

SENATE BILL NO. 160

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-SIXTH LEGISLATURE - FIRST SESSION

BY SENATOR HUGGINS BY REQUEST

Introduced: 3/20/09

Referred: Transportation, Labor and Commerce

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to the maximum amount of uninsured and underinsured coverage**
2 **payable under multiple motor vehicle insurance policies issued by the same insurer in**
3 **the same household."**

4 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

5 * **Section 1.** AS 28.20.445(c) is amended to read:

6 (c) If a person is entitled to uninsured or underinsured motorists coverage
7 under more than one coverage when two or more vehicles are insured under one
8 policy, the maximum amount payable may not exceed the highest limit of any one
9 coverage under the policy. If a person is entitled [AS A NAMED INSURED] to
10 uninsured or underinsured **motorists** [MOTORIST] coverage under more than one
11 motor vehicle policy issued by the same insurer **in the same household**, the maximum
12 amount payable may be limited to the highest limit of any one coverage under the
13 policies. If a person is entitled to uninsured or underinsured **motorists** [MOTORIST]
14 coverage under more than one policy providing motor vehicle liability coverage,

1 payments will be made in the following order of priority, subject to the limit of
2 liability of each applicable policy or coverage:

3 (1) a policy or coverage covering a motor vehicle occupied by the
4 injured person or a policy or coverage covering a pedestrian as a named insured;

5 (2) a policy or coverage covering a motor vehicle occupied by the
6 injured person as an insured other than as a named insured;

7 (3) a policy or coverage not covering a motor vehicle occupied by the
8 injured person but covering the injured person as a named insured;

9 (4) a policy or coverage not covering a motor vehicle occupied by the
10 injured person but covering the injured person as an insured other than as a named
11 insured;

12 (5) a policy or coverage covering, as excess, umbrella, or similar
13 insurance, a motor vehicle occupied by the injured person or a policy or coverage
14 covering, as excess, umbrella, or similar insurance, a pedestrian as a named insured;

15 (6) a policy or coverage covering, as excess, umbrella, or similar
16 insurance, a motor vehicle occupied by the injured person or a policy or coverage
17 covering, as excess, umbrella, or similar insurance, a pedestrian as an insured other
18 than as a named insured;

19 (7) a policy or coverage not covering a motor vehicle occupied by the
20 injured person but covering, as excess, umbrella, or similar insurance, the injured
21 person as a named insured;

22 (8) a policy or coverage not covering a motor vehicle occupied by the
23 injured person but covering, as excess, umbrella, or similar insurance, the injured
24 person as an insured other than as a named insured.

25 * **Sec. 2.** AS 28.22.221 is amended to read:

26 **Sec. 28.22.221. Uninsured and underinsured motorists policy coverage and**
27 **priorities.** If a person is entitled to uninsured or underinsured motorists coverage
28 under more than one coverage when two or more vehicles are insured under one
29 policy, the maximum amount payable may not exceed the highest limit of any one
30 coverage under the policy. If a person is entitled [AS A NAMED INSURED] to
31 uninsured or underinsured **motorists** [MOTORIST] coverage under more than one

1 motor vehicle policy issued by the same insurer **in the same household**, the maximum
2 amount payable may be limited to the highest limit of any one coverage under the
3 policies. If a person is entitled to uninsured or underinsured **motorists** [MOTORIST]
4 coverage under more than one policy providing motor vehicle liability coverage,
5 payments will be made in the following order of priority, subject to the limit of
6 liability of each applicable policy or coverage:

7 (1) a policy or coverage covering a motor vehicle occupied by the
8 injured person or a policy or coverage covering a pedestrian as a named insured;

9 (2) a policy or coverage covering a motor vehicle occupied by the
10 injured person as an insured other than as a named insured;

11 (3) a policy or coverage not covering a motor vehicle occupied by the
12 injured person but covering the injured person as a named insured;

13 (4) a policy or coverage not covering a motor vehicle occupied by the
14 injured person but covering the injured person as an insured other than as a named
15 insured;

16 (5) a policy or coverage covering, as excess, umbrella, or similar
17 insurance, a motor vehicle occupied by the injured person or a policy or coverage
18 covering, as excess, umbrella, or similar insurance, a pedestrian as a named insured;

19 (6) a policy or coverage covering, as excess, umbrella, or similar
20 insurance, a motor vehicle occupied by the injured person or a policy or coverage
21 covering, as excess, umbrella, or similar insurance, a pedestrian as an insured other
22 than as a named insured;

23 (7) a policy or coverage not covering a motor vehicle occupied by the
24 injured person but covering, as excess, umbrella, or similar insurance, the injured
25 person as a named insured;

26 (8) a policy or coverage not covering a motor vehicle occupied by the
27 injured person but covering, as excess, umbrella, or similar insurance, the injured
28 person as an insured other than as a named insured.