

HB 2286 -- Uninsured Motorists

Sponsor: Yates

This bill establishes the Uninsured Motorist Stipulation of Benefits Act of 2008. An uninsured motorist involved in an accident with a complying policyholder will waive any right to recover damages for a non-economic loss and punitive damages. Recovery will be limited to only economic losses. The waiver will not apply if it can be proven that the insured motorist caused the accident while under the influence of drugs or alcohol or if the insured motorist is convicted of vehicular assault or homicide. Passengers in the uninsured motor vehicle will not be 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 accident.

If a motor vehicle owner fails to maintain financial responsibility as required in Section 303.160, RSMo, the owner will be guilty of a class B misdemeanor for a first offense and a class A misdemeanor for a second or subsequent violation and will have his or her motor vehicle impounded and driver's license suspended. Upon reinstatement of a suspended license, the driver will be issued a restricted driver's license and special license plates indicating that the vehicle owner is a repeat offender of the motor vehicle responsibility laws. The first-time reinstatement fee for a suspended driver's license due to the owner not maintaining financial responsibility on a motor vehicle is increased from \$20 to \$100.

Beginning September 1, 2008, all insurance companies offering motor vehicle financial responsibility policies must provide the Department of Revenue a monthly report of anyone terminating coverage. The department will verify whether or not the person has insurance. Insurers must also provide policyholders with a proof of insurance card that is resistant to duplication.

If the motorist insurance identification database indicates that the owner of a registered motor vehicle has failed to maintain financial responsibility for two consecutive months, the department director will suspend the owner's vehicle registration and impose the following administrative penalties:

- (1) \$4 per day for the first through the thirtieth day;
- (2) \$5 per day for the thirty-first through the sixtieth day;
and
- (3) \$6 per day for the sixty-first through the ninetieth day.

All licensed motor vehicle dealers must report monthly to the department on all sales of vehicles for the purpose of verifying the payment of property taxes owed on each vehicle.