

1st Sub. S.B. 150

TRANSPORTATION GOVERNANCE AND FUNDING AMENDMENTS

Senator **Jacob L. Anderegg** proposes 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:~~

194 ~~13-51-108. Insurance:~~

195 ~~(1) A transportation network company or a transportation network driver shall maintain~~
196 ~~insurance that covers, on a primary basis, a transportation network driver's use of a vehicle~~
197 ~~during a prearranged ride and that includes:~~

198 ~~(a) an acknowledgment that the transportation network driver is using the vehicle in~~
199 ~~connection with a transportation network company during a prearranged ride or that the~~
200 ~~transportation network driver is otherwise using the vehicle for a commercial purpose;~~

201 ~~(b) liability coverage for a minimum amount of [\$1,000,000] \$1,500,000 per~~
202 ~~occurrence;~~

203 ~~(c) personal injury protection to the extent required under Sections 31A-22-306~~
204 ~~through 31A-22-309;~~

205 ~~(d) uninsured motorist coverage where required by Section 31A-22-305; and~~

206 ~~(e) underinsured motorist coverage where required by Section 31A-22-305.3.~~

207 ~~(2) A transportation network company or a transportation network driver shall maintain~~
208 ~~insurance that covers, on a primary basis, a transportation network driver's use of a vehicle~~
209 ~~during a waiting period and that includes:~~

210 ~~(a) an acknowledgment that the transportation network driver is using the vehicle in~~
211 ~~connection with a transportation network company during a waiting period or that the~~
212 ~~transportation network driver is otherwise using the vehicle for a commercial purpose;~~

213 ~~—— (b) liability coverage in a minimum amount, per occurrence, of:~~
214 ~~—— (i) \$50,000 to any one individual;~~
215 ~~—— (ii) \$100,000 to all individuals; and~~
216 ~~—— (iii) \$30,000 for property damage;~~
217 ~~—— (c) personal injury protection to the extent required under Sections 31A-22-306~~
218 ~~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 may satisfy~~
222 ~~the requirements of Subsections (1) and (2) by:~~
223 ~~—— (a) the transportation network driver purchasing coverage that complies with~~
224 ~~Subsections (1) and (2);~~
225 ~~—— (b) the transportation network company purchasing, on the transportation network~~
226 ~~driver's behalf, coverage that complies with Subsections (1) and (2); or~~
227 ~~—— (c) a combination of Subsections (3)(a) and (b).~~
228 ~~—— (4) An insurer may offer to a transportation network driver a personal automobile~~
229 ~~liability insurance policy, or an amendment or endorsement to a personal automobile liability~~
230 ~~policy, that:~~
231 ~~—— (a) covers a private passenger motor vehicle while used to provide transportation~~
232 ~~network services; and~~
233 ~~—— (b) satisfies the coverage requirements described in Subsection (1) or (2).~~
234 ~~—— (5) Nothing in this section requires a personal automobile insurance policy to provide~~
235 ~~coverage while a driver is providing transportation network services.~~
236 ~~—— (6) If a transportation network company does not purchase a policy that complies with~~
237 ~~Subsections (1) and (2) on behalf of a transportation network driver, the transportation network~~
238 ~~company shall verify that the driver has purchased a policy that complies with Subsections (1)~~
239 ~~and (2).~~
240 ~~—— (7) An insurance policy that a transportation network company or a transportation~~
241 ~~network driver maintains under Subsection (1) or (2):~~
242 ~~—— (a) satisfies the security requirements of Section 41-12a-301; and~~
243 ~~—— (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: