



Ohio Revised Code Section 3942.02 Insurance.

Effective: March 23, 2016

Legislation: House Bill 237 - 131st General Assembly

(A)(1) Each transportation network company driver shall be covered by a primary automobile insurance policy that recognizes that the driver is a transportation network company driver or otherwise uses a vehicle to transport passengers for compensation and provides coverage during both of the following periods of time:

- (a) While the driver is logged on to the transportation network company's digital network;
- (b) While the driver is engaged in transportation network company services.

(2) The primary automobile insurance policy required by division (A)(1) of this section shall meet the following coverage requirements:

(a) While a transportation network company driver is logged on to the transportation network company's digital network and is available to receive transportation requests but is not engaged in transportation network company services, primary automobile insurance shall be maintained in the following amounts:

- (i) At least fifty thousand dollars because of bodily injury to or death of one person in any one accident;
- (ii) At least one hundred thousand dollars because of bodily injury or death of two or more persons in any one accident;
- (iii) At least twenty-five thousand dollars because of injury to property of others in any one accident.

(b) While a transportation network company driver is engaged in transportation network company services, primary automobile insurance shall be maintained in an amount of at least one million dollars because of bodily injury or death of one or more persons or injury to property of others in any



one accident.

(3) The insurance required by divisions (A)(1) and (2) of this section may be satisfied by either of the following or a combination of the following:

(a) An automobile insurance policy that is maintained by the transportation network company driver;

(b) An automobile insurance policy that is maintained by the transportation network company.

(B)(1) If personal automobile insurance maintained by a transportation network company driver does not provide liability coverage in the amounts required by division (A)(2) of this section, insurance maintained by the transportation network company shall provide the required coverage, beginning with the first dollar of the claim and shall have the duty to defend the claim.

(2) An automobile insurance policy maintained by a transportation network company in accordance with this section shall not require the driver's personal automobile insurer or policy to first deny a claim before providing coverage.

(C) An automobile insurance policy required by this section shall be purchased from either of the following:

(1) A domestic, foreign, or alien insurance company organized or admitted under Title XXXIX of the Revised Code to issue such a policy;

(2) An insurer not holding a license in this state if both of the following criteria are met:

(a) The insurer is an eligible surplus lines insurance company and the policy is obtained through a person or entity that holds a surplus lines broker's license in accordance with sections 3905.30 to 3905.38 of the Revised Code or the insurer is an eligible risk retention group.

(b) The insurer has a credit rating of not less than "A-" from A.M. Best or "A" from Demotech or a similar rating from another rating agency recognized by the department of insurance.



(D) A transportation network company driver shall carry proof of insurance satisfying the coverage requirements of division (A)(2) of this section either physically or through use of an electronic wireless communications device described in section 4509.103 of the Revised Code at all times during the driver's use of a personal vehicle in connection with a transportation network company's digital network. In the event of an accident, the driver shall provide this insurance information to all parties claiming an interest in the insurance, other insurers, and upon request of a peace officer or state highway patrol trooper in accordance with division (D)(2) of section 4509.101 of the Revised Code. Upon such a request, the driver also shall disclose to the interested parties, insurers, and officers and troopers whether the driver was logged on to the transportation network company's digital network or was providing transportation network company services at the time of the accident.

(E) An automobile insurance policy that meets the requirements of this section satisfies the proof of financial responsibility for motor vehicles required under Chapter 4509. of the Revised Code.

(F) The insurance coverage requirements of this chapter shall apply to taxicabs only during the periods during which the taxicab is performing transportation network company services. When a taxicab is performing taxi services, the insurance requirements applicable to taxicabs shall apply. While a taxicab is operating as a taxicab and not performing transportation network company services, it shall comply with all laws, ordinances, and rules relating to taxicabs.