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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE BILL

No. 440

Session of  
1977

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INTRODUCED BY GARZIA, GILLETTE AND KERNICK, MARCH 2, 1977

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REFERRED TO COMMITTEE ON INSURANCE, MARCH 2, 1977

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AN ACT

1 Amending the act of July 19, 1974 (P.L.489, No.176), entitled  
2 "An act providing for a compensation system for persons  
3 injured in motor vehicle accidents; requiring insurance for  
4 all motor vehicles required to be registered in Pennsylvania;  
5 defining compensable damage in motor vehicle accident cases;  
6 establishing an assigned claims plan; providing for  
7 arbitration; imposing powers and duties on courts, the  
8 Department of Transportation and the Insurance Commissioner;  
9 prohibiting certain discrimination; and providing penalties,"  
10 further defining the term "insured."

11 The General Assembly of the Commonwealth of Pennsylvania  
12 hereby enacts as follows:

13 Section 1. The definition of "insured" in section 103, act  
14 of July 19, 1974 (P.L.489, No.176), known as the "Pennsylvania  
15 No-fault Motor Vehicle Insurance Act," is amended to read:

16 § 103. Definitions.

17 As used in this act:

18 \* \* \*

19 "Insured" means:

20 (A) an individual identified by name as an insured in a  
21 contract of basic loss insurance complying with this act; and

22 (B) a spouse or other relative of a named insured, a

1 minor in the custody of a named insured, and a minor in the  
2 custody of a relative of a named insured if:

3 (i) not identified by name as an insured in any  
4 other contract of basic restoration insurance complying  
5 with this act; and

6 (ii) in residence in the same household with a named  
7 insured unless the insured specifically excludes  
8 residents of his household from coverage under the  
9 policy.

10 An individual is in residence in the same household if he  
11 usually makes his home in the same family unit, even though he  
12 temporarily lives elsewhere.

13 \* \* \*

14 Section 2. This act shall take effect immediately.