

MAINE STATE LEGISLATURE

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114th MAINE LEGISLATURE

SECOND REGULAR SESSION - 1990

Legislative Document

No. 2222

H.P. 1598

House of Representatives, January 25, 1990

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 26.

Reference to the Committee on Banking and Insurance suggested and ordered printed.

A handwritten signature in cursive script that reads 'Ed Pert'.

EDWIN H. PERT, Clerk

Presented by Representative MARSANO of Belfast.

STATE OF MAINE

IN THE YEAR OF OUR LORD
NINETEEN HUNDRED AND NINETY

An Act to Prohibit Family Exclusion Clauses in Automobile Insurance Policies.



Be it enacted by the People of the State of Maine as follows:

2 Sec. 1. 24-A MRSA §2902-A, sub-§2, as enacted by PL 1985, c.
4 136, is amended to read:

6 2. **Exclusion.** No insurer may sell or renew an insurance
8 policy providing motor vehicle liability insurance on or after
10 January 1, 1986, that excludes coverage for injuries sustained by
12 the insured's family members unless the insurer notifies the
14 bureau in writing of its utilization of the exclusion, the
16 insurer notifies each of its licensed agents within the State of
18 its utilization of the exclusion and the exclusion is provided by
20 a separate endorsement to the insured's policy. An exclusion
22 that ~~does not meet the requirements of~~ violates this section
24 shall be is invalid and of no effect.

16 Sec. 2. 24-A MRSA §2902-A, sub-§4 is enacted to read:

18 4. Optional coverage for family members. No insurer may
20 sell or renew an insurance policy, after January 1, 1991,
22 providing motor vehicle liability insurance that excludes
24 coverage for injuries sustained by the insured's family members
26 unless the insurer offers the insured the option of purchasing
28 coverage for damages to family members with a payment limit of at
30 least \$25,000 for the total of claims by any individual, and the
32 insured declines that family coverage in writing.

30 **STATEMENT OF FACT**

32 This bill requires any insurer who includes an exclusion for
34 family members in an automobile insurance policy to offer to the
insured optional coverage for damages to family members with a
payment limit of at least \$25,000 per individual.