

---

---

# A BILL FOR AN ACT

RELATING TO INSURANCE.

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:**

1           SECTION 1. The purpose of this Act is to require a  
2 business to provide commercial motor vehicle insurance coverage  
3 for delivery persons who are employed by the business, but use  
4 the delivery persons' own motor vehicles for deliveries.

5           SECTION 2. Chapter 431, article 10C, Hawaii Revised  
6 Statutes, is amended by adding a new section to be appropriately  
7 designated and to read as follows:

8           "§431:10C-A Commercial motor vehicle insurance coverage  
9 for delivery persons. (a) For the purpose of this section:

10           "Business" means a person who engages in the conduct of  
11 business, whether as a sole proprietorship, partnership,  
12 corporation, or limited liability entity.

13           "Delivery person" means an employee of a business whose  
14 employment duties require the employee to deliver food or other  
15 products of the business.

16           (b) Every business that employs a delivery person and  
17 requires the delivery person to use the person's own motor  
18 vehicle to make deliveries for the business shall purchase and



1 maintain in force a commercial motor vehicle insurance policy  
2 covering the delivery person. The insurance policy shall name  
3 the delivery person as an insured and shall provide coverage  
4 when the delivery person makes deliveries for the business in  
5 the course of employment with the business. The insurance  
6 policy and coverage shall comply with the requirements of this  
7 article.

8 (c) In lieu of a commercial motor vehicle insurance policy  
9 required by subsection (b), a business may self-insure the  
10 coverage for a delivery person. The self-insurance shall comply  
11 with this article.

12 (d) The insurance commissioner shall administer and  
13 enforce this section and may adopt rules in accordance with  
14 chapter 91 to do so."

15 SECTION 3. New statutory material is underscored.

16 SECTION 4. This Act shall take effect on July 1, 2009.

17

INTRODUCED BY:

Calvin K. Long

JAN 23 2009



**Report Title:**

Commercial Motor Vehicle Insurance Coverage; Delivery Persons

**Description:**

Requires a business to provide commercial motor vehicle insurance coverage for delivery persons who use their own motor vehicles to make deliveries for the business.

