

**AS PASSED SENATE**

The Senate Insurance and Labor Committee offered the following substitute to HB 187:

A BILL TO BE ENTITLED  
AN ACT

1 To amend Code Section 33-7-11 of the Official Code of Georgia Annotated, relating to  
2 uninsured motorist coverage under motor vehicle liability policies, so as to provide that  
3 minimum uninsured motorist coverages shall be equal to the limits of liability contained in  
4 the insured's automobile or motor vehicle liability policy; to provide for applicability and  
5 exceptions; to repeal conflicting laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

**SECTION 1.**

7 Code Section 33-7-11 of the Official Code of Georgia Annotated, relating to uninsured  
8 motorist coverage under motor vehicle liability policies, is amended by striking paragraph  
9 (1) of subsection (a) in its entirety and inserting in lieu thereof a new paragraph (1) to read  
10 as follows:  
11

12 "(a)(1) No automobile liability policy or motor vehicle liability policy shall be issued or  
13 delivered in this state to the owner of such vehicle or shall be issued or delivered by any  
14 insurer licensed in this state upon any motor vehicle then principally garaged or  
15 principally used in this state unless it contains an endorsement or provisions undertaking  
16 to pay the insured all sums which said insured shall be legally entitled to recover as  
17 damages from the owner or operator of an uninsured motor vehicle, within limits  
18 exclusive of interests and costs which at the option of the insured shall be:

19 (A) Not less than \$25,000.00 because of bodily injury to or death of one person in any  
20 one accident, and, subject to such limit for one person, \$50,000.00 because of bodily  
21 injury to or death of two or more persons in any one accident, and \$25,000.00 because  
22 of injury to or destruction of property; or

23 (B) Equal to ~~Not greater than~~ the limits of liability because of bodily injury to or death  
24 of one person in any one accident and of two or more persons in any one accident, and  
25 because of injury to or destruction of property of the insured which is contained in the  
26 insured's personal coverage in the automobile liability policy or motor vehicle liability

1 policy issued by the insurer to the insured if those limits of liability exceed the limits  
2 of liability set forth in subparagraph (a)(1)(A) of this Code section. In any event, the  
3 insured may affirmatively choose uninsured motorist limits in an amount less than the  
4 limits of liability."

## 5 SECTION 2.

6 Said Code Section is further amended by striking paragraph (3) thereof and inserting in its  
7 place the following:

8 "(3) The coverage required under paragraph (1) of this subsection shall not be applicable  
9 where any insured named in the policy shall reject the ~~minimum~~ coverage in writing.  
10 ~~However, the insurer shall not be required to issue any coverage for any amount greater~~  
11 ~~than the minimum coverage unless the insured shall request in writing such higher limits.~~  
12 The coverage need not be provided in or supplemental to a renewal policy where the  
13 named insured had rejected the coverage in connection with a policy previously issued  
14 to said insured by the same insurer. The amount of coverage need not be increased in a  
15 renewal policy from the amount shown on the declarations page for coverage existing  
16 prior to the effective date of this paragraph. The amount of coverage need not be  
17 increased from the amounts shown on the declarations page on renewal once coverage  
18 is issued."

## 19 SECTION 3.

20 This Act shall only apply to policies issued or renewed on or after January 1, 2002.

## 21 SECTION 4.

22 All laws and parts of laws in conflict with this Act are repealed.