

Offered: 4/24/85
Referred: Judiciary and
Finance

Original sponsor: Shultz

1 IN THE HOUSE

BY THE LABOR AND
COMMERCE COMMITTEE

2

CS FOR HOUSE BILL NO. 68 (L&C)

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

FOURTEENTH LEGISLATURE - FIRST SESSION

5

A BILL

6 For an Act entitled: "An Act relating to motor vehicle liability insur-
7 ance."

8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

9 * Section 1. AS 28.22.010 is repealed and reenacted to read:

10 Sec. 28.22.010. MOTOR VEHICLE LIABILITY POLICY. (a) An owner's
11 motor vehicle liability policy must designate by description or appro-
12 priate reference the motor vehicles that it covers and insure the
13 person named against loss from the liability imposed by law for dam-
14 ages that arise from the ownership, maintenance, or use of a desig-
15 nated motor vehicle, or the use by an insured person of a nonowned
16 motor vehicle.

17 (b) An operator's motor vehicle liability policy must insure the
18 person named as insured against loss from the liability imposed by law
19 for damages that arise from the use by the operator of a motor vehicle
20 not owned by the operator.

21 (c) A personal motor vehicle liability policy must insure the
22 person named as insured against loss from the liability imposed by law
23 for damages that arise from the ownership, maintenance, or use by the
24 named person of an owned or nonowned motor vehicle.

25 (d) A motor vehicle liability policy must provide coverage in
26 the United States or Canada, subject to limits exclusive of interest
27 and costs, with respect to each vehicle, as follows:

28 (1) \$50,000 because of bodily injury to or death of one
29 person in one accident, and, subject to the same limit for one person,

1 \$100,000 because of bodily injury to or death of two or more persons
2 in one accident; and

3 (2) \$25,000 because of injury to or destruction of property
4 of others in one accident.

5 (e) A motor vehicle liability policy must provide coverage under
6 AS 28.22.100 - 28.22.130 in the amounts set out in (d) of this section
7 for the protection of the persons insured under the policy who are
8 legally entitled to recover damages from the owner or operator of an
9 uninsured or underinsured motor vehicle because of bodily injury or
10 death, or damage to or destruction of property arising out of the
11 ownership, maintenance, or use of the uninsured or underinsured motor
12 vehicle.

13 (f) A motor vehicle liability policy must state the name and
14 address of the named insured and meet the requirements of AS 21.42.-
15 160 - 21.42.170. In the absence of specific contract language or
16 endorsement, the motor vehicle liability policy issued for a person in
17 this state is presumed to meet the minimum requirements of (d) of this
18 section.

19 * Sec. 2. AS 28.22.100(b) is amended to read:

20 (b) If both the owner and operator of a [THE UNINSURED] vehicle
21 are unknown, payment under the uninsured and underinsured motorists
22 coverage may be made only where direct contact between the [INSURED
23 AND UNINSURED OR UNDERINSURED] motor vehicles has occurred. A vehicle
24 and operator that have [HAS] left the scene of the accident with
25 another [AN INSURED] vehicle are [IS] presumed to be uninsured if the
26 insured person reports the accident to the appropriate authorities
27 within 24 hours.

28 * Sec. 3. AS 28.22.100(c) is amended to read:

29 (c) The uninsured and underinsured motorists coverage for damage

1 to or destruction of property is subject to a deductible of \$250 in
2 any one accident, but the insurer may offer a deductible other than
3 \$250. This coverage shall be limited to damage to or destruction of
4 the covered [INSURED] motor vehicle. It may not include loss of use
5 of such vehicle.

6 * Sec. 4. AS 28.22.200(a) is amended to read:

7 (a) The operator or owner of a motor vehicle subject to regis-
8 tration under AS 28.10.011 when driven on a highway, vehicular way or
9 area, or on other public property in the state, shall be insured under
10 a [HAVE] motor vehicle liability policy [INSURANCE] that complies with
11 this chapter or a certificate of self-insurance that complies with
12 AS 28.20.400 [IN EFFECT FOR THE MOTOR VEHICLE], unless

13 (1) the motor vehicle is being driven or moved on a high-
14 way, vehicular way, or a public parking place in the state that is not
15 connected by a land highway or vehicular way to

16 (A) the land-connected state highway system, or

17 (B) a highway or vehicular way with an average daily
18 traffic volume greater than 499; and

19 (2) the operator has not been cited within the preceding
20 five years for a traffic law violation with a demerit point value of
21 six or more on the point schedule determined under regulations adopted
22 by the department under AS 28.15.221.

23 * Sec. 5. AS 28.22.600 is repealed and reenacted to read:

24 Sec. 28.22.600. DEFINITION. In this chapter, "motor vehicle
25 liability policy" means an owner's policy, an operator's policy, or a
26 personal policy that

27 (1) meets the requirements established under AS 28.22.010;

28 and

29 (2) is issued by an insurance carrier authorized to

1 transact business in the state to or for the benefit of the person
2 named as insured.