

HB 339 -- FAILURE TO COMPLY WITH MOTOR VEHICLE FINANCIAL
RESPONSIBILITY LAW

(Vetoed by the Governor--Overridden by the General Assembly)

This bill requires an uninsured driver who is the owner of the vehicle or a driver operating a vehicle with or without permission who is uninsured to waive the ability to have a cause of action or otherwise collect for noneconomic loss against an insured motorist alleged to be at fault for an accident. The waiver must not apply if it can be proven that the accident was caused by a person under the influence of drugs or alcohol or who is convicted of involuntary manslaughter or second degree assault. The provisions must not apply to an uninsured driver who has lost his or her insurance coverage for failure to pay unless the notification of termination or nonrenewal was provided by the insurer at least six months prior to the accident. A reduction in a damage award based on the provisions of the bill must not be disclosed to the trier of fact. Any passenger in the uninsured motor vehicle is not subject to the recovery limitation.