

BILL ANALYSIS

Senate Research Center
76R5963 DRH-F

H.B. 2035
By: Hawley (Armbrister)
Economic Development
5/13/1999
Engrossed

DIGEST

Currently, commercial motor carriers operating in this state are required to maintain worker's compensation coverage or accidental insurance coverage. The accidental insurance coverage must be purchases from a reliable insurance company authorized to write accidental insurance policies in this state. Surplus lines insurers are unauthorized insurers that are not licensed in this state; however, they meet eligibility requirements and otherwise comply with the Insurance Code. The Texas trucking industry can use surplus lines for liability insurance coverage but cannot use surplus lines insurers for accidental insurance. H.B. 2035 would set forth provisions for insurance coverage for employees of certain motor carriers.

PURPOSE

As proposed, H.B. 2035 sets forth provisions for insurance coverage for employees of certain motor carriers.

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 643.106(a), Transportation Code, to require, notwithstanding any provision of any law or regulation, a certain motor carrier to protect its employees by obtaining certain insurance coverage, including accidental insurance coverage approved by the Texas Department of Transportation (department) from certain insurers, including a surplus lines insurer under Article 1.14-2, Insurance Code.

SECTION 2. (a) Provides that in accordance with Section 311.031(c), Government Code, which gives effect to a substantive amendment enacted by the same legislature that codifies the amended statute, the text of Section 643.106(a), Transportation Code, as set out in this Act, gives effect to changes made by Section 4, Chapter 1061, Acts of the 75th Legislature, Regular Session, 1997.

(b) Provides that to the extent of any conflict, this Act prevails over another Act of the 76th Legislature, Regular Session, 1999, relating to nonsubstantive additions and corrections in enacted codes.

SECTION 3. Emergency clause.
Effective date: upon passage.