

MAINE STATE LEGISLATURE

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115th MAINE LEGISLATURE

FIRST REGULAR SESSION-1991

Legislative Document

No. 659

H.P. 465

House of Representatives, February 19, 1991

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.

Cosponsored by Representative RAND of Portland, Representative HASTINGS of Fryeburg and Senator CONLEY of Cumberland.

STATE OF MAINE

IN THE YEAR OF OUR LORD
NINETEEN HUNDRED AND NINETY-ONE

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
4 **Sec. 1. 24-A MRSA §2902-A, sub-§2**, as enacted by PL 1985, c. 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
its utilization of the exclusion and the exclusion is provided by
a separate endorsement to the insured's policy. An exclusion
that ~~does not meet the requirements of~~ violates this section
~~shall be~~ is invalid and of no effect.

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

20 4. Coverage for family members must be offered. An insurer
may not sell or renew a motor vehicle liability insurance policy
with a provision that excludes coverage for injury to the insured
or any family member unless the insurer offers the opportunity to
remove that exclusion by buying liability coverage for injury to
the insured or any family member with liability limits equal to
the liability limits of the policy for injury to other persons
and with the scope of that coverage the same as the scope of
coverage for other persons.

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32 **STATEMENT OF FACT**

34 This bill requires any insurer who excludes coverage for
36 injury to family members residing in the insured's household from
coverage under an auto insurance liability policy to offer the
38 opportunity to buy back coverage for those persons. An
additional premium for this coverage could be charged.