

## **BILL ANALYSIS**

Senate Research Center

H.B. 108  
By: Chisum (Madla)  
Intergovernmental Relations  
5/13/1999  
Engrossed

### **DIGEST**

Currently, a county with a population of 1.4 million or less is not required to provide peace officers with motor vehicle liability insurance at county expense. Additionally, the county is not required to provide liability insurance for privately owned vehicles that are used for official duties. H.B. 108 would require a county with a population of 1,185,000 or more to provide liability insurance at the county's expense for county peace officers while using county or privately owned vehicles for official duties. This bill also authorizes the commissioners court of a county to adopt rules prohibiting or regulating the use of a privately owned motor vehicle for the performance of county business or law enforcement duties by a sheriff or constable or a deputy of a sheriff or constable.

### **PURPOSE**

As proposed, H.B. 108 would establish provisions regarding motor vehicle liability insurance for vehicles operated by peace officers in certain counties.

### **RULEMAKING AUTHORITY**

This bill does not grant any additional rulemaking authority to a state officer, institution, or agency.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Section 157.042, Local Government Code, as follows:

Sec. 157.042. New heading: MOTOR VEHICLE LIABILITY INSURANCE FOR PEACE OFFICERS IN CERTAIN COUNTIES. Requires a county with a population of 1,185,000, rather than 1.4 million, to insure its sheriff, constables, and full-time deputies against liability to third persons arising from the operation or maintenance of privately owned motor vehicles to the extent the vehicles are used for the performance of county business or law enforcement duties. Makes conforming and nonsubstantive changes.

SECTION 2. Amends Subchapter Z, Chapter 240, Local Government Code, by adding Section 240.906, as follows:

Sec. 240.906. REGULATION OF CERTAIN USE OF PRIVATELY OWNED VEHICLES. Authorizes the commissioners court of a county to adopt rules prohibiting or regulating the use of a privately owned motor vehicle for the performance of county business or law enforcement duties by a sheriff or constable or a deputy of a sheriff or constable. Provides that this section does not authorize a commissioners court to adopt rules relating to the private use of a privately owned motor vehicle.

SECTION 3. Effective date: September 1, 1999.

SECTION 4. Emergency clause.