

1 motorist coverage in an amount equal to the liability limits although the policy's premium
2 was calculated based upon the insured's rejection of uninsured/underinsured motorist
3 coverage, selection of lower limits, or selection of economic-only coverage; and

4 WHEREAS, R.S. 22:1295 is silent concerning what constitutes a properly completed
5 and signed form.

6 THEREFORE, BE IT RESOLVED that the Legislature of Louisiana requests the
7 Department of Insurance to conduct a study on what constitutes a properly completed and
8 signed uninsured/underinsured motorist coverage selection form and recommend possible
9 amendments to R.S. 22:1295 based on the findings of this study.

10 BE IT FURTHER RESOLVED that the Department of Insurance shall submit its
11 findings from the study in the form of a report to the House Committee on Insurance and the
12 Senate Committee on Insurance on or before January 15, 2015.

13 BE IT FURTHER RESOLVED that such a study include a review of other states to
14 determine if any other states presume that uninsured/underinsured motorist coverage is
15 triggered by operation of law, that uninsured/underinsured motorist coverage is required
16 when the selection reform contains merely technical errors, what constitutes technical errors,
17 whether uninsured/underinsured motorist coverage is provided when the insured has not paid
18 a premium for such coverage, and whether an insured is charged with a duty to recognize
19 that the policy does not provide uninsured/underinsured motorist coverage when the
20 declaration page does not contain a premium charge for such coverage.

21 BE IT FURTHER RESOLVED that a copy of this Resolution be transmitted to the
22 commissioner of insurance.

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)]

Huval

HCR No. 164

Urges and requests the Department of Insurance to conduct a study of what should constitute a properly completed and signed uninsured/underinsured motorist coverage selection and what should constitute technical errors that should not invalidate the selection form.