

SENATE COMMITTEE OF REFERENCE AMENDMENT

Committee on Business, Labor, & Technology.

SB22-035 be amended as follows:

1 Amend printed bill, page 4, strike line 7 and substitute "(5)(a.5)  
2 introductory portion, (5)(b), and (5)(d); **repeal** (5)(e); and **add** (6) as  
3 follows:".

4 Page 4, strike lines 8 and 9 and substitute:

5 "40-11.5-102. **Lease provisions - definitions - rules.** (5) (a.5) If  
6 an operator of a commercial vehicle ~~as defined in section 42-4-235~~  
7 ~~(1)(a)(I)(B)~~; obtains similar coverage pursuant to this subsection (5), then  
8 the operator:  
9 (b) ~~For purposes of~~ AS USED IN this subsection (5), "similar  
10 coverage" MEANS:".

11 Page 4, line 10, strike "(I) Means insurance" and substitute "(I) **Means**  
12 **Insurance**".

13 Page 4, after line 21 insert:

14 "(II) For services performed by operators of commercial vehicles,  
15 ~~as defined in section 42-4-235 (1)(a)(I)(B)~~, means insurance benefits  
16 ~~defined in subsection (5)(b)(I) of this section. The specifications of the~~  
17 ~~insurance, including minimum thresholds for coverage and the amount,~~  
18 ~~if any, of any deductibles or copayments, must meet or exceed the~~  
19 ~~standards set, by rule, by the division of insurance in the department of~~  
20 ~~regulatory agencies~~ AN OCCUPATIONAL ACCIDENT INSURANCE POLICY  
21 THAT PROVIDES A MINIMUM AGGREGATE POLICY LIMIT OF ONE MILLION  
22 FIVE HUNDRED THOUSAND DOLLARS FOR ALL BENEFITS PAID FOR THE  
23 BENEFIT OF THE OPERATOR, INCLUDING MEDICAL, TEMPORARY AND  
24 PERMANENT DISABILITY, DEATH AND DISMEMBERMENT, AND SURVIVOR  
25 BENEFITS.

26 (d) Notwithstanding any other law, if an operator of a commercial  
27 vehicle, ~~as defined in section 42-4-235 (1)(a)(I)(B)~~; a motor carrier, or a  
28 contract carrier obtains similar coverage pursuant to this subsection (5),  
29 articles 40 to 47 of title 8 do not apply.

30 (e) ~~The commissioner of insurance in the division of insurance in~~  
31 ~~the department of regulatory agencies shall promulgate rules establishing~~  
32 ~~the minimum coverages for benefits under an occupational accident~~  
33 ~~policy under this subsection (5):~~

34 (6) (a) AS USED IN THIS SECTION:

35 (I) "COMMERCIAL VEHICLE" HAS THE SAME MEANING AS SET  
36 FORTH IN SECTION 42-4-235 (1)(a)(I)(B).

37 (II) "OPERATOR" MEANS THE OPERATOR OF A COMMERCIAL  
38 VEHICLE:

1           (A) WHO OWNS, IS PURCHASING, OR IS LEASING THE COMMERCIAL  
2 VEHICLE FROM ANY PERSON OTHER THAN THE MOTOR CARRIER; AND  
3           (B) IS THE SOLE PROPRIETOR, OWNER, OR PARTNER OF AN  
4 APPLICABLE ENTITY; A SHAREHOLDER OF A CORPORATION WHERE THERE  
5 ARE NO MORE THAN TWO SHAREHOLDERS OF THE CORPORATION; OR A  
6 MEMBER OF THE APPLICABLE ENTITY.  
7           (b) FOR THE PURPOSES OF SUBSECTION (6)(a)(II) OF THIS SECTION,  
8 THE OWNERSHIP, PURCHASE, OR LEASING OF A COMMERCIAL VEHICLE BY  
9 AN APPLICABLE ENTITY IS DEEMED OWNERSHIP, PURCHASE, OR LEASING OF  
10 THE COMMERCIAL VEHICLE BY THE SOLE PROPRIETOR, OWNER, OR  
11 PARTNER OF AN APPLICABLE ENTITY; A SHAREHOLDER OF A CORPORATION  
12 WHERE THERE ARE NO MORE THAN TWO SHAREHOLDERS OF THE  
13 CORPORATION; OR A MEMBER OF THE APPLICABLE ENTITY."

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