

House Bill 1497

By: Representatives Broome of the 141st, Post 2, Sims of the 130th, and Reece of the 11th

A BILL TO BE ENTITLED
AN ACT

1 To amend Chapter 34 of Title 33 of the Official Code of Georgia Annotated, relating to
2 motor vehicle accident reparations, so as to require a motor vehicle liability insurer to contact
3 its insured and all persons who may have claims under the motor vehicle liability insurance
4 policy issued by the insurer within three business days following the determination of
5 liability by the insurer for an incident covered by such insurance policy; to provide penalties
6 for failure to contact such persons; to provide for related matters; to repeal conflicting laws;
7 and for other purposes.

8 **BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:**

9 **SECTION 1.**

10 Chapter 34 of Title 33 of the Official Code of Georgia Annotated, relating to motor vehicle
11 accident reparations, is amended by adding a new Code Section 33-34-10 to read as follows:

12 "33-34-10.

13 (a) It shall be the duty of every insurer that issues or delivers a policy of motor vehicle
14 liability insurance in this state to contact in person, by certified mail, or by telephone its
15 insured and all potential claimants under such policy within three business days after such
16 insurer determines liability for the occurrence of an incident covered or potentially covered
17 under such policy of motor vehicle liability insurance and the existence and identity of
18 potential claimants. The insurer shall, upon contacting its insured and each potential
19 claimant, advise such persons of the existence of such policy of insurance; the name,
20 telephone number, and mailing address of the contact person designated by the insurer to
21 handle any claims under the policy concerning such incident; and the method and manner
22 of filing claims under such policy for such incident.

23 (b) If an insurer fails to contact timely its insured or a potential claimant known to the
24 insurer or fails to provide the information as required under subsection (a) of this Code
25 section, the liability limits of such policy shall be waived as to each such person."

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SECTION 2.

2 All laws and parts of laws in conflict with this Act are repealed.