

PROPOSED AMENDMENT

HB 1200 # 4

DIGEST

Transportation network companies. Requires uninsured motorist and underinsured motorist coverage for a motor vehicle used to transport passengers for compensation through a transportation network company.

- 1 Page 1, between the enacting clause and line 1, begin a new
2 paragraph and insert:
3 "SECTION 1. IC 8-2.1-19.1-8, AS AMENDED BY P.L.215-2023,
4 SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
5 JULY 1, 2026]: Sec. 8. (a) Not later than July 15, 2015, a TNC driver,
6 or a TNC on the TNC driver's behalf, shall maintain primary motor
7 vehicle insurance that meets the following requirements:
8 (1) The motor vehicle insurance is issued:
9 (A) by an insurance company that holds a certificate of
10 authority to do insurance business in Indiana under
11 IC 27-1-3-20; or
12 (B) through a surplus lines producer licensed under
13 IC 27-1-15.8.
14 (2) The language of the motor vehicle insurance policy:
15 (A) recognizes that the driver is a TNC driver or otherwise
16 uses the personal vehicle to transport passengers for
17 compensation; and
18 (B) covers the driver while the driver is:
19 (i) logged on to the TNC's digital network; or
20 (ii) engaged in a prearranged ride.
21 (3) The motor vehicle insurance must meet the following
22 coverage requirements while a TNC driver is logged on to the
23 TNC's digital network, but is not engaged in a prearranged ride:
24 (A) Primary motor vehicle liability, **uninsured motorist, and**
25 **underinsured motorist** insurance in an amount equal to at
26 least:
27 (i) fifty thousand dollars (\$50,000) per person for death and

- 1 bodily injury;
- 2 (ii) one hundred thousand dollars (\$100,000) per incident
- 3 for death and bodily injury;
- 4 (iii) before July 1, 2024, twenty-five thousand dollars
- 5 (\$25,000) per incident for property damage; and
- 6 (iv) after June 30, 2024, fifty thousand dollars (\$50,000) per
- 7 incident for property damage.
- 8 (B) The insurance required by clause (A) may be provided by
- 9 any of the following:
- 10 (i) Motor vehicle insurance maintained by the TNC driver.
- 11 (ii) Motor vehicle insurance maintained by the TNC.
- 12 (iii) Motor vehicle insurance maintained by any combination
- 13 of persons or entities under items (i) and (ii).
- 14 (4) The motor vehicle insurance must meet the following
- 15 coverage requirements while a TNC driver is engaged in a
- 16 prearranged ride:
- 17 (A) Primary motor vehicle liability, **uninsured motorist, and**
- 18 **underinsured motorist** insurance in an amount equal to at
- 19 least one million dollars (\$1,000,000) per incident for death,
- 20 bodily injury, and property damage.
- 21 (B) The insurance required by clause (A) may be provided by
- 22 any of the following:
- 23 (i) Motor vehicle insurance maintained by the TNC driver.
- 24 (ii) Motor vehicle insurance maintained by the TNC.
- 25 (iii) Motor vehicle insurance maintained by any combination
- 26 of persons or entities under items (i) and (ii).
- 27 (b) If motor vehicle insurance maintained by a TNC driver as
- 28 described in subsection (a) lapses or does not provide the required
- 29 coverage:
- 30 (1) motor vehicle insurance maintained by the TNC must provide
- 31 the required coverage beginning with the first dollar of a claim;
- 32 and
- 33 (2) the insurance company that issues the motor vehicle insurance
- 34 described in subdivision (1) has a duty to defend the claim
- 35 described in subdivision (1).
- 36 (c) Coverage under motor vehicle insurance maintained by a TNC
- 37 may not be dependent on a personal motor vehicle insurance company's
- 38 first denying a claim for coverage under a personal motor vehicle
- 39 insurance policy, nor may a personal motor vehicle insurance company
- 40 be required to first deny a claim.

(d) A motor vehicle insurance policy that meets the coverage requirements of subsection (a) satisfies the financial responsibility requirement of IC 9-25 while the driver of the personal vehicle is:

- (1) logged on to the TNC's digital network; or
- (2) engaged in a prearranged ride.

(e) A TNC driver shall do the following:

(1) At all times during which the TNC driver uses a personal vehicle in connection with a TNC's digital network, carry proof of the coverage required by subsection (a).

(2) In the event of an accident, upon request, provide to directly interested parties, motor vehicle insurance companies, and investigating law enforcement officers:

- (A) the proof described in subdivision (1); and
 - (B) a disclosure of whether the TNC driver was:
 - (i) logged on to the TNC's digital network; or
 - (ii) engaged in a prearranged ride;
- at the time of the accident.

Information provided under this subdivision may be provided in electronic form under IC 27-1-43-3, as applicable.

(f) If a TNC's motor vehicle insurance provides comprehensive coverage or collision coverage for a claim for repair to a personal vehicle, the TNC shall direct the insurance company to make the claim payment:

- (1) directly to the person that repairs the personal vehicle as payment in full for the completed repairs; or
- (2) jointly to:
 - (A) the owner of; and
 - (B) any primary lienholder on; the personal vehicle."

Renumber all SECTIONS consecutively.

(Reference is to HB 1200 as introduced.)