

COMMITTEE AMENDMENT
HOUSE OF REPRESENTATIVES
State of Oklahoma

SPEAKER:

CHAIR:

I move to amend HB3656 _____
Of the printed Bill
Page _____ Section _____ Lines _____
Of the Engrossed Bill

By striking the Title, the Enacting Clause, the entire bill, and by
inserting in lieu thereof the following language:

AMEND TITLE TO CONFORM TO AMENDMENTS

Amendment submitted by: Lonnie Sims

Adopted: _____

Reading Clerk

STATE OF OKLAHOMA

2nd Session of the 57th Legislature (2020)

PROPOSED COMMITTEE
SUBSTITUTE
FOR
HOUSE BILL NO. 3656

By: Sims

PROPOSED COMMITTEE SUBSTITUTE

An Act relating to insurance; amending 47 O.S. 2011, Section 7-324, which relates to motor vehicle liability policies; modifying minimum insurance coverage requirements; and providing an effective date.

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

SECTION 1. AMENDATORY 47 O.S. 2011, Section 7-324, is amended to read as follows:

Section 7-324. ~~(a)~~ A. Certification. A "motor vehicle liability policy" as the term is used in this article shall mean an "owner's policy" or an "operator's policy" of liability insurance, ~~certified as provided in Section 7-321 or Section 7-322~~ for which a security verification form, as defined in Section 7-600 of this title, has been issued as proof of financial responsibility, ~~and issued,~~ except as otherwise provided in Section ~~7-322~~ 7-204 of this title, by an insurance carrier duly authorized to transact business

1 in this state, to or for the benefit of the person named therein as
2 insured.

3 ~~(b)~~ B. Owner's policy. Such owner's policy of liability
4 insurance:

5 1. Shall designate by explicit description or by appropriate
6 reference all vehicles with respect to which coverage is thereby to
7 be granted; ~~and~~

8 2. Shall insure the person named therein and any other person
9 except as herein provided, as insured, using any such vehicle or
10 vehicles with the express or implied permission of such named
11 insured, against loss from the liability imposed by law for damages
12 arising out of the ownership, maintenance or use of such vehicle or
13 vehicles within the United States of America or the Dominion of
14 Canada, subject to limits exclusive of interest and costs, with
15 respect to each such vehicle, as follows: ~~Twenty-five Thousand~~
16 ~~Dollars (\$25,000.00) because of bodily injury to or death of one~~
17 ~~person in any one accident and, subject to said limit for one~~
18 ~~person, Fifty Thousand Dollars (\$50,000.00) because of bodily injury~~
19 ~~to or death of two or more persons in any one accident, and Twenty-~~
20 ~~five Thousand Dollars (\$25,000.00) because of injury to or~~
21 ~~destruction of property of others in any one accident.~~

22 a. beginning on January 1, 2021, Thirty Thousand Dollars
23 (\$30,000.00) because of bodily injury to or death of
24 one person in any one accident and, subject to said

1 limit for one person, Sixty Thousand Dollars
2 (\$60,000.00) because of bodily injury to or death of
3 two or more persons in any one accident, and Thirty
4 Thousand Dollars (\$30,000.00) because of injury to or
5 destruction of property of others in any one accident,

6 b. beginning on January 1, 2022, Thirty-five Thousand
7 Dollars (\$35,000.00) because of bodily injury to or
8 death of one person in any one accident and, subject
9 to said limit for one person, Seventy Thousand Dollars
10 (\$70,000.00) because of bodily injury to or death of
11 two or more persons in any one accident, and Thirty-
12 five Thousand Dollars (\$35,000.00) because of injury
13 to or destruction of property of others in any one
14 accident,

15 c. beginning on January 1, 2023, Forty Thousand Dollars
16 (\$40,000.00) because of bodily injury to or death of
17 one person in any one accident and, subject to said
18 limit for one person, Eighty Thousand Dollars
19 (\$80,000.00) because of bodily injury to or death of
20 two or more persons in any one accident, and Forty
21 Thousand Dollars (\$40,000.00) because of injury to or
22 destruction of property of others in any one accident,

23 d. beginning on January 1, 2024, Forty-five Thousand
24 Dollars (\$45,000.00) because of bodily injury to or

death of one person in any one accident and, subject to said limit for one person, Ninety Thousand Dollars (\$90,000.00) because of bodily injury to or death of two or more persons in any one accident, and Forty-five Thousand Dollars (\$45,000.00) because of injury to or destruction of property of others in any one accident, and

e. beginning on January 1, 2025, Fifty Thousand Dollars (\$50,000.00) because of bodily injury to or death of one person in any one accident and, subject to said limit for one person, One Hundred Thousand Dollars (\$100,000.00) because of bodily injury to or death of two or more persons in any one accident, and Fifty Thousand Dollars (\$50,000.00) because of injury to or destruction of property of others in any one accident; and

3. May by agreement in a separate written endorsement between any named insured and the insurer exclude as insured any person or persons designated by name from coverage under the policy.

~~(e)~~ C. Operator's policy. Such operator's policy of liability insurance shall insure the person named as insured therein against loss from the liability imposed upon him or her by law for damages arising out of the use by him or her of any motor vehicle not owned by him or her, within the same territorial limits and subject to the

1 same limits of liability as are set forth above with respect to an
2 owner's policy of liability insurance.

3 ~~(d)~~ D. Required statements in policies. Such motor vehicle
4 liability policy shall state the name and address of the named
5 insured, the coverage afforded by the policy, the premium charged
6 therefor, the policy period and the limits of liability, and shall
7 contain an agreement or be endorsed that insurance is provided
8 thereunder in accordance with the coverage defined in this chapter
9 as respects bodily injury and death or property damage, or both, and
10 is subject to all the provisions of this title.

11 ~~(e)~~ E. Policy need not insure ~~workmen's~~ workers' compensation.
12 Such motor vehicle liability policy need not insure any liability
13 under any ~~workmen's~~ workers' compensation law nor any liability on
14 account of bodily injury to or death of an employee of the insured
15 while engaged in the employment, other than domestic, of the
16 insured, or while engaged in the operation, maintenance or repair of
17 any such vehicle nor any liability for damage to property owned by,
18 rented to, in charge of or transported by the insured.

19 ~~(f)~~ F. Provisions incorporated in policy. Every motor vehicle
20 liability policy shall be subject to the following provisions which
21 need not be contained therein:

22 1. The liability of the insurance carrier with respect to the
23 insurance required by this title shall become absolute whenever
24 injury or damage covered by said motor vehicle liability policy

1 occurs; said policy may not be canceled or annulled as to such
2 liability by any agreement between the insurance carrier and the
3 insured after the occurrence of the injury or damage; no statement
4 made by the insured or on his or her behalf and no violation of said
5 policy shall defeat or void said policy.

6 2. The satisfaction by the insured of a judgment for such
7 injury or damage shall not be a condition precedent to the right or
8 duty of the insurance carrier to make payment on account of such
9 injury or damage.

10 3. The insurance carrier shall have the right to settle any
11 claim covered by the policy, and if such settlement is made in good
12 faith, the amount thereof shall be deductible from the limits of
13 liability specified in paragraph 2 of subsection ~~(b)~~ B of this
14 section.

15 4. The policy, the written application therefor, if any, and
16 any rider or endorsement which does not conflict with the provisions
17 of this title shall constitute the entire contract between the
18 parties.

19 ~~(g)~~ G. Excess or additional coverage. Any policy which grants
20 the coverage required for a motor vehicle liability policy may also
21 grant any lawful coverage in excess of or in addition to the
22 coverage specified for a motor vehicle liability policy and such
23 excess or additional coverage shall not be subject to the provisions
24 of this title. With respect to a policy which grants such excess or

1 additional coverage, the term "motor vehicle liability policy" shall
2 apply only to that part of the coverage which is required by this
3 section.

4 ~~(h)~~ H. Reimbursement provision permitted. Any motor vehicle
5 liability policy may provide that the insured shall reimburse the
6 insurance carrier for any payment the insurance carrier would not
7 have been obligated to make under the terms of the policy except for
8 the provisions of this title.

9 ~~(i)~~ I. Proration of insurance permitted. Any motor vehicle
10 liability policy may provide for the prorating of the insurance
11 thereunder with other valid and collectible insurance.

12 ~~(j)~~ J. Multiple policies. The requirements for a motor vehicle
13 liability policy may be fulfilled by the policies of one or more
14 insurance carriers which policies together meet such requirements.

15 ~~(k)~~ K. Binders. Any binder issued pending the issuance of a
16 motor vehicle liability policy shall be deemed to fulfill the
17 requirements for such a policy.

18 SECTION 2. This act shall become effective January 1, 2021.
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