

Regular Session, 2014

HOUSE BILL NO. 454

BY REPRESENTATIVE SEABAUGH

INSURANCE/AUTOMOBILE: Provides relative to settlement or payment of a claim under a vehicle liability insurance policy

1 AN ACT

2 To amend and reenact R.S. 22:1290, relative to the settlement or payment of a claim under
3 a vehicle liability insurance policy; to provide that a payment under the uninsured
4 motorist or property damage provisions of a motor vehicle liability policy to an
5 insured shall not be construed as an acknowledgment of liability; and to provide for
6 related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 22:1290 is hereby amended and reenacted to read as follows:

9 §1290. Motor vehicle liability policy

10 No settlement or payment made under a vehicle liability insurance policy for
11 a claim against any insured thereunder arising from any accident or other event
12 insured against for damage to or destruction of property owned by another person,
13 or for a claim made by an insured under any applicable uninsured motorist or
14 property damage coverage, shall be construed as an admission of liability by the
15 insured, or the insurer's ~~recognition~~ acknowledgment of such liability, with respect
16 to any other claim arising from the same accident or event.

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)]

Seabaugh

HB No. 454

Abstract: Establishes that payments made by an insurer to an insured under an uninsured motorist policy will not be construed as an admission or acknowledgment of liability.

Present law provides that a settlement made under a motor vehicle liability policy for a claim against an insured will not be construed as an admission of liability or the insurer's recognition of such liability sufficient to interrupt prescription of the claimant's rights pursuant to present law.

Proposed law adds that payments made by an insurer under the uninsured motorist or property damage provisions of a motor vehicle liability policy also will not be construed as an admission of liability or the insurer's recognition of such liability be sufficient to interrupt prescription of the claimant's rights.

(Amends R.S. 22:1290)

Summary of Amendments Adopted by House

Committee Amendments Proposed by House Committee on Insurance to the original bill.

1. Added that payment of property damage under uninsured motorist provisions shall not be construed as an acknowledgment of liability.
2. Made technical changes.