

321N.6 Insurers.

1. *a.* Notwithstanding any other provision of law to the contrary, an insurer that writes automobile insurance within this state may exclude any and all coverage afforded to an insured person under a policy issued to the owner or operator of a personal vehicle for any injury or loss that occurs while the insured is logged on to a transportation network company's digital network or while the insured is providing a prearranged ride. This right to exclude coverage may apply to any type of coverage provided for in the insured's policy, including but not limited to liability coverage for bodily injury and property damage, personal injury protection coverage, uninsured and underinsured motorist coverage, medical payments coverage, comprehensive physical damage coverage, and collision physical damage coverage.

b. [This chapter](#) shall not be construed to require an insurer to provide coverage to an individual while the individual is logged on to a company's digital network, is engaged in a prearranged ride, or is otherwise transporting another individual or group of individuals in a vehicle for compensation.

c. [This chapter](#) shall not be construed to preclude an insurer from providing coverage for a transportation network company driver's personal vehicle, if the insurer chooses to do so by contract or endorsement.

2. *a.* An insurer that excludes coverage pursuant to [subsection 1](#) shall not have a duty to defend or indemnify a claim expressly excluded from a policy issued by the insurer. [This chapter](#) shall not be deemed to invalidate or limit an exclusion contained in a policy, including a policy in use or approved for use in this state prior to January 1, 2017, that excludes coverage for vehicles used to carry individuals or property for compensation or vehicles available for hire by the public.

b. An insurer that defends or indemnifies a claim against an insured transportation network company driver that is excluded under the terms of the driver's policy shall have a right of action for contribution or indemnity against an insurer providing automobile insurance to the driver under [this chapter](#) during the period in which the loss occurred.

3. In a claims coverage investigation, any involved transportation network company and any insurer providing coverage pursuant to [this chapter](#) shall cooperate to facilitate the exchange of relevant information with one another, and with any insurer of the transportation network company driver, where applicable, including but not limited to the precise times during which the driver logged on and off of the company's digital network in the twelve-hour period immediately preceding and in the twelve-hour period immediately following the accident, and shall disclose to one another a clear description of any relevant automobile insurance provided pursuant to [this chapter](#), including any applicable limits and exclusions.

[2016 Acts, ch 1101, §11, 24](#)