

HB 735 -- Uninsured Motorists

Sponsor: Yates

This bill establishes the Uninsured Motorist Stipulation of Benefits Act of 2009. An uninsured motorist involved in an accident with a complying policyholder will be subject to the following reduction of recovery for noneconomic damages: 25% reduction for the first occurrence and 100% for a subsequent occurrence.

Any person who knowingly or intentionally produces, manufactures, sells, or distributes a fraudulent insurance identification card will be guilty of a class D felony. A person who is knowingly or intentionally in possession of a fraudulent insurance identification card will be guilty of a class B misdemeanor and if in an accident with a complying policyholder will be subject to a 100% reduction of recovery for noneconomic losses.

The reduction will not apply if it can be proven that the insured motorist caused the accident while under the influence of drugs or alcohol or if the insured motorist is convicted of vehicular assault or homicide. Passengers in the uninsured motor vehicle will not be subject to the waiver. The bill will not apply to a motorist whose insurance policy was terminated for failure to pay the premium unless notice of termination for failure to pay was provided by the insurer at least 30 days prior to the accident.

If a motor vehicle owner fails to maintain financial responsibility as required in Section 303.160, RSMo, the owner will be guilty of a class B misdemeanor for a first offense and a class A misdemeanor for a subsequent violation and will have his or her motor vehicle impounded and driver's license suspended. The first-time reinstatement fee for a suspended driver's license due to the owner not maintaining financial responsibility on a motor vehicle is increased from \$20 to \$100.

All licensed motor vehicle dealers must report specified information monthly to the Department of Revenue on all sales to verify the payment of property taxes owed on each vehicle.