

**HOUSE BILL NO. 1119**

Introduced by

Industry, Business and Labor Committee

(At the request of the Office of Management and Budget)

1 A BILL for an Act to create and enact a new section to chapter 32-12.2 of the North Dakota  
2 Century Code, relating to providing voluntary liability coverage to student drivers driving  
3 vehicles owned or leased by the state of North Dakota as part of a course of curriculum; and to  
4 declare an emergency.

5 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

6 **SECTION 1.** A new section to chapter 32-12.2 of the North Dakota Century Code is created  
7 and enacted as follows:

8 **Student required driving in educational programs.**

9 Upon request by any state institution of higher education, the office of management and  
10 budget, through the risk management fund, shall provide a defense and administer claims  
11 against students arising from the operation of a vehicle owned or leased by the state the  
12 operation of which is a required part of an established course of study. Liability shall be limited  
13 to the required amounts of financial responsibility contained in section 39-16.1-02. Nothing in  
14 this chapter makes the state responsible for the actions of the student or requires  
15 indemnification for any loss beyond the limits provided in this section, nor provides any benefits  
16 to the student except those minimum levels undertaken in a program of self-insurance filed  
17 under section 26.1-41-05. ~~In order to obtain protections under this section, a student must~~  
18 ~~provide complete disclosure and cooperation in the defense of any claim. A defense shall be~~  
19 ~~provided by or under the control of the attorney general or the attorney general's designee. A~~  
20 ~~student may choose to hire the student's own attorney to defend any claim, but in the event the~~  
21 ~~student chooses to hire separate defense counsel, the protections afforded under this section~~  
22 ~~do not apply.~~

23 **SECTION 2. EMERGENCY.** This Act is declared to be an emergency measure.