

SECOND REGULAR SESSION

HOUSE BILL NO. 2909

102ND GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE MERIDETH.

3984H.011

DANA RADEMAN MILLER, Chief Clerk

AN ACT

To amend chapter 303, RSMo, by adding thereto one new section relating to taxicab minimum insurance requirements, with a penalty provision.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Chapter 303, RSMo, is amended by adding thereto one new section, to be known as section 303.450, to read as follows:

303.450. 1. Notwithstanding any provision of law to the contrary, no owner of a taxicab, as defined in section 390.020, shall operate, register, or maintain registration of a taxicab, or permit another person to operate such taxicab, unless the owner maintains liability insurance that complies with the requirements of this section.

2. Such owner's policy of liability:

(1) Shall designate by explicit description or by appropriate reference all taxicabs with respect to which coverage is thereby to be granted;

(2) Shall insure the person named therein and any other person, as insured, using any such taxicab with the express or implied permission of such named insured, against loss from the liability imposed by law for damages arising out of the ownership, maintenance, or use of such taxicab or taxicabs within the United States of America or the Dominion of Canada, subject to limits, exclusive of interest and costs, with respect to each taxicab, as follows: seventy-five thousand dollars because of bodily injury to or death of one person in any one accident and, subject to said limit for one person, one-hundred-fifty thousand dollars because of bodily injury to or death of two or more persons in any one accident, and seventy-five thousand dollars because of injury to or destruction of property of others in any one accident; and

EXPLANATION — Matter enclosed in bold-faced brackets ~~thus~~ in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

18 **(3) May exclude coverage against loss from liability imposed by law for damages**
19 **arising out of the use of such taxicab by a member of the named insured's household**
20 **who is a specifically excluded driver in the policy.**

21 **3. The coverage requirements of this section may be satisfied by any of the**
22 **following:**

23 **(1) Automobile insurance maintained by the taxicab company driver;**

24 **(2) Automobile insurance maintained by the taxicab company; or**

25 **(3) Any combination of subdivisions (1) and (2) of this subsection.**

26 **4. The provisions of this section shall apply only to motor vehicles classified as**
27 **taxicabs and shall exclude any motor vehicles that operate exclusively as personal**
28 **vehicles, operate as part of a transportation network company, or are not the type of**
29 **transportation referred to collectively as taxicabs.**

30 **5. Such taxicab operator's policy of liability insurance shall insure the person**
31 **named as insured therein against loss from the liability imposed upon him or her by law**
32 **for damages arising out of the use by him or her of any taxicab not owned by him or her,**
33 **within the said territorial limits and subject to the same limits of liability as are set forth**
34 **above with respect to any taxicab owner's policy of liability insurance.**

35 **6. Such taxicab motor vehicle liability policy shall state the name and address of**
36 **the named insured, the coverage afforded by the policy, the premium charged therefor,**
37 **the policy period and the limits of liability, and shall contain an agreement or be**
38 **endorsed that insurance is provided thereunder in accordance with the coverage defined**
39 **in this chapter as respects bodily injury and death or property damage, or both.**

40 **7. Every taxicab liability policy shall be subject to the following provisions which**
41 **need not be contained therein:**

42 **(1) The liability of the insurance carrier with respect to the insurance required**
43 **by this chapter shall become absolute whenever injury or damage covered by said motor**
44 **vehicle liability policy occurs; said policy may not be cancelled or annulled as to such**
45 **liability by any agreement between the insurance carrier and the insured after the**
46 **occurrence of the injury or damage; no statement made by the insured or on his or her**
47 **behalf and no violation of said policy shall defeat or void said policy;**

48 **(2) The satisfaction by the insured of a judgment for such injury or damage shall**
49 **not be a condition precedent to the right or duty of the insurance carrier to make**
50 **payment on account of such injury or damage;**

51 **(3) The insurance carrier shall have the right to settle any claim covered by the**
52 **policy, and if such settlement is made in good faith, the amount thereof shall be**
53 **deductible from the limits of liability specified in subdivision (2) of subsection 2 of this**
54 **section;**

55 **(4) The policy, the written application thereof, if any, and any rider or**
56 **endorsement which does not conflict with the provisions of this chapter shall constitute**
57 **the entire contract between the parties.**

58 **8. Any taxicab liability policy may provide for the prorating of the insurance**
59 **thereunder with other valid and collectible insurance.**

60 **9. The requirements of a taxicab liability policy may be fulfilled by the policies of**
61 **one or more insurance carriers which policies together meet such requirements.**

62 **10. Any binder issued pending the issuance of a taxicab liability policy shall be**
63 **deemed to fulfill the requirement for such a policy.**

64 **11. Any person who violates the provisions of this section is guilty of a**
65 **misdemeanor.**

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