

HB 2060 -- Fairness for Responsible Drivers Act

Sponsor: Molendorp

This bill establishes the Fairness for Responsible Drivers Act which specifies that an uninsured motorist must waive his or her right to a cause of action or otherwise collect for noneconomic loss against a person who is in compliance with the state's motor vehicle financial responsibility laws as a result of a motor vehicle accident in which the insured driver is alleged to be at fault unless it can be proven that the accident was caused, in whole or in part, by a person operating a motor vehicle under the influence of drugs or alcohol or by a person who is convicted of involuntary manslaughter under Section 565.024, RSMo, or assault in the second degree under Section 565.060.

There is a rebuttable presumption of a knowing violation of the minimum insurance requirements in Section 303.190 if the insurance has lapsed, terminated, or otherwise been ineffective for at least six months prior to the accident. Passengers in the uninsured motor vehicle are not subject to the recovery limitation.