

RESOLUTION NO. 16 -11
CAMDEN COUNTY INSURANCE COMMISSION
RESOLUTION SUPPORTING A-3430 TO AMEND TITLE 59 BY STRENGTHENING
WEATHER IMMUNITY

Whereas: the Municipal Excess Liability Joint Insurance Fund is comprised of 389 member municipalities, 72 utility authorities, 2 counties, 26 first aid/fire districts, 88 housing authorities, 2 health commissions and 2 authorities.

Whereas: under the provisions of Title 59 public entities are immune from injury "caused solely by weather" on streets and sidewalks.

Whereas: despite this language, in many cases municipalities and other public entities still have been forced to pay large amounts of money in damages when judges ruled that because other factor contributed to the accident, the immunity didn't apply because the accident was not "solely" caused by weather.

Whereas: Municipalities and other public entities have also been forced to pay large amounts of money in damages for accidents occurring on other public property that were substantially caused by weather

NOW THEREFORE BE IT RESOLVED BY THE BOARD OF FUND
COMMISSIONERS OF THE CAMDEN COUNTY INSURANCE COMMISSION
THAT: the legislature is urged to adopt A-3430 amending Title 59 as follows:

1. Changing the word "solely" to "primarily, and
2. Extending this provision to all public property including storm water and waste systems, dams, rivers and streams.

BE IT FURTHER RESOLVED that a copy of this resolution be sent to members of the Municipal Excess Liability Joint Insurance Fund, Governor Christie, Senate President Sweeney and Assembly Speaker Oliver.

**CAMDEN COUNTY INSURANCE
COMMISSION**


CHAIRMAN

Attest:


SECRETARY