

Regular Session, 2013

HOUSE BILL NO. 213

BY REPRESENTATIVE JAMES

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

INSURANCE/AUTOMOBILE: Extends excluded driver provisions

1 AN ACT

2 To amend and reenact R.S. 32:900(L)(1), relative to motor vehicle liability insurance; to
3 extend the category of drivers which may be excluded from such insurance; and to
4 provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 32:900(L)(1) is hereby amended and reenacted to read as follows:

7 §900. "Motor Vehicle Liability Policy" defined

8 * * *

9 L.(1) Notwithstanding the provisions of Paragraph (B)(2) of this Section, an
10 insurer and an insured may by written agreement exclude from coverage the named
11 insured and the spouse of the named insured. The insurer and an insured may also
12 exclude from coverage any ~~other person who is either:~~ a named person who is a
13 resident of the same household as the named insured at the time that the written
14 agreement is entered into, or a named person who is not a resident of the same
15 household as the named insured but who has reasonable access to operate the
16 covered vehicle. ~~and the~~ The exclusion shall be effective, regardless of whether the
17 excluded person continues to remain a resident of the same household subsequent to
18 the execution of the written agreement. It shall not be necessary for the person being
19 excluded from coverage to execute or be a party to the written agreement. For the

1 purposes of this Subsection, the term "named insured" means the applicant for the
2 policy of insurance issued by the insurer.

3 * * *

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

James

HB No. 213

Abstract: Extends the category of persons which a named insured may exclude on his automobile liability policy.

Present law requires every operator of a motor vehicle in the state of Louisiana to provide proof of financial responsibility by acquiring automobile liability insurance in accordance with the provisions of present law.

Present law provides that a named insured may exclude from coverage persons who dwell in the same residence as the named insured by agreeing with the insurer to designate such person as a named excluded person.

Proposed law extends present law to allow named insureds to further exclude any such party, regardless of residence, who has reasonable access to operate the covered automobile.

(Amends R.S. 32:900(L)(1))