

1 AN ACT relating to required minimum tort liability coverage for motor vehicles.

2 ***Be it enacted by the General Assembly of the Commonwealth of Kentucky:***

3 ➔Section 1. KRS 304.39-110 is amended to read as follows:

4 (1) The requirement of security for payment of tort liabilities is fulfilled by providing:

5 (a) Either:

6 1. Split limits liability coverage of not less than twenty-five thousand
7 dollars (\$25,000) for all damages arising out of bodily injury sustained
8 by any one (1) person, and not less than fifty thousand dollars (\$50,000)
9 for all damages arising out of bodily injury sustained by all persons
10 injured as a result of any one (1) accident, plus liability coverage of not
11 less than twenty-five~~ten~~ thousand dollars (\$25,000~~[\$10,000]~~) for all
12 damages arising out of damage to or destruction of property, including
13 the loss of use thereof, as a result of any one (1) accident arising out of
14 ownership, maintenance, use, loading, or unloading, of the secured
15 vehicle; or

16 2. Single limits liability coverage of not less than sixty thousand dollars
17 (\$60,000) for all damages whether arising out of bodily injury or damage
18 to property as a result of any one (1) accident arising out of ownership,
19 maintenance, use, loading, or unloading, of the secured vehicle;

20 (b) That the liability coverages apply to accidents during the contract period in a
21 territorial area not less than the United States of America, its territories and
22 possessions, and Canada; and

23 (c) Basic reparation benefits as defined in KRS 304.39-020(2).

24 (2) Subject to the provisions on approval of terms and forms, the requirement of
25 security for payment of tort liabilities may be met by a contract the coverage of
26 which is secondary or excess to other applicable valid and collectible liability
27 insurance. To the extent the secondary or excess coverage applies to liability within

1 the minimum security required by this subtitle it must be subject to conditions
2 consistent with the system of required liability insurance established by this subtitle.

3 (3) Security for a motorcycle is fulfilled by providing only the coverages set forth in
4 subsections (1)(a) and (b) of this section.

5 ➔Section 2. KRS 187.290 is amended to read as follows:

6 As used in this chapter, unless the context requires otherwise:

7 (1) "Cabinet" means the Transportation Cabinet.

8 (2) "Highways" means every way or place of whatever nature when any part of it is
9 open to the use of the public, as a matter of right, license or privilege, for purpose of
10 vehicular traffic.

11 (3) "Judgment" means any judgment which has become final by expiration without
12 appeal of the time within which an appeal might have been perfected, or by final
13 affirmation on appeal, rendered by a court of competent jurisdiction of any state or
14 of the United States, upon a cause of action arising out of the ownership,
15 maintenance or use of any motor vehicle, for damages, including damages for care
16 and loss of services, because of bodily injury to or death of any person, or for
17 damages because of injury to or destruction of property, including the loss of use
18 thereof, or upon a cause of action on an agreement of settlement for such damages.

19 (4) "Motor vehicle" means every self-propelled vehicle which is designed for use upon
20 a highway, including trailers designed for use with such vehicles (except traction
21 engines, road rollers, farm tractors, tractor cranes, power shovels, mopeds, and well
22 drillers) and every vehicle which is propelled by electric power obtained from
23 overhead wires but not operated upon rails.

24 (5) "Moped" means either a motorized bicycle whose frame design may include one (1)
25 or more horizontal crossbars supporting a fuel tank so long as it also has pedals, or a
26 motorized bicycle with a step-through type frame which may or may not have
27 pedals rated no more than two (2) brake horsepower, a cylinder capacity not

- 1 exceeding fifty (50) cubic centimeters, an automatic transmission not requiring
2 clutching or shifting by the operator after the drive system is engaged, and capable
3 of a maximum speed of not more than thirty (30) miles per hour;
- 4 (6) "License" means any operator's license, temporary instruction permit or temporary
5 license issued under the laws of this state pertaining to the licensing of operators.
- 6 (7) "Nonresident" means every person who is not a resident of this state.
- 7 (8) "Nonresident's operating privilege" means the privilege conferred upon a
8 nonresident by the laws of this state pertaining to the operation by him of a motor
9 vehicle, or the use of a motor vehicle owned by him, in this state.
- 10 (9) "Operator" means every person who is in actual physical control of a motor vehicle.
- 11 (10) "Owner" means a person who holds the legal title of a motor vehicle, or in the event
12 a motor vehicle is the subject of an agreement for the conditional sale or lease
13 thereof with the right of purchase upon performance of the conditions stated in the
14 agreement and with an immediate right of possession vested in the conditional
15 vendee or lessee or in the event a mortgagor of a vehicle is entitled to possession,
16 then such conditional vendee or lessee or mortgagor shall be deemed the owner for
17 the purposes of this chapter.
- 18 (11) "Proof of financial responsibility" means proof of ability to respond in damages for
19 liability, on account of accidents occurring subsequent to the effective date of said
20 proof, arising out of the ownership, maintenance or use of a motor vehicle in
21 amounts meeting the requirements of Section 1 of this Act~~the amount of twenty-~~
22 ~~five thousand dollars (\$25,000) because of bodily injury to or death of one (1)~~
23 ~~person in any one (1) accident, and, subject to said limit for one (1) person, in the~~
24 ~~amount of fifty thousand dollars (\$50,000) because of bodily injury to or death of~~
25 ~~two (2) or more persons in any one (1) accident, and in the amount of ten thousand~~
26 ~~dollars (\$10,000) because of injury to or destruction of property of others in any one~~
27 ~~(1) accident].~~

1 (12) "Registration" means registration certificates and registration plates issued under the
2 laws of this state pertaining to the registration of motor vehicles.

3 (13) "State" means any state, territory or possession of the United States, the District of
4 Columbia, or any province of the Dominion of Canada.

5 ➔Section 3. Section 1 of this Act shall apply to policies issued or renewed on or
6 after January 1, 2018.