

Amend HB 1951 on third reading by adding the following appropriately numbered ARTICLE to the bill and renumbering subsequent ARTICLES and SECTIONS of the bill accordingly:

ARTICLE ____ . INSURANCE COVERAGE FOR CHILD PASSENGER SAFETY SEAT
SYSTEMS

SECTION __.01. Subchapter B, Chapter 1952, Insurance Code, is amended by adding Section 1952.059 to read as follows:

Sec. 1952.059. COVERAGE OF CHILD PASSENGER SAFETY SEAT SYSTEM. (a) In this section, "child passenger safety seat system" has the meaning assigned by Section 545.412, Transportation Code.

(b) This section applies to a moderate or severe traffic collision in which:

(1) a child passenger safety seat system suffers cracks or warping as a result of the collision;

(2) the vehicle door nearest the child safety seat was damaged;

(3) a vehicle occupant suffered an injury; or

(4) an airbag deployed.

(c) This section applies to a collision described by Subsection (b) regardless of whether the vehicle in which the seat was installed was driven from the scene of the collision.

(d) In addition to an insurer described by Section 1952.001, this section applies to a county mutual insurance company.

(e) An automobile insurance policy that provides liability coverage shall cover the cost of replacing a child passenger safety seat system damaged in a collision if:

(1) a driver covered by the policy is at fault for the collision; and

(2) the damaged child passenger safety seat system was installed in a vehicle other than the vehicle operated by the driver covered by the policy.

(f) An automobile insurance policy that provides collision coverage shall cover the cost of replacing a child passenger safety seat system installed in a covered vehicle that is damaged in a collision unless that cost is first recovered from a driver who is at fault in the collision or insurance covering that driver. This subsection does not affect a right of subrogation of an insurer who

covers the cost of replacing a child passenger safety seat system as required by this section.