

BILL ANALYSIS

Senate Research Center

S.B. 981
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Intergovernmental Relations
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As Filed

DIGEST

Currently, under the provisions of the Local Government Code, municipalities and counties with a population of 1.4 million or more must provide motor vehicle liability insurance for peace officers who operate city or county vehicles. This coverage may not include the operation of a city or county vehicle while off-duty, even though the employee is authorized to operate the vehicle off-duty; there is no requirement that other political subdivisions insure their peace officers against liability to third persons arising out of the officer's operation of a government-owned vehicle. This bill requires political subdivisions that employ law enforcement officers to insure each officer against liability to third persons arising out of an officer's operation of a motor vehicle at any time that the officer is authorized to operate the vehicle.

PURPOSE

As proposed, S.B. 981 requires political subdivisions that employ law enforcement officers to insure each officer against liability to third persons arising out of an officer's operation of a motor vehicle at any time that the officer is authorized to operate the vehicle.

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 Chapter 612, Government Code, by adding Section 612.004, as follows:

Sec. 612.004. LIABILITY INSURANCE FOR LAW ENFORCEMENT MOTOR VEHICLES OF POLITICAL SUBDIVISION. Requires the governing body of a political subdivision to insure each law enforcement officer appointed or employed by the political subdivision against certain liabilities that occur while the officer is operating a vehicle controlled by the political subdivision, both on- and off-duty. Requires the motor vehicle liability insurance policy to comply with Chapter 601D, Transportation Code, except that the minimum coverage amounts are the maximum amounts of liability for the political subdivision specified by Section 101.023, Civil Practice and Remedies Code. Provides that the policy may exclude coverage for operation of a motor vehicle in the commission of a criminal offense other than a traffic offense.

SECTION 2. Effective date: September 1, 1997.

SECTION 3. Emergency clause.