Regular Session, 2014

HOUSE BILL NO. 9

BY REPRESENTATIVE EDWARDS

1   AN ACT

2   To enact R.S. 22:1295.1, relative to motor vehicle liability insurance; to provide for liability

3   for certain operators excluded from coverage; and to provide for related matters.

4   Be it enacted by the Legislature of Louisiana:

5   Section 1. R.S. 22:1295.1 is hereby enacted to read as follows:

6   §1295.1. Excluded driver; named insured; liability

7   A. The named insured and the operator of a motor vehicle shall be solidarily

8   liable for the damages caused by the operator's negligent or intentional act when the

9   operator has been designated as a person excluded from coverage on the motor

10   vehicle liability insurance policy pursuant to R.S. 32:900(L), and the operator is

11   operating the vehicle with the express permission of the named insured.

12   B. The liability of the named insured provided by this Section shall not

13   exceed the mandatory minimum limits for automobile insurance as provided by R.S.

14   32:900, unless the named insured has a parent-child or tutorship relationship to the

15   operator, or unless the named insured is otherwise vicariously liable for the acts or

16   omissions of the operator excluded from coverage on the motor vehicle liability

17   insurance policy pursuant to R.S. 32:900(L) or unless the named insured is

18   responsible for the acts and omissions of the operator excluded from coverage on the

19   motor vehicle liability insurance policy pursuant to R.S. 32:900(L).

20   C. If the operator has been excluded pursuant to R.S. 32:900(L), the insurer

21   shall not be liable, and no liability or obligation of any kind shall result to the insurer

1   for bodily injury, loss, or damage under any coverage of the policy, nor shall the

2   insurer be obligated to provide a defense or pay any costs of defense.

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

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PRESIDENT OF THE SENATE

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GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____

CODING: Words in struck through type are deletions from existing law; words underscored are additions.