

March 22, 1951.
Passed on File.

House File 610
By ROADS AND HIGHWAYS COMMITTEE.

Passed House, Date

Vote: Ayes..... Nays.....

Passed Senate, Date

Vote: Ayes..... Nays.....

Approved.....

A BILL FOR

An Act to amend chapter three hundred seven (307), Code 1950, relating to the state highway commission and empowering it to purchase and pay for liability and property damage insurance which shall insure against individual personal liability of employees or officers of the state highway commission while in the performance of their duties.

Be It Enacted by the General Assembly of the State of Iowa:

1 Section 1. Chapter three hundred seven (307), Code 1950,
2 is hereby amended by adding thereto as a separate section
3 thereof the following: "The state highway commission is
4 authorized and empowered to purchase and pay the premiums on
5 liability and property damage insurance covering and insuring
6 officers or employees of the state highway commission while
7 in the performance of their duties and operating an automobile,
8 truck, road grader, machinery, or other vehicles owned by
9 said commission, which insurance shall insure, cover and
10 protect against individual personal liability that said employees
11 or employee may incur. The amount of insurance that said
12 commission may purchase shall not exceed five thousand dollars
13 (\$5,000.00) for property damage or five thousand dollars
14 (\$5,000.00) for personal injury or death of one (1) person,

- 15 or ten thousand dollars (\$10,000.00) for personal injury or
16 death of more than one person arising out of a single
17 accident.”

EXPLANATION OF H. F. 610

The state may not be sued for automobile accident damages, the legislature never having authorized this type of action against the state. The immunity of the state does not extend to its employees who may be sued. Chapter 167, Acts of the 50th General Assembly (Sec. 332.3 (20) Code 1950) empowered counties to purchase such protection for employees. This act provides similar protection for employees of the highway commission and the public.