

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

bodily injury;

(ii) one hundred thousand dollars (\$100,000) per incident for death and bodily injury;

(iii) before July 1, 2024, twenty-five thousand dollars (\$25,000) per incident for property damage; and

(iv) after June 30, 2024, fifty thousand dollars (\$50,000) per incident for property damage.

(B) The insurance required by clause (A) may be provided by any of the following:

- (i) Motor vehicle insurance maintained by the TNC driver.
- (ii) Motor vehicle insurance maintained by the TNC.
- (iii) Motor vehicle insurance maintained by any combination of persons or entities under items (i) and (ii).

(A) Primary motor vehicle liability, **uninsured motorist, and underinsured motorist** insurance in an amount equal to at least one million dollars (\$1,000,000) per incident for death, bodily injury, and property damage.

(B) The insurance required by clause (A) may be provided by any of the following:

- (i) Motor vehicle insurance maintained by the TNC driver.
- (ii) Motor vehicle insurance maintained by the TNC.
- (iii) Motor vehicle insurance maintained by any combination 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.

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

6 (e) A TNC driver shall do the following:

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

13 (A) the proof described in subdivision (1); and

14 (B) a disclosure of whether the TNC driver was:

15 (i) logged on to the TNC's digital network; or

16 (ii) engaged in a prearranged ride;

17 at the time of the accident.

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

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

24 (1) directly to the person that repairs the personal vehicle as
25 payment in full for the completed repairs; or

26 (2) jointly to:

(A) the owner of; and

28 (B) any primary lienholder on;

29 the personal vehicle.".

30 Renumber all **SECTIONS** consecutively.

(Reference is to HB 1200 as introduced.)

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