

House Bill 187 (AS PASSED HOUSE AND SENATE)

By: Representatives Powell of the 23<sup>rd</sup>, Parham of the 122<sup>nd</sup> and Walker of the 141<sup>st</sup>

A BILL TO BE ENTITLED  
AN ACT

1 To regulate motor vehicle insurance coverage and proof thereof; to amend Code Section 33-  
2 7-11 of the Official Code of Georgia Annotated, relating to uninsured motorist coverage  
3 under motor vehicle liability policies, so as to provide that minimum uninsured motorist  
4 coverages shall be equal to the limits of liability contained in the insured's automobile or  
5 motor vehicle liability policy; to provide for applicability and exceptions; to amend Code  
6 Section 40-6-10 of the Official Code of Georgia Annotated, relating to proof of insurance  
7 required, so as to change the dates until which a valid insurance card shall be sufficient proof  
8 of insurance; to repeal conflicting laws; and for other purposes.

9 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

**SECTION 1.**

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

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

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

1 (B) Equal to ~~Not greater than~~ the limits of liability because of bodily injury to or death  
 2 of one person in any one accident and of two or more persons in any one accident, and  
 3 because of injury to or destruction of property of the insured which is contained in the  
 4 insured's personal coverage in the automobile liability policy or motor vehicle liability  
 5 policy issued by the insurer to the insured if those limits of liability exceed the limits  
 6 of liability set forth in subparagraph (a)(1)(A) of this Code section. In any event, the  
 7 insured may affirmatively choose uninsured motorist limits in an amount less than the  
 8 limits of liability."

## 9 SECTION 2.

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

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

## 23 SECTION 2A.

24 Code Section 40-6-10 of the Official Code of Georgia Annotated, relating to proof of  
 25 insurance required, is amended by striking paragraph (5) of subsection (a) in its entirety and  
 26 inserting in lieu thereof a new paragraph (5) to read as follows:

27 "(5)(A) For purposes of this Code section up to and including ~~August~~ December 31,  
 28 2001, a valid insurance card shall be sufficient proof of insurance for any vehicle.

29 (B) For purposes of this Code section on and after ~~September~~ January 1, ~~2001~~ 2002,  
 30 a valid insurance card shall be sufficient proof of insurance only for any vehicle  
 31 covered under a commercial vehicle policy as defined in Code Section 40-5-71.

32 (C) For any vehicle covered under a policy of motor vehicle liability insurance that is  
 33 not a commercial vehicle policy as defined in Code Section 40-5-71, the insurer shall  
 34 issue a policy information identification card which shall contain at least the name of  
 35 the insurer, policy number, policy issue or effective date, policy expiration date, name

1 of the insured, and year, make, model, and vehicle identification number of each  
2 vehicle insured; provided, however, that on and after ~~September~~ January 1, 2001 2002,  
3 any such policy information identification card shall not be sufficient proof of insurance  
4 for any purposes of this Code section."

5 **SECTION 3.**

6 Sections 1 and 2 of this Act shall only apply to policies issued or renewed on or after  
7 January 1, 2002.

8 **SECTION 4.**

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