

RÉSUMÉ DIGEST

ACT 770 (SB 499)

2024 Regular Session

Reese

Existing law requires an insurer to automatically provide uninsured motorist liability coverage unless the insured rejects the coverage.

Existing law requires the commissioner of insurance to create a form for uninsured motorist coverage. Provides that if the insured or his legal representative does not reject or select uninsured motorist coverage, the named insured is automatically covered for uninsured motorist coverage.

New law retains existing law.

Existing law removed uninsured motorist requirements when the named insured selects on the form lower limits in connection with a policy previously issued to him.

New law provides that if the form is signed but not properly completed to create a rebuttable presumption that the insured knowingly rejected coverage, then uninsured motorist coverage or modified uninsured motorist coverage will not be provided, as applicable, if it is determined that the insured intended to reject or modify the uninsured motorist coverage.

Existing law provides uninsured motorist physical damage coverage.

New law retains existing law.

Existing law provides that a motor vehicle liability policy written to provide coverage for a school bus may limit the scope of uninsured motorist coverage.

New law retains existing law.

Existing law requires insurers to offer uninsured motorist coverage and authorizes the insurer to offer an optional arbitration provision. Provides that courts cannot be deprived of jurisdiction pursuant to present law.

New law retains existing law but makes technical changes.

Existing law authorizes exemption of a rental company from the requirement to offer uninsured motorist coverage which is required to be offered under existing law.

New law retains existing law.

New law provides an exception for commercial automobile insurance policies. Authorizes the insured to select uninsured motorist coverage with respect to commercial policies. Provides that if there is no selection of uninsured motorist coverage on the form provided to the insured and no payment of premium that includes the coverage, it will be presumed that uninsured motorist coverage was not elected for that policy or contract.

Effective August 1, 2024.

(Amends R.S. 22:1295(intro. para.), 1295(1)(a) and (e), (4), and (5) and 1296(B)(intro. para.); adds R.S. 22:1295(7))