

STATE OF OKLAHOMA

2nd Session of the 58th Legislature (2022)

HOUSE BILL 4276

By: Sneed

AS INTRODUCED

An Act relating to insurance; amending 47 O.S. 2021, 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. 2021, 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 in this state, to or for the benefit of the person named therein as insured.

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

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

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

20 a. beginning on January 1, 2023, Thirty Thousand Dollars
21 (\$30,000.00) because of bodily injury to or death of
22 one person in any one accident and, subject to said
23 limit for one person, Sixty Thousand Dollars
24 (\$60,000.00) because of bodily injury to or death of

1 two or more persons in any one accident, and Thirty
2 Thousand Dollars (\$30,000.00) because of injury to or
3 destruction of property of others in any one accident,
4 b. beginning on January 1, 2024, Thirty-five Thousand
5 Dollars (\$35,000.00) because of bodily injury to or
6 death of one person in any one accident and, subject
7 to said limit for one person, Seventy Thousand Dollars
8 (\$70,000.00) because of bodily injury to or death of
9 two or more persons in any one accident, and Thirty-
10 five Thousand Dollars (\$35,000.00) because of injury
11 to or destruction of property of others in any one
12 accident,
13 c. beginning on January 1, 2025, Forty Thousand Dollars
14 (\$40,000.00) because of bodily injury to or death of
15 one person in any one accident and, subject to said
16 limit for one person, Eighty Thousand Dollars
17 (\$80,000.00) because of bodily injury to or death of
18 two or more persons in any one accident, and Forty
19 Thousand Dollars (\$40,000.00) because of injury to or
20 destruction of property of others in any one accident,
21 d. beginning on January 1, 2026, Forty-five Thousand
22 Dollars (\$45,000.00) because of bodily injury to or
23 death of one person in any one accident and, subject
24 to said limit for one person, Ninety Thousand Dollars

1 (\$90,000.00) because of bodily injury to or death of
2 two or more persons in any one accident, and Forty-
3 five Thousand Dollars (\$45,000.00) because of injury
4 to or destruction of property of others in any one
5 accident, and

6 e. beginning on January 1, 2027, Fifty Thousand Dollars
7 (\$50,000.00) because of bodily injury to or death of
8 one person in any one accident and, subject to said
9 limit for one person, One Hundred Thousand Dollars
10 (\$100,000.00) because of bodily injury to or death of
11 two or more persons in any one accident, and Fifty
12 Thousand Dollars (\$50,000.00) because of injury to or
13 destruction of property of others in any one accident;
14 and

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

18 ~~(e)~~ C. Operator's policy. Such operator's policy of liability
19 insurance shall insure the person named as insured therein against
20 loss from the liability imposed upon him or her by law for damages
21 arising out of the use by him or her of any motor vehicle not owned
22 by him or her, within the same territorial limits and subject to the
23 same limits of liability as are set forth above with respect to an
24 owner's policy of liability insurance.

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

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

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

20 1. The liability of the insurance carrier with respect to the
21 insurance required by this title shall become absolute whenever
22 injury or damage covered by said motor vehicle liability policy
23 occurs; said policy may not be canceled or annulled as to such
24 liability by any agreement between the insurance carrier and the

1 insured after the occurrence of the injury or damage; no statement
2 made by the insured or on his or her behalf and no violation of said
3 policy shall defeat or void said policy.

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

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

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

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

1 apply only to that part of the coverage which is required by this
2 section.

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

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

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

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

17 SECTION 2. This act shall become effective January 1, 2023.

18
19 58-2-9741 MJ 12/27/21
20
21
22
23
24