

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

1 State of Arkansas
2 83rd General Assembly
3 Regular Session, 2001

A Bill

HOUSE BILL 2496

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5 By: Representatives Hausam, Jackson
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For An Act To Be Entitled

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9 AN ACT TO AMEND ARKANSAS CODE 21-9-303 CLARIFYING
10 THE MOTOR VEHICLE LIABILITY INSURANCE
11 REQUIREMENTS FOR POLITICAL SUBDIVISIONS IN
12 ARKANSAS; AND FOR OTHER PURPOSES.
13

Subtitle

14
15 AN ACT TO CLARIFY THE MOTOR VEHICLE
16 LIABILITY INSURANCE REQUIREMENTS FOR
17 POLITICAL SUBDIVISIONS IN ARKANSAS.
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20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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22 SECTION 1. Arkansas Code 21-9-303 is amended to read as follows:

23 21-9-303. Motor vehicle liability insurance required - Minimum amounts.

24 (a) All political subdivisions shall carry liability insurance on
25 their motor vehicles or shall become self-insurers, individually or
26 collectively, for their vehicles, or both, in the minimum amounts prescribed
27 in the Motor Vehicle Safety Responsibility Act, § 27-19-101 et seq.

28 (b)(1) The combined maximum liability of local government employees,
29 volunteers, and the local government employer in any action involving the use
30 of a motor vehicle within the scope of their employment shall be the minimum
31 amounts prescribed in the Motor Vehicle Safety Responsibility Act, § 27-19-
32 101 et seq., unless the political subdivision has purchased insurance
33 coverage or participates in a self-insurance pool providing for an amount of
34 coverage in excess of the minimum amounts prescribed in the Motor Vehicle
35 Safety Responsibility Act, § 27-19-101 et seq., in which event the maximum
36 liability of the insurer or pool shall be the limits of the coverage provided

1 for in the policy or agreement.

2 (2)(A) A local government employee using a vehicle owned by the
3 employee for public business of the political subdivision shall not be
4 required to carry liability insurance on the vehicle under this section.

5 (B) If a local government employee fails to maintain
6 liability insurance of the employee's vehicle, no tort action shall lie
7 against any political subdivision for that failure.

8 (c)(1) Any person who suffers injury or damage to person or property
9 caused by a motor vehicle operated by an employee, agent, or volunteer of a
10 local government covered by this section shall have a direct cause of action
11 against the insurer if insured, or the governmental entity if uninsured, or
12 the trustee or chief administrative officer of any self-insured or self-
13 insurance pool.

14 (2) Any judgment against a trustee or administrator of a self-
15 insurance pool shall be paid from pool assets up to the maximum limit of
16 liability as herein provided.

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