

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 440

Session of  
1977

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

REFERRED TO COMMITTEE ON INSURANCE, MARCH 2, 1977

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.