

**SENATE BILL NO. 167**

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-EIGHTH LEGISLATURE - SECOND SESSION

**BY SENATORS HUGGINS BY REQUEST, Micciche, Fairclough, McGuire, Bishop, Giessel, Egan, Stedman, Meyer, Dyson**

**Introduced: 2/10/14**

**Referred: Labor and Commerce**

**A BILL**

**FOR AN ACT ENTITLED**

1   **"An Act relating to the maximum amount of uninsured and underinsured coverage**  
2   **payable under multiple motor vehicle insurance policies issued by the same insurer in**  
3   **the same household."**

4   **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

5    \* **Section 1.** AS 28.20.445(c) is amended to read:

6           (c) If a person is entitled to uninsured or underinsured motorists coverage  
7           under more than one coverage when two or more vehicles are insured under one  
8           policy, the maximum amount payable may not exceed the highest limit of any one  
9           coverage under the policy. If a person is entitled [AS A NAMED INSURED] to  
10          uninsured or underinsured **motorists** [MOTORIST] coverage under more than one  
11          motor vehicle policy issued by the same insurer **in the same household**, the maximum  
12          amount payable may be limited to the highest limit of any one coverage under the  
13          policies. If a person is entitled to uninsured or underinsured **motorists** [MOTORIST]  
14          coverage under more than one policy providing motor vehicle liability coverage,

1 payments will be made in the following order of priority, subject to the limit of  
2 liability of each applicable policy or coverage:

3 (1) a policy or coverage covering a motor vehicle occupied by the  
4 injured person or a policy or coverage covering a pedestrian as a named insured;

5 (2) a policy or coverage covering a motor vehicle occupied by the  
6 injured person as an insured other than as a named insured;

7 (3) a policy or coverage not covering a motor vehicle occupied by the  
8 injured person but covering the injured person as a named insured;

9 (4) a policy or coverage not covering a motor vehicle occupied by the  
10 injured person but covering the injured person as an insured other than as a named  
11 insured;

12 (5) a policy or coverage covering, as excess, umbrella, or similar  
13 insurance, a motor vehicle occupied by the injured person or a policy or coverage  
14 covering, as excess, umbrella, or similar insurance, a pedestrian as a named insured;

15 (6) a policy or coverage covering, as excess, umbrella, or similar  
16 insurance, a motor vehicle occupied by the injured person or a policy or coverage  
17 covering, as excess, umbrella, or similar insurance, a pedestrian as an insured other  
18 than as a named insured;

19 (7) a policy or coverage not covering a motor vehicle occupied by the  
20 injured person but covering, as excess, umbrella, or similar insurance, the injured  
21 person as a named insured;

22 (8) a policy or coverage not covering a motor vehicle occupied by the  
23 injured person but covering, as excess, umbrella, or similar insurance, the injured  
24 person as an insured other than as a named insured.

25 \* **Sec. 2.** AS 28.22.221 is amended to read:

26 **Sec. 28.22.221. Uninsured and underinsured motorists policy coverage and**  
27 **priorities.** If a person is entitled to uninsured or underinsured motorists coverage  
28 under more than one coverage when two or more vehicles are insured under one  
29 policy, the maximum amount payable may not exceed the highest limit of any one  
30 coverage under the policy. If a person is entitled [AS A NAMED INSURED] to  
31 uninsured or underinsured **motorists** [MOTORIST] coverage under more than one

1 motor vehicle policy issued by the same insurer in the same household, the maximum  
 2 amount payable may be limited to the highest limit of any one coverage under the  
 3 policies. If a person is entitled to uninsured or underinsured motorists [MOTORIST]  
 4 coverage under more than one policy providing motor vehicle liability coverage,  
 5 payments will be made in the following order of priority, subject to the limit of  
 6 liability of each applicable policy or coverage:

7 (1) a policy or coverage covering a motor vehicle occupied by the  
 8 injured person or a policy or coverage covering a pedestrian as a named insured;

9 (2) a policy or coverage covering a motor vehicle occupied by the  
 10 injured person as an insured other than as a named insured;

11 (3) a policy or coverage not covering a motor vehicle occupied by the  
 12 injured person but covering the injured person as a named insured;

13 (4) a policy or coverage not covering a motor vehicle occupied by the  
 14 injured person but covering the injured person as an insured other than as a named  
 15 insured;

16 (5) a policy or coverage covering, as excess, umbrella, or similar  
 17 insurance, a motor vehicle occupied by the injured person or a policy or coverage  
 18 covering, as excess, umbrella, or similar insurance, a pedestrian as a named insured;

19 (6) a policy or coverage covering, as excess, umbrella, or similar  
 20 insurance, a motor vehicle occupied by the injured person or a policy or coverage  
 21 covering, as excess, umbrella, or similar insurance, a pedestrian as an insured other  
 22 than as a named insured;

23 (7) a policy or coverage not covering a motor vehicle occupied by the  
 24 injured person but covering, as excess, umbrella, or similar insurance, the injured  
 25 person as a named insured;

26 (8) a policy or coverage not covering a motor vehicle occupied by the  
 27 injured person but covering, as excess, umbrella, or similar insurance, the injured  
 28 person as an insured other than as a named insured.