

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL**No. 297**Session of
1985

INTRODUCED BY RYBAK, OLIVER, GEIST, HALUSKA, TRELLO, LIVENGOOD,
PETRARCA, GANNON, BLAUM, BATTISTO, BELARDI, JOHNSON,
E. Z. TAYLOR, LESCOVITZ, McHALE, FREEMAN, PRESSMANN,
AFFLERBACH, WAMBACH, GRUPPO, CARN AND JOSEPHS,
FEBRUARY 11, 1985

AS AMENDED ON THIRD CONSIDERATION, HOUSE OF REPRESENTATIVES,
NOVEMBER 18, 1986

AN ACT

1 Amending Title 75 (Vehicles) of the Pennsylvania Consolidated
2 Statutes, further providing for mandatory motor vehicle
3 liability insurance coverage.

4 The General Assembly of the Commonwealth of Pennsylvania
5 hereby enacts as follows:

6 Section 1. Title 75 of the Pennsylvania Consolidated
7 Statutes is amended by adding ~~a section~~ SECTIONS to read: <—

8 § 1711.1. Additional mandatory coverage.

9 An insurer issuing or delivery liability policies covering
10 any motor vehicle of the type required to be registered under
11 this title, except recreational vehicles not intended for
12 highway use, motorcycles, motor driven cycles or motorized
13 pedalcycles or like type vehicles, registered and operated in
14 this Commonwealth, shall include coverage providing for an
15 accidental death benefit in the amount of \$10,000 to be paid to
16 the personal representative of the insured, should injury

1 resulting from a motor vehicle accident while the insured was
2 wearing an approved seat belt or other approved restraint,
3 including, but not limited to, air bags or child safety
4 restraint devices, cause death within 24 months from the date of
5 the accident. This coverage shall be in addition to any other
6 accidental death benefits or funeral benefits included in the
7 policy. There shall be no additional premium charged for this
8 benefit and the risk factor for this benefit shall not be
9 considered in computing premium rates.

10 § 1716.1. DEDUCTION FROM MEDICAL BENEFITS. ←

11 (A) GENERAL RULE.--PAYMENTS FOR ALL FIRST PARTY MEDICAL
12 BENEFITS MADE AVAILABLE AS PROVIDED IN SECTION 1712(1) (RELATING
13 TO MEDICAL BENEFIT) TO WHICH THE INSURED WOULD OTHERWISE BE
14 ENTITLED SHALL BE SUBJECT TO AN AGGREGATE DEDUCTIBLE BY THE
15 INSURER OF \$100 IF THE INSURED WAS NOT WEARING A SEAT BELT OR
16 PROTECTED BY ANOTHER APPROVED SAFETY DEVICE AT THE TIME OF THE
17 ACCIDENT. IN SUCH CASES, THE REFUSAL OF PAYMENT, IF THE AMOUNT
18 OF MEDICAL BENEFITS IS \$50 OR LESS, OR REDUCED PAYMENT, IF THE
19 AMOUNT OF MEDICAL BENEFITS EXCEEDS \$50, SHALL BE PROPER.

20 (B) PUBLICITY BY DEPARTMENT.--THE DEPARTMENT SHALL CONDUCT A
21 PUBLICITY CAMPAIGN TO MAKE MOTORISTS AWARE THAT FAILURE TO WEAR
22 SEAT BELTS OR TO USE OTHER APPROVED SAFETY DEVICES MAY RESULT IN
23 A DEDUCTION FROM OR LOSS OF INSURANCE BENEFITS AS PROVIDED IN
24 SUBSECTION (A).

25 SECTION 2. THE PROVISIONS OF THIS ACT SHALL APPLY TO
26 CONTRACTS OF INSURANCE ENTERED INTO OR RENEWED AFTER THE
27 EFFECTIVE DATE OF THIS ACT.

28 Section ~~2~~ 3. This act shall take effect in 60 days. ←