

PLEASE NOTE: Legislative Information **cannot** perform research, provide legal advice, or interpret Maine law. For legal assistance, please contact a qualified attorney.

An Act To Clarify the Uninsured Motorist Laws

Be it enacted by the People of the State of Maine as follows:

Sec. 1. 24-A MRS §2902, sub-§1, as amended by PL 1975, c. 437, §1, is further amended to read:

1. ~~No~~A policy insuring against liability arising out of the ownership, maintenance or use of any motor vehicle ~~shall~~may not be delivered or issued for delivery in this State with respect to any such vehicle registered or principally garaged in this State, unless coverage is provided ~~therein the policy~~ or supplemental ~~thereto the policy~~ for the protection of persons insured ~~thereunder~~under the policy who are legally entitled to recover damages from owners or operators of uninsured, underinsured or hit-and-run motor vehicles, for bodily injury, sickness or disease, including death, sustained by an insured person resulting from the ownership, maintenance or use of such uninsured, underinsured or hit-and-run motor vehicle. The coverage ~~herein~~ required by this section may be referred to as "uninsured vehicle coverage." For the purposes of this section, "underinsured motor vehicle" means a motor vehicle for which coverage is provided, but in amounts less than the minimum limits for bodily injury liability insurance provided for under the motorist's financial responsibility laws of this State or less than the limits of the injured party's uninsured vehicle coverage.

SUMMARY

This bill is submitted by the Joint Standing Committee on Insurance and Financial Services pursuant to Resolve 2005, chapter 100. The bill clarifies the Legislature's intent regarding the uninsured motorist statute in response to the Law Court's decision in Butterfield v. Norfolk and Dedham Mutual Fire Insurance Company, 2004 ME 124, Maine Supreme Judicial Court, September 30, 2004. The bill clarifies that an insurance policy may limit uninsured motorist coverage to the recovery of damages by an insured person under the policy for bodily injury, sickness or disease, including death, sustained by that insured person.