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Majority Caucus Chairman

APR 06 2011



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**Senate of Pennsylvania**

**MIKE WAUGH  
SENATOR**

**MEMORANDUM**

DATE: April 6, 2011  
TO: All Senators  
FROM: Senator Mike Waugh  
*MIKE*  
*Prohibiting Denial of Certain Insurance Claims*  
SUBJECT: Request to co-sponsor legislation

I am reintroducing legislation in response to a situation in York County where an insured individual demolished an innocent third party's garage while he was fleeing from the police. The driver's insurance policy had a clause that excused the insurance company from paying claims if the insured was committing a felony at the time of the accident.

This legislation amends section 1718 of *Title 75 (Vehicles) of Pennsylvania Consolidated Statutes* by adding a new subsection. Under this legislation, an insurance company may not deny the payment of benefits to an innocent third party injured by the insured if the insured was committing a felony at the time of the injury. This was Senate Bill 837 of the 2009-10 session of the General Assembly.

The insurance company may still deny any claims by the defendant for bodily injury to him or herself, or to his or her own vehicle. It will also allow the insurance company to deny the claims of any co-defendants (for example, someone riding with the defendant in the vehicle at the time the felony is being committed).

Co-sponsors of Senate Bill 837 were Senators Alloway, Boscola, Ferlo, Fontana, Kasunic, Pileggi, Rafferty, Mary Jo White and Williams.

If you would like to co-sponsor this legislation, please call Debbie Clark in my office at 787-3817, or contact her via e-mail at [dclark@pasen.gov](mailto:dclark@pasen.gov).