

321N.4 Financial responsibility.

1. A transportation network company driver, or a transportation network company on the driver's behalf, shall maintain primary automobile insurance that does all of the following:

a. Recognizes that the driver is a transportation network company driver or that the driver otherwise uses a motor vehicle to transport passengers for compensation.

b. Covers the driver while the driver is logged on to the transportation network company's digital network and while the driver is engaged in a prearranged ride.

c. Covers the driver in the amounts set forth in [subsections 2 and 3](#).

2. a. While a participating transportation network company driver is logged on to a transportation network company's digital network and is available to receive requests for a prearranged ride, but is not engaged in a prearranged ride, primary automobile insurance maintained pursuant to paragraph "c" shall cover the driver in the amount of at least fifty thousand dollars because of bodily injury to or death of one person in any one accident, the amount of at least one hundred thousand dollars because of bodily injury to or death of two or more persons in any one accident, and the amount of at least twenty-five thousand dollars because of injury to or destruction of property of others in any one accident.

b. The requirements of paragraph "a" shall be in addition to the automobile insurance requirements set forth in [chapter 516A](#) or any other provision of law.

c. The requirements of paragraph "a" may be satisfied by any of the following:

(1) Insurance maintained by the transportation network company driver.

(2) Insurance maintained by the transportation network company.

(3) A combination of subparagraphs (1) and (2).

3. a. While a transportation network company driver is engaged in a prearranged ride, primary automobile insurance maintained pursuant to paragraph "c" shall cover the driver in the amount of at least one million dollars because of bodily injury to or death of one or more persons and injury to or destruction of property of others in any one accident.

b. The requirements of paragraph "a" shall be in addition to the automobile insurance requirements set forth in [chapter 516A](#) or any other provision of law.

c. The requirements of paragraph "a" may be satisfied by any of the following:

(1) Insurance maintained by the transportation network company driver.

(2) Insurance maintained by the transportation network company.

(3) A combination of subparagraphs (1) and (2).

4. If insurance maintained by a transportation network company driver under [this chapter](#) lapses or does not provide coverage in the amounts required by [subsections 2 and 3](#), insurance maintained by a transportation network company shall provide coverage in the amounts required by [subsections 2 and 3](#) beginning with the first dollar of a claim, and the company shall have a duty to defend the claim.

5. Coverage under an automobile insurance policy maintained by a transportation network company under [this chapter](#) shall not be dependent on the insurer of a driver's personal vehicle first denying a claim, nor shall a personal automobile insurance policy be required to first deny a claim.

6. Insurance maintained under [this chapter](#) shall be provided by an insurer governed by [chapter 515](#) or [518](#), or by a surplus lines insurer governed by [chapter 515I](#). A surplus lines insurer that issues a policy pursuant to [this section](#) shall be considered an insurance carrier duly authorized to transact business in this state for the purposes of [chapter 321A](#).

7. Insurance maintained under [this chapter](#) shall be deemed to satisfy the financial responsibility requirements for a motor vehicle under [chapter 321A](#).

8. A transportation network company driver shall carry proof of financial liability coverage, as required by [section 321.20B](#), in the amounts required by [subsections 2 and 3](#), at all times during which the driver uses a motor vehicle in connection with the use of a transportation network company's digital network. In the event of an accident, the driver shall provide proof of financial liability coverage to any directly interested party or insurer, and to any investigating police officer, upon request and in a format provided for under [section 321.20B](#). Upon such a request, the driver shall also disclose to any directly interested

party or insurer, and to any investigating police officer, whether the driver was logged on to a company's digital network or was providing a prearranged ride at the time of the accident.

[2016 Acts, ch 1101, §9, 24, 25](#)

Referred to in [§321N.2](#), [§321N.3](#)

Section applies on and after the date of approval of form filings necessary for implementation by the commissioner of insurance; 2016 Acts, ch 1101, §25

Section takes effect January 1, 2017; 2016 Acts, ch 1101, §24

NEW section