

Offered: 4/21/86
Referred: Rules

Original sponsor: Shultz

1 IN THE HOUSE BY THE RULES COMMITTEE
2 CS FOR HOUSE BILL NO. 68 (Rules)
3 IN THE LEGISLATURE OF THE STATE OF ALASKA
4 FOURTEENTH LEGISLATURE - SECOND 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 AS 28.22.010 is repealed and reenacted to read: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.
16 (b) An operator's motor vehicle liability policy must insure the
17 person named as insured against loss from the liability imposed by law
18 for damages that arise from the use by the operator of a motor vehicle
19 not owned by the operator.
20 (c) A personal motor vehicle liability policy must insure the
21 person named as insured against loss from the liability imposed by law
22 for damages that arise from the ownership, maintenance, or use by the
23 named person of an owned or nonowned motor vehicle.
24 (d) A motor vehicle liability policy must provide coverage in
25 the United States or Canada, subject to limits exclusive of interest
26 and costs, with respect to each vehicle, as follows:
27 (1) \$50,000 because of bodily injury to or death of one
28 person in one accident, and, subject to the same limit for one person,
29 \$100,000 because of bodily injury to or death of two or more persons

1 in one accident; and

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

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

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

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

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

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

28 (c) The uninsured and underinsured motorists coverage for damage
29 to or destruction of property is subject to a deductible of \$250 in

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

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

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

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

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

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

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

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

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

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

28 (2) is issued by an insurance carrier authorized to
29 transact business in the state to or for the benefit of the person

1 named as insured.