

subdivision or the state, whether by voluntary settlement or in satisfaction of a judgment, the political subdivision or the state shall be entitled to reimbursement of the amount of damages from the following sources: (a) the driver of the fleeing vehicle; (b) any organization or a business entity liable for the conduct of the driver of the fleeing vehicle; (c) every insurer liable for the conduct of the driver of the fleeing vehicle up to the limit of the applicable policy; (d) any uninsured or underinsured motorist insurer liable to the innocent third party, not to exceed the highest limit of liability determined in a court with the Uninsured and Underinsured Motorist Act and up to the limit of the applicable policy; and (e) other government entities to the maximum applicable statutory liability whose actions contributed to the proximate cause of damages sustained by an innocent third party, apportioned equally among all government entities. Next, the duty of any public or private source required statutorily or contractually to pay benefits for disability, loss of income, or medical expenses shall not be released and no such source of recovery shall have any right of subrogation or contribution against the state or political subdivision. AM3966 provides a safeguard for the innocent third party by adding a new section to 13-926, the Political Subdivisions Tort Claims Act. The addition stipulates that if the damages of an innocent third party aren't entirely recovered from one or more political subdivisions due to the limitations of the act, any offsetting payments specified in subsection (3) by Section 13-911 shall be reduced to the extent necessary to fully compensate the innocent third party. If such reduction isn't sufficient, the right of the reimbursement granted to the political subdivision in subsection (2) of Section 13-911 shall be reduced to the extent necessary to entirely compensate the innocent third party. This amendment enhances the procedures dealing with pursuit policy and training. A new section has been added amending Section 29-911. It requires that a system of continued planning and review of personnel training consistent with the policies and jurisdiction of the law enforcement agency be mandatory and include, at a minimum, an annual review with each sworn law enforcement officer and dispatcher. It also requires that each law enforcement agency in the state be responsible for providing specialized training and pursuit driving for all law enforcement officers at the time they commence employment.

SENATOR CROSBY PRESIDING