

Regular Session, 2013

HOUSE BILL NO. 148

BY REPRESENTATIVE PIERRE

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

INSURANCE: Clarifies time period in which applicant for motorcycle insurance must provide proof to insurer of appropriate license endorsement

1 AN ACT

2 To amend and reenact R.S. 22:1283 and R.S. 32:863.3, relative to motorcycle liability
3 insurance; to extend the time period in which a policyholder may provide proof of
4 appropriate license endorsements; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 22:1283 is hereby amended and reenacted to read as follows:

7 §1283. Proof of motorcycle endorsement

8 A. Each person who makes an application for issuance of a policy of
9 insurance covering a motorcycle shall provide proof of the appropriate license
10 endorsement required by R.S. 32:408(C). Such proof shall be provided to the insurer
11 or its producer ~~at the time~~ within ninety days of application for such policy. If the
12 policy of insurance is issued by an insurer that does not maintain an office in this
13 state, then the person may submit a sworn affidavit that he has the proper license
14 endorsement to the insurer.

15 ~~B. No insurer or producer of an insurer shall issue a policy of insurance that~~
16 ~~will cover a motorcycle unless the applicant has provided proof of the appropriate~~
17 ~~license endorsement required by R.S. 32:408(C).~~

18 ~~C. B.~~ In the case of an initial application for the endorsement, the insurer
19 may issue a policy not to extend more than ~~thirty~~ ninety days.

1 ~~D. C.~~ In addition to any other applicable penalties, anyone in violation of this
2 Section shall be subject to a fine of no more than five hundred dollars.

3 Section 2. R.S. 32:863.3 is hereby amended and reenacted to read as follows:

4 §863.3. Proof of motorcycle endorsement

5 A. Each person who makes an application for issuance of a policy of
6 insurance covering a motorcycle shall provide proof of the appropriate license
7 endorsement required by R.S. 32:408(C). Such proof shall be provided to the insurer
8 or its agent ~~at the time~~ within ninety days of application for such policy. If the
9 policy of insurance is issued by an insurer which does not maintain an office in this
10 state, then the person may submit a sworn affidavit that he has the proper license
11 endorsement to the insurer.

12 ~~B. No insurer or agent of an insurer shall issue a policy of insurance which~~
13 ~~will cover a motorcycle unless the applicant has provided proof of the appropriate~~
14 ~~license endorsement required by R.S. 32:408(C).~~

15 ~~E. B.~~ In addition to any other applicable penalties, anyone in violation of this
16 Section shall be subject to a fine of no more than five hundred dollars.

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)]

Pierre

HB No. 148

Abstract: Changes time periods in which a person applying for motorcycle insurance must provide proof of appropriate motorcycle license endorsements to insurer.

Present law requires that any person who makes application to an insurer for a policy of insurance that will cover a motorcycle to provide proof of the appropriate motorcycle license endorsements at the time of the application.

Present law prohibits an insurer from issuing a policy of motorcycle insurance to any person who does not provide proof of the license endorsement required by present law.

Present law also provides that, in the event of an initial application for a policy of insurance that will cover a motorcycle, the insurer may allow the applicant 30 days to provide proof of the appropriate motorcycle license endorsements.

Proposed law changes present law by requiring that any person who makes application to an insurer for a policy of insurance that will cover a motorcycle to provide proof of the appropriate motorcycle license endorsements within 90 days of application submittal.

Proposed law changes present law by requiring an applicant making initial application for a policy of motorcycle insurance to submit proof of the appropriate motorcycle license endorsement to the insurer within 90 days of application submittal instead of 30 days.

Proposed law deletes the provision of present law prohibiting an insurer from issuing a policy of motorcycle insurance to any person who does not provide proof of the appropriate motorcycle license endorsements at the time of submittal.

(Amends R.S. 22:1283 and R.S. 32:863.3)