

SENATE BILL No. 279

DIGEST OF INTRODUCED BILL

Citations Affected: IC 34-51-6.

Synopsis: Prohibition against damages for uninsured drivers. Prohibits the following individuals from recovering certain damages: (1) An individual who is operating a motor vehicle for which financial responsibility is not in effect at the time of an accident that is the cause of the individual's injuries. (2) An individual who is the owner of a motor vehicle for which financial responsibility is not in effect at the time of an accident that is the cause of the individual's injuries.

Effective: July 1, 1999.

Jackman

January 7, 1999, read first time and referred to Committee on Insurance and Financial Institutions.

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First Regular Session 111th General Assembly (1999)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 1998 General Assembly.

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SENATE BILL No. 279



A BILL FOR AN ACT to amend the Indiana Code concerning civil law and procedure.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 34-51-6 IS ADDED TO THE INDIANA CODE AS
2 A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY
3 1, 1999]:

4 **Chapter 6. Prohibition Against Recovery by Certain Individuals**
5 **Sec. 1. This chapter applies to the following:**

- 6 (1) **An individual who is the operator of a motor vehicle:**
 - 7 (A) **that is involved in an accident; and**
 - 8 (B) **for which financial responsibility under IC 9-25 was**
 - 9 **not in effect at the time of the accident.**
- 10 (2) **An individual who is the owner of a motor vehicle:**
 - 11 (A) **that is involved in an accident; and**
 - 12 (B) **for which financial responsibility under IC 9-25 was**
 - 13 **not in effect at the time of the accident.**

14 **Sec. 2. (a) An individual described in section 1 of this chapter**
15 **may not recover losses for pain, suffering, inconvenience, physical**
16 **impairment, disfigurement, or other nonpecuniary damages**
17 **arising from an accident described in section 1 of this chapter.**



1 **(b) An insurer is not liable, directly or indirectly, under a policy**
2 **of liability or uninsured motorist insurance to indemnify a**
3 **policyholder for nonpecuniary damages to an individual described**
4 **in section 1 of this chapter.**

5 SECTION 2. [EFFECTIVE JULY 1, 1999] **IC 34-51-6, as added**
6 **by this act, does not apply to an action for damages filed before**
7 **July 1, 1999.**

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