

# MAINE STATE LEGISLATURE

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L.D. 2021  
(Filing No. H-870)

3 Insurance and Financial Services

Report B

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5 STATE OF MAINE

6 HOUSE OF REPRESENTATIVES

7 122ND LEGISLATURE

8 SECOND REGULAR SESSION

9 COMMITTEE AMENDMENT "A" to H.P. 1422, L.D. 2021, Bill, "An Act To  
10 Clarify the Uninsured Motorist Laws"

11 Amend the bill in section 1 by striking out all of subsection 1 (page 1, lines 4 to 17 in  
12 L.D.) and inserting in its place the following:

13 '1. ~~No A~~ policy insuring against liability arising out of the ownership, maintenance  
14 or use of any motor vehicle ~~shall~~ may not be delivered or issued for delivery in this State  
15 with respect to any such vehicle registered or principally garaged in this State, unless  
16 coverage is provided ~~therein in the policy~~ or supplemental ~~thereto to the policy~~ for the  
17 protection of persons insured ~~thereunder~~ under the policy who are legally entitled to  
18 recover damages from owners or operators of uninsured, underinsured or hit-and-run  
19 motor vehicles, for bodily injury, sickness or disease, including death, sustained by an  
20 insured person resulting from the ownership, maintenance or use of such uninsured,  
21 underinsured or hit-and-run motor vehicle. The coverage ~~herein~~ required by this section  
22 may be referred to as "uninsured vehicle coverage." For the purposes of this section,  
23 "underinsured motor vehicle" means a motor vehicle for which coverage is provided, but  
24 in amounts less than the minimum limits for bodily injury liability insurance provided for  
25 under the motorist's financial responsibility laws of this State or less than the limits of the  
26 injured party's uninsured vehicle coverage. Notwithstanding this section, a policy must  
27 allow for the recovery of damages under uninsured vehicle coverage for the death of a  
28 parent or child of the insured to the extent that a person may be legally entitled to recover  
29 damages for wrongful death pursuant to Title 18-A, section 2-804.'

30 SUMMARY

31 This amendment is the minority report of the committee. The amendment clarifies  
32 that an insurance policy must allow for recovery under uninsured vehicle coverage for the  
33 death of a parent or child of the insured to the extent a person may be legally entitled to  
34 recover damages for wrongful death.