309;~~
210 ~~——(d) uninsured motorist coverage where required by Section 31A-22-305; and~~
211 ~~——(e) underinsured motorist coverage where required by Section 31A-22-305.3.~~
212 ~~——(2) A transportation network company or a transportation network driver~~
213 ~~shall maintain~~
214 ~~insurance that covers, on a primary basis, a transportation network driver's use of a~~
215 ~~vehicle~~
216 ~~during a waiting period and that includes:~~
217 ~~——(a) an acknowledgment that the transportation network driver is using the~~
218 ~~vehicle in~~
219 ~~connection with a transportation network company during a waiting period or that~~
220 ~~the~~
221 ~~transportation network driver is otherwise using the vehicle for a commercial~~
222 ~~purpose;~~
223 ~~——(b) liability coverage in a minimum amount, per occurrence, of:~~
224 ~~——(i) \$50,000 to any one individual;~~
225 ~~——(ii) \$100,000 to all individuals; and~~
226 ~~——(iii) \$30,000 for property damage;~~
227 ~~——(c) personal injury protection to the extent required under Sections 31A-22-306~~
228 ~~through 31A-22-309;~~

219 ~~—(d) uninsured motorist coverage where required by Section 31A-22-305; and~~
220 ~~—(e) underinsured motorist coverage where required by Section 31A-22-305.3.~~
221 ~~—(3) A transportation network company and a transportation network driver~~
222 ~~may satisfy~~
223 ~~the requirements of Subsections (1) and (2) by:~~
224 ~~—(a) the transportation network driver purchasing coverage that complies with~~
225 ~~Subsections (1) and (2);~~
226 ~~—(b) the transportation network company purchasing, on the transportation~~
227 ~~network~~
228 ~~driver's behalf, coverage that complies with Subsections (1) and (2); or~~
229 ~~—(c) a combination of Subsections (3)(a) and (b).~~
230 ~~—(4) An insurer may offer to a transportation network driver a personal~~
231 ~~automobile~~
232 ~~liability insurance policy, or an amendment or endorsement to a personal~~
233 ~~automobile liability~~
234 ~~policy, that:~~
235 ~~—(a) covers a private passenger motor vehicle while used to provide~~
236 ~~transportation~~
237 ~~network services; and~~
238 ~~—(b) satisfies the coverage requirements described in Subsection (1) or (2).~~
239 ~~—(5) Nothing in this section requires a personal automobile insurance policy to~~
240 ~~provide~~
241 ~~coverage while a driver is providing transportation network services:~~
242 ~~—(6) If a transportation network company does not purchase a policy that~~
243 ~~complies with~~
244 ~~Subsections (1) and (2) on behalf of a transportation network driver, the~~
245 ~~transportation network~~
246 ~~company shall verify that the driver has purchased a policy that complies with~~
247 ~~Subsections (1)~~
248 ~~and (2):~~
249 ~~—(7) An insurance policy that a transportation network company or a~~
250 ~~transportation~~
251 ~~network driver maintains under Subsection (1) or (2):~~
252 ~~—(a) satisfies the security requirements of Section 41-12a-301; and~~
253 ~~—(b) may be placed with:~~

244 ~~——(i) an insurer that is certified under Section 31A-4-103; or~~
245 ~~——(ii) a surplus lines insurer eligible under Section 31A-15-103.~~
246 ~~——(8) An insurer that provides coverage for a transportation network driver~~
explicitly for
247 ~~the transportation network driver's transportation network services under~~
Subsection (1) or (2)
248 ~~shall have the duty to defend a liability claim arising from an occurrence while the~~
249 ~~transportation network driver is providing transportation network services.~~
250 ~~——(9) If insurance a transportation network driver maintains under Subsection~~
(1) or (2)
251 ~~lapses or ceases to exist, a transportation network company shall provide coverage~~
complying
252 ~~with Subsection (1) or (2) beginning with the first dollar of a claim.~~
253 ~~——(10) (a) An insurance policy that a transportation network company or~~
transportation
254 ~~network driver maintains under Subsection (1) or (2) may not provide that coverage~~
is
255 ~~dependent on a transportation network driver's personal automobile insurance~~
policy first
256 ~~denying a claim.~~
257 ~~——(b) Subsection (10)(a) does not apply to coverage a transportation network~~
company
258 ~~provides under Subsection (9) in the event a transportation network driver's~~
coverage under
259 ~~Subsection (1) or (2) lapses or ceases to exist.~~
260 ~~——(11) A personal automobile insurer:~~
261 ~~——(a) notwithstanding Section 31A-22-302, may offer a personal automobile~~
liability
262 ~~policy that excludes coverage for a loss that arises from the use of the insured~~
vehicle to
263 ~~provide transportation network services; and~~
264 ~~——(b) does not have the duty to defend or indemnify a loss if an exclusion~~
described in
265 ~~Subsection (11)(a) excludes coverage according to the policy's terms. }~~
Renumber remaining sections accordingly.

266 Section 5. Section **17-27a-206** is amended to read:
267 17-27a-206. Third party notice -- High priority transportation corridor notice.
268 (1) (a) If a county requires notice to adjacent property owners, the county shall:

Respectfully,

Wayne A. Harper
Chair

Voting: 6-0-2

5 SB0150.SC1.wpd 2/25/20 4:55 pm krueff/KR KPG/ALH