

By: Leibowitz

H.B. No. 31

A BILL TO BE ENTITLED

AN ACT

relating to the amount of liability insurance required to be maintained on certain buses owned by a motor carrier.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 643.101(b), Transportation Code, is amended to read as follows:

(b) Except as provided by Sections ~~[Section]~~ 643.1015 and 643.1016, the department by rule may set the amount of liability insurance required at an amount that does not exceed the amount required for a motor carrier under a federal regulation adopted under 49 U.S.C. Section 13906(a)(1). In setting the amount the department shall consider:

(1) the class and size of the vehicle; and

(2) the persons or cargo being transported.

SECTION 2. Subchapter C, Chapter 643, Transportation Code, is amended by adding Section 643.1016 to read as follows:

Sec. 643.1016. AMOUNT REQUIRED FOR CERTAIN BUSES. (a) This section applies only to a bus that is designed or used to transport 26 or more passengers, not including the operator, and is owned by a motor carrier required to be registered under Subchapter B.

(b) The owner of a bus shall maintain liability insurance in the amount of at least \$10 million combined single limit.

SECTION 3. Section 643.103(a), Transportation Code, is amended to read as follows:

1           (a) A motor carrier that is required to register under  
2 Subchapter B must file with the department evidence of insurance in  
3 the amounts required by Section 643.101, ~~[or]~~ 643.1015, or  
4 643.1016, or evidence of financial responsibility as described by  
5 Section 643.102, in a form prescribed by the department. The form  
6 must be filed:

7                   (1) at the time of the initial registration;

8                   (2) at the time of a subsequent registration if the  
9 motor carrier was required to be continuously registered under  
10 Subchapter B and the carrier failed to maintain continuous  
11 registration;

12                   (3) at the time a motor carrier changes insurers; and

13                   (4) at the time a motor carrier changes ownership, as  
14 determined by rules adopted by the department.

15           SECTION 4. This Act takes effect immediately if it receives  
16 a vote of two-thirds of all the members elected to each house, as  
17 provided by Section 39, Article III, Texas Constitution. If this  
18 Act does not receive the vote necessary for immediate effect, this  
19 Act takes effect September 1, 2009.