

CHAPTER 76

PUBLIC UTILITIES

HOUSE BILL 93-1065

BY REPRESENTATIVE Allen;
also SENATORS Owens, Norton, and Weissmann.

AN ACT**CONCERNING THE MINIMUM LIABILITY INSURANCE REQUIREMENTS FOR MOTOR VEHICLE CARRIERS
EXEMPT FROM REGULATION AS PUBLIC UTILITIES.**

Be it enacted by the General Assembly of the State of Colorado:

SECTION 1. 40-16-104, Colorado Revised Statutes, 1984 Repl. Vol., as amended, is amended to read:

40-16-104. Insurance requirements. (1) Each motor vehicle carrier exempt from regulation as a public utility shall maintain a general liability insurance policy, OR, IF SUCH CARRIER IS A PUBLIC ENTITY, A CERTIFICATE OF SELF-INSURANCE IN LIEU THEREOF, ISSUED PURSUANT TO SECTION 42-7-501 C.R.S., AT THE OPTION OF THE PUBLIC ENTITY. Such an insurance policy shall be issued by some insurance carrier or insurer authorized to do business in Colorado for each motor vehicle of such carrier AND SUCH CERTIFICATE OF SELF-INSURANCE SHALL BE ISSUED BY THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF REVENUE. For those motor vehicle carriers exempt from regulation as public utilities specified in paragraphs (a) to (c) of this subsection (1), such liability insurance shall be in the following minimum amounts:

(a) For charter or scenic buses, a minimum amount of five million dollars combined single limit liability OR IN THE CASE OF PUBLIC ENTITIES OPERATING SUCH BUSES, THE MAXIMUM AMOUNT THAT MAY BE RECOVERED FROM A PUBLIC ENTITY UNDER SECTION 24-10-114 (1), C.R.S.;

(b) For luxury limousines, a minimum amount of one million dollars combined single limit liability;

(c) For off-road scenic charters, a minimum amount of one million dollars

Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.

combined single limit liability.

(2) Each motor vehicle carrier exempt from regulation as a public utility shall maintain with the public utilities commission of this state adequate written documentation that such carrier maintains a general liability insurance policy, OR FOR PUBLIC ENTITIES A CERTIFICATE OF SELF-INSURANCE, in accordance with this section. No termination of such insurance policy shall be valid unless the insurer has notified the holder of the policy and the public utilities commission of this state at least thirty days prior to such termination.

SECTION 2. Safety clause. The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

Approved: March 31, 1993