AMENDMENTS TO SENATE BILL NO. 676

Sponsor: SENATOR LAUGHLIN

Printer's No. 747

Amend Bill, page 1, line 2, by inserting after "for"

definitions, for availability, scope and amount of coverage, for

Amend Bill, page 1, lines 11 through 13, by striking out all of said lines and inserting

Section 1. The definition of "financial responsibility" in section 1702 of Title 75 of the Pennsylvania Consolidated Statutes is amended to read:

§ 1702. Definitions.

The following words and phrases when used in this chapter shall have the meanings given to them in this section unless the context clearly indicates otherwise:

* * *

"Financial responsibility." The ability to respond in damages for liability on account of accidents arising out of the maintenance or use of a motor vehicle in the minimum amount of [$15,000] $25,000 because of injury to one person in any one accident, in the amount of [$30,000] $50,000 because of injury to two or more persons in any one accident and in the minimum amount of [$5,000] $10,000 because of damage to property of others in any one accident. The financial responsibility shall be in a form acceptable to the Department of Transportation.

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Section 2. Sections 1731(a), 1734, 1736, 1738, 1791 and 1792(a) of Title 75 are amended to read:

§ 1731. Availability, scope and amount of coverage.

(a) Mandatory offering.--No motor vehicle liability insurance policy shall be delivered or issued for delivery in this Commonwealth, with respect to any motor vehicle registered or principally garaged in this Commonwealth, unless uninsured motorist and underinsured motorist coverages are offered therein or supplemental thereto in amounts as provided in section 1734 (relating to request for [lower] different limits of coverage). Purchase of uninsured motorist and underinsured motorist coverages is optional.

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Amend Bill, page 4, lines 9 through 30; page 5, lines 1 through 7; by striking out all of said lines on said pages and inserting

(f) Prohibition.--The limit of liability for uninsured or underinsured motorist coverage applicable to two or more motor vehicles covered under the same or separate policy of an insured shall not be added together to determine the limit of the coverage available to an injured person for an accident.

(g) Noncovered vehicles.--Section 1733 (relating to priority of recovery) shall apply if an insured is injured as an occupant in a vehicle not covered under the insured's policy, unless the coverage is otherwise excluded. The maximum payment under section 1733(a)(2) shall be the single highest limit on any one vehicle for which the injured person is an insured.

(h) Covered vehicles.--If an insured is injured as an occupant of a vehicle covered under the insured's policy, unless the coverage is otherwise excluded, the uninsured or underinsured motorist coverage afforded by the policy covering the vehicle occupied at the time of the accident shall be the only uninsured or underinsured motorist coverage available.

(i) Pedestrians.--If an insured is injured as a pedestrian in a motor vehicle accident, the uninsured or underinsured motorist coverage shall be the single highest limit on any one vehicle for which the injured person is an insured.

Amend Bill, page 8, line 4, by striking out "insurers" and inserting

insurer

Amend Bill, page 8, lines 12 and 13, by striking out "The amendment of 75 Pa.C.S. §§ 1734, 1736, 1738, 1791 and 1792(a)" and inserting

This act

Amend Bill, page 8, line 15, by striking out all of said line and inserting

Section 3. Any change in coverage of a private passenger automobile insurance policy resulting from the amendment of 75 Pa.C.S. § 1702 shall not impact the validity of any waiver, selection of benefits or amount of benefits in that policy beyond the coverage amounts as a result of the amendment of 75 Pa.C.S. § 1702, nor require that new forms be signed by the insured named in the policy.

Section 4. This act shall apply to policies issued or renewed on or after 180 days after the effective date of this

section. Nothing in this act shall be construed to alter the election of tort options in a policy issued or renewed on or after one year after the effective date of this section.

Section 5. This act shall take effect in 180 days.