

SECOND REGULAR SESSION

SENATE BILL NO. 1003

91ST GENERAL ASSEMBLY

INTRODUCED BY SENATOR STEELMAN.

Read 1st time January 23, 2002, and 1,000 copies ordered printed.

TERRY L. SPIELER, Secretary.

4127S.011

AN ACT

To repeal section 190.120, RSMo, relating to ambulance services, and to enact in lieu thereof one new section relating to the same subject.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Section 190.120, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 190.120, to read as follows:

190.120. 1. No ambulance service license shall be issued pursuant to sections 190.001 to 190.245, nor shall such license be valid after issuance, nor shall any ambulance be operated in Missouri unless there is at all times in force and effect insurance coverage issued by an insurance company for each and every ambulance owned or operated by or for the applicant or licensee, or unless any city not within a county which owns or operates the license has at all times sufficient self-insurance coverage to provide for the payment of damages in an amount as prescribed in regulation:

(1) For injury to or death of individuals in accidents resulting from any cause for which the owner of said vehicle would be liable on account of liability imposed on him by law, regardless of whether the ambulance was being driven by the owner or the owner's agent; [and]

(2) For injury to or death of an individual or individuals resulting from the negligent employment of a person who negligently administers emergency care during the course of employment; and

[(2)] **(3)** For the loss of or damage to the property of another, including personal property, under like circumstances.

2. The insurance policy, or in the case of a self-insured city not within a county, proof

EXPLANATION--Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.

of self-insurance, shall be submitted by all licensees required to provide such insurance pursuant to sections 190.001 to 190.245. The insurance policy, or proof of the existence of self-insurance of a city not within a county, shall be submitted to the director, in such form as the director may specify, for the director's approval prior to the issuance of each ambulance service license.

3. Every insurance policy required by the provisions of this section shall contain or in the case of a self-insured city not within a county shall have proof of a provision for a continuing liability thereunder to the full amount thereof, notwithstanding any recovery thereon; that the liability of the insurer shall not be affected by the insolvency or the bankruptcy of the assured; and that until the policy is revoked the insurance company or self-insured city not within a county will not be relieved from liability on account of nonpayment of premium, failure to renew license at the end of the year, or any act or omission of the named assured. Such policy of insurance or self-insurance shall be further conditioned for the payment of any judgments up to the limits of said policy, recovered against any person other than the owner, the owner's agent or employee, who may operate the same with the consent of the owner.

4. Every insurance policy or self-insured city not within a county as required by the provisions of this section shall extend for the period to be covered by the license applied for and the insurer shall be obligated to give not less than thirty days' written notice to the director and to the insured before any cancellation or termination thereof earlier than its expiration date, and the cancellation or other termination of any such policy shall automatically revoke and terminate the licenses issued for the ambulance service covered by such policy unless covered by another insurance policy in compliance with sections 190.001 to 190.245.

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