

### **183.125 Purchase of liability insurance.**

- (1) The cabinet may purchase necessary insurance to provide adequate protection for the public; its authorized pilots and employees; pilots employed by other departments of state government; aircraft owned, leased or operated by the cabinet; aircraft owned, leased or operated by other departments of state government; the health and lives of persons being transported in aircraft owned, leased or operated by authorized pilots employed by the state.
- (2) The commissioner of insurance, upon recommendation of the secretary of the Transportation Cabinet, shall initiate and be responsible for the purchase of such insurance. If other departments of state government desire that their pilots, employees, aircraft and passengers shall be insured under such policy, then the commissioner of insurance shall prorate the cost of the insurance among the departments participating.
- (3) Each policy shall contain a provision reciting that the defense of immunity of the state against such liability shall be waived, but only to the extent of the limits of the policy. Judgment against the state in any case shall not exceed the limits of the policy. The venue of action shall be as provided by the civil rules. The limits of liability of the policy shall be determined by the commissioner of insurance, the secretary of the Transportation Cabinet and the commissioners of any other participating departments.
- (4) Any policy purchased under this section, shall be purchased only from insurers authorized to do business in this state and shall be countersigned by a licensed resident agent.

**Effective:** July 15, 2010

**History:** Amended 2010 Ky. Acts ch. 24, sec. 232, effective July 15, 2010. -- Created 1960 Ky. Acts ch. 179, sec. 80, effective March 25, 1960.