

HB 417 -- UNINSURED MOTORISTS (Yates)

COMMITTEE OF ORIGIN: Insurance Policy

This bill establishes the Uninsured Motorist Stipulation of Benefits Act of 2005. An uninsured motorist involved in an accident with a complying policyholder will waive any right to recover damages for a non-economic loss. Recovery would be limited to any economic loss. This waiver will not apply if it can be proven that the insured operator caused the accident and was under the influence of drugs or alcohol or is convicted of vehicular assault or homicide. Passengers in the uninsured motor vehicle are not subject to the waiver. The bill will not apply to a motorist whose insurance policy was terminated for failure to pay the premium unless notice of termination for failure to pay was provided by the insurer at least 30 days prior to the time of the accident.

FISCAL NOTE: No impact on state funds in FY 2006, FY 2007, and FY 2008.