

1 ENGROSSED HOUSE  
2 BILL NO. 3380

By: Faught, Dank, Derby,  
McDaniel (Randy), Peterson  
(Ron) and Tibbs of the  
House

4 and

5 Brown of the Senate

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9 An Act relating to the Compulsory Insurance Law;  
10 limiting recovery for damages or claims against  
insurer for liability for motor vehicle accidents in  
11 certain circumstances; providing exceptions;  
providing for who may assert limitation; providing  
12 for codification; and providing an effective date.

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15 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

16 SECTION 1. NEW LAW A new section of law to be codified  
17 in the Oklahoma Statutes as Section 7-611 of Title 47, unless there  
18 is created a duplication in numbering, reads as follows:

19 A. Except as provided in subsection B of this section, in any  
20 civil action to recover damages arising out of an accident involving  
21 the operation of a motor vehicle or for any claim against the motor  
22 vehicle liability insurance coverage of another party, the maximum  
23 amount that a plaintiff or claimant may receive, if the plaintiff or  
24 claimant is not in compliance with the Compulsory Insurance Law,

1 shall be limited to the amount of medical costs, property damage,  
2 and lost income and shall not include any award for pain and  
3 suffering.

4 B. The limitations provided for in subsection A of this section  
5 shall not apply:

6 1. If the plaintiff or claimant was injured by a motorist who  
7 at the time of the accident was operating or using a motor vehicle  
8 while under the influence of drugs or alcohol in violation of any  
9 provision of law relating to the illegal operation or use of a motor  
10 vehicle while under the influence of drugs or alcohol, and that  
11 motorist was convicted of, or pled guilty or nolo contendere to, the  
12 offense;

13 2. If the plaintiff or claimant was a passenger in a motor  
14 vehicle involved in the accident, unless the plaintiff or claimant  
15 is an owner of the vehicle;

16 3. If the plaintiff or claimant was not in any motor vehicle  
17 involved in the accident;

18 4. To wrongful death claims; or

19 5. If the motorist who caused the accident:

20 a. intentionally causes the accident,

21 b. leaves the scene of the accident, or

22 c. at the time of the accident, is acting in furtherance  
23 of the commission of a felony.

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