

SENATE FILE 219, 1973

Introduced by:

By: Robert E. Jones Jack Collins
John H. Ed. Jones

DATE	ACTION
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STATE OF WYOMING

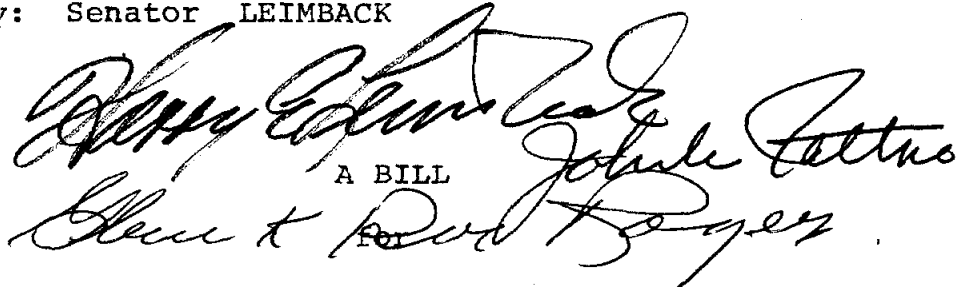
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JBM

SENATE FILE NO. 219

Automobile insurance.

Introduced by: Senator LEIMBACK


A BILL
for

1 AN ACT to create sections 26.1-453.19 through 26.1-453.23
2 of the statutes relating to motor vehicle insurance poli-
3 cies; providing that policies not be issued or delivered
4 in this state unless providing specified benefits;
5 requiring that specified benefits be paid regardless of
6 fault; providing that benefits not be reduced because of
7 tort claim, but requiring reduction after recovery; pro-
8 viding for additional coverage; and providing an effective
9 date.

10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WYOMING:

11 Section 1. Section 26.1-453.19 through 26.1-453.23
12 of the statutes are created to read:

13 26.1-453.19. Definitions. As used in this act:

14 (a) "This act" means sections 26.1-453.19 through
15 26.1-453.23.

16 26.1-453.20. Motor vehicle liability insurance
17 policy to provide for payment of medical, loss of earn-

1 ings, cost of essential services, and funeral expenses to
2 \$5,000.00.

3 (a) No policy of motor vehicle liability insurance
4 covering liability arising out of the ownership, maintenance or use of any motor vehicle shall be issued or
5 delivered in this state unless it contains provisions for
6 the payment for each accident of an amount not to exceed a
7 total of \$5,000 for each person injured while an occupant
8 of an insured motor vehicle, or a pedestrian struck by an
9 insured motor vehicle, for the following defined losses or
10 expenses:
11

12 (i) Reasonable medical expenses incurred for
13 services furnished within one year after
14 the date of the accident, if the vehicle
15 was being used at the time of the accident
16 by an insured as defined by the
17 insurance policy;

18 (ii) Loss of earnings, if the vehicle was
19 being used at the time of the accident
20 by an insured as defined by the insurance
21 policy. Loss of earnings consists
22 of loss of income from work an injured
23 person would have performed had he not
24 been injured. Loss of earnings does not
25 include any loss after the date on which

1 the injured person dies. The benefits
2 payable for loss of earnings sustained
3 in any 30 day period by a person, shall
4 not exceed \$750.00.

5 (iii) Reasonable expenses incurred for essen-
6 tial services in lieu of those the
7 injured person would have performed
8 without income during the period com-
9 mencing seven days after the date of the
10 accident and ending on the date the
11 injured person is reasonably able to
12 perform such essential services. The
13 benefits payable for such expenses shall
14 not exceed \$360 in any 30 day period.

15 (iv) Funeral expenses for each person who
16 dies as a result of the injury caused by
17 accident. The benefits payable for
18 funeral expenses shall not exceed
19 \$1,500.00.

20 26.1-453.21. Benefits payable regardless of fault.

21 All benefits payable under this act shall be paid within
22 15 days after proof of loss has been submitted to the
23 insurer. All such benefits shall be paid without regard
24 to fault.

25 26.1-453.22. Benefits not to be reduced because of

1 tort claim; reduction after recovery. No deduction from
2 insurance benefits payable under this act shall be made
3 because of a tort claim based on the same accidental
4 bodily injury, but after recovery is realized upon such a
5 tort claim, a deduction will be made to the extent of the
6 recovery, exclusive of reasonable attorney fees and
7 expenses incurred in affecting the recovery. If insurance
8 benefits under this act have already been received, the
9 person receiving such benefits shall repay the insurer or
10 insurers out of the recovery a sum equal to the benefits
11 received, but not more than the recovery, exclusive of
12 reasonable attorney fees and expenses incurred in effect-
13 ing the recovery. The insurer or insurers shall have a
14 lien on the recovery to the extent of benefits paid under
15 this act.

16 26.1-453.23. Additional coverage. If the insured so
17 elects, the insurer may provide added insurance insuring
18 against all or part of any amount of loss excluded by the
19 limits set forth in this act.

20 Section 2. This act is effective July 1, 1973.

21 (END)