

**CS FOR SENATE BILL NO. 283(L&C)**

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTIETH LEGISLATURE - SECOND SESSION

BY THE SENATE LABOR AND COMMERCE COMMITTEE

Offered: 4/3/98

Referred: Transportation, Judiciary

Sponsor(s): SENATE LABOR AND COMMERCE COMMITTEE BY REQUEST

**A BILL**

**FOR AN ACT ENTITLED**

1 **"An Act relating to noneconomic damages resulting from an automobile accident."**

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

3 \* **Section 1.** AS 09.17.010(a) is amended to read:

4 (a) **Except as provided under AS 09.65.215, in** [IN] an action to recover  
5 damages for personal injury or wrongful death, all damage claims for noneconomic  
6 losses shall be limited to compensation for pain, suffering, inconvenience, physical  
7 impairment, disfigurement, loss of enjoyment of life, loss of consortium, and other  
8 nonpecuniary damage.

9 \* **Sec. 2.** AS 09.65 is amended by adding a new section to read:

10 **Sec. 09.65.215. Noneconomic damages resulting from an automobile**  
11 **accident.** (a) In an action to recover civil damages resulting from an accident  
12 involving the operation or use of an automobile, a person may not recover damages  
13 for noneconomic losses if the person was the owner or operator of a vehicle involved  
14 in the accident and the vehicle or operator was not insured as required by  
15 AS 28.22.011.

1           (b) An insurer is not liable, directly or indirectly, to indemnify an owner or  
2 operator of a vehicle described in (a) of this section for noneconomic losses covered  
3 under an automobile liability insurance policy.

4           (c) This section does not apply to a person who is a passenger in an  
5 automobile involved in an accident and who is not the owner of the automobile.

6 \* **Sec. 3. APPLICABILITY.** This Act applies to a cause of action that accrues on or after  
7 the effective date of this Act.