

FIRST REGULAR SESSION

# HOUSE BILL NO. 243

## 92ND GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVE LUETKEMEYER.

Read 1<sup>st</sup> time January 22, 2003, and copies ordered printed.

STEPHEN S. DAVIS, Chief Clerk

0907L.011

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### AN ACT

To repeal section 379.110, RSMo, and to enact in lieu thereof one new section relating to automobile insurance policies.

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*Be it enacted by the General Assembly of the state of Missouri, as follows:*

Section A. Section 379.110, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 379.110, to read as follows:

379.110. As used in sections 379.110 to 379.120 the following words and terms mean:

(1) "Insurer" [means], any insurance company, association or exchange authorized to issue policies of automobile insurance in the state of Missouri[.];

(2) "Nonpayment of premium" [means], failure of the named insured to discharge when due any of his **or her** obligations in connection with the payment of premiums on a policy, or any installment of such premium, whether the premium is payable directly to the insurer or its agent or indirectly under any premium finance plan or extension of credit[.];

(3) "Policy" [means], an automobile policy providing automobile liability coverage, uninsured motorists coverage, automobile medical payments coverage, or automobile physical damage coverage insuring a private passenger automobile owned by an individual or partnership which has been in effect for more than sixty days or has been renewed. "Policy" does not mean:

(a) Any policy issued under an automobile assigned risk plan or automobile insurance plan;

(b) Any policy insuring more than four motor vehicles;

(c) Any policy covering the operation of a garage, automobile sales agency, repair shop, service station or public parking place;

**EXPLANATION — Matter enclosed in bold faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law. Matter in boldface type in the above law is new proposed language.**

17 (d) Any policy providing insurance only on an excess basis, or to any contract principally  
18 providing insurance to such named insured with respect to other than automobile hazards or  
19 losses even though such contract may incidentally provide insurance with respect to such motor  
20 vehicles[.];

21 (4) "Renewal" or "to renew" [means], the issuance and delivery by an insurer of a policy  
22 superseding at the end of the policy period a policy previously issued and delivered by the same  
23 insurer, such renewal policy to provide types and limits of coverage at least equal to those  
24 contained in the policy being superseded, or the issuance and delivery of a certificate or notice  
25 extending the term of a policy beyond its policy period or term with types and limits of coverage  
26 at least equal to those contained in the policy being extended; provided, however, that any policy  
27 with a policy period or term of less than [twelve] **six** months or any period with no fixed  
28 expiration date shall for the purpose of this section be considered as if written for successive  
29 policy periods or terms of [twelve] **six** months.