

HOUSE BILL NO. HB0215

Motor vehicle insurance-financial responsibility.

Sponsored by: Representative(s) Berger, Iekel and Nicholas and Senator(s) Burns

A BILL

for

1 AN ACT relating to motor vehicle insurance; increasing  
2 motor vehicle financial responsibility requirements;  
3 requiring uninsured and underinsured coverage; making  
4 conforming amendments; and providing for an effective date.

5

6 *Be It Enacted by the Legislature of the State of Wyoming:*

7

8 **Section 1.** W.S. 31-9-102(a)(xi), 31-9-202(d),  
9 31-9-405(a) and (b)(ii), 31-9-409(a) and 31-10-101 are  
10 amended to read:

11

12 **31-9-102. Definitions.**

13

14 (a) As used in this act:

15

1           (xi) "Proof of financial responsibility" means  
2 evidence of ability to respond in damages for liability,  
3 resulting from accidents occurring subsequent to the  
4 effective date of the proof, arising out of the ownership,  
5 maintenance or use of a motor vehicle, in the amount of  
6 ~~twenty-five thousand dollars (\$25,000.00)~~ fifty thousand  
7 dollars (\$50,000.00) because of bodily injury to or death  
8 of one (1) person in any one (1) accident, and subject to  
9 the limit for one (1) person, in the amount of ~~fifty~~  
10 ~~thousand dollars (\$50,000.00)~~ one hundred thousand dollars  
11 (\$100,000.00) because of bodily injury to or death of two  
12 (2) or more persons in any one (1) accident, and in the  
13 amount of ~~twenty thousand dollars (\$20,000.00)~~ twenty-five  
14 thousand dollars (\$25,000.00) because of injury to or  
15 destruction of property of others in any one (1) accident;

16

17           **31-9-202. Suspension of license and registration**  
18 **after accident report; exclusions and security**  
19 **requirements.**

20

21           (d) No insurance policy or surety bond is effective  
22 under this section unless issued by an insurance company or  
23 surety company authorized to do business in this state,  
24 except that if the motor vehicle was not registered in this

1 state, or was a motor vehicle which was registered  
2 elsewhere than in this state at the effective date of the  
3 policy or bond, or the most recent renewal thereof, the  
4 policy or bond is not effective under this section unless  
5 the insurance company or surety company if not authorized  
6 to do business in this state executes a power of attorney  
7 authorizing the division to accept service on its behalf of  
8 notice or process in any action upon the policy or bond  
9 arising out of the accident. Every policy or bond shall be  
10 subject, if the accident has resulted in bodily injury or  
11 death, to a limit, exclusive of interest and costs, of not  
12 less than ~~twenty-five thousand dollars (\$25,000.00)~~ fifty  
13 thousand dollars (\$50,000.00) because of bodily injury to  
14 or death of one (1) person in any one (1) accident and,  
15 subject to the limit for one (1) person, to a limit of not  
16 less than ~~fifty thousand dollars (\$50,000.00)~~ one hundred  
17 thousand dollars (\$100,000.00) because of bodily injury to  
18 or death of two (2) or more persons in any one (1)  
19 accident, and, if the accident has resulted in injury to or  
20 destruction of property, to a limit of not less than ~~twenty~~  
21 ~~thousand dollars (\$20,000.00)~~ twenty-five thousand dollars  
22 (\$25,000.00) because of injury to or destruction of  
23 property of others in any one (1) accident.

24

1           **31-9-405. "Liability policy" defined; required**  
2 **coverage; additional clauses.**

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4           (a) As used in this act "liability policy" means an  
5 owner's or an operator's policy of liability insurance,  
6 certified as provided in W.S. 31-9-403 or 31-9-404 as proof  
7 of financial responsibility, and issued, except as  
8 otherwise provided in W.S. 31-9-404, by an insurance  
9 carrier authorized to transact business in this state, to  
10 or for the benefit of the person named as insured. For the  
11 purposes of this act, "liability policy" shall also include  
12 the uninsured and underinsured coverage required by W.S.  
13 31-10-101, and every provision of law referencing liability  
14 policy requirements of this act shall be interpreted to  
15 include coverage required by W.S. 31-10-101.

16  
17           (b) An owner's policy of liability insurance shall:

18  
19           (ii) Insure the person named and, except for  
20 persons specifically excluded pursuant to W.S. 26-35-105,  
21 any other person, as insured, using any covered motor  
22 vehicle with the express or implied permission of the named  
23 insured against loss from the liability imposed by law for  
24 damages arising out of the ownership, maintenance or use of

1 the motor vehicle within the United States of America or  
2 the Dominion of Canada, subject to limits exclusive of  
3 interest and costs with respect to each motor vehicle, as  
4 follows: ~~twenty five thousand dollars (\$25,000.00)~~ fifty  
5 thousand dollars (\$50,000.00) because of bodily injury to  
6 or death of one (1) person in any one (1) accident and,  
7 subject to the limit for one (1) person, ~~fifty thousand~~  
8 ~~dollars (\$50,000.00)~~ one hundred thousand dollars  
9 (\$100,000.00) because of bodily injury to or death of two  
10 (2) or more persons in any one (1) accident and ~~twenty~~  
11 ~~thousand dollars (\$20,000.00)~~ twenty-five thousand dollars  
12 (\$25,000.00) because of injury to or destruction of  
13 property of others in any one (1) accident.

14

15 **31-9-409. Cash and securities deposited with state**  
16 **treasurer.**

17

18 (a) Proof of financial responsibility may be  
19 evidenced by the certificate of the state treasurer that  
20 the person named therein has deposited with him ~~twenty five~~  
21 ~~thousand dollars (\$25,000.00)~~ fifty thousand dollars  
22 (\$50,000.00) in cash, or securities as provided by W.S.  
23 9-4-821 or as may legally be purchased for trust funds of a  
24 market value of ~~twenty five thousand dollars (\$25,000.00)~~

1 fifty thousand dollars (\$50,000.00). The state treasurer  
2 shall not accept any deposit and issue a certificate  
3 therefor and the division shall not accept the certificates  
4 unless accompanied by evidence that there are no  
5 unsatisfied judgments of any character against the  
6 depositor in the county where the depositor resides.

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8 **31-10-101. Required coverage.**

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10 No policy insuring against loss resulting from liability  
11 imposed by law for bodily injury or death suffered by any  
12 natural person arising out of the ownership, maintenance or  
13 use of a motor vehicle shall be delivered or issued for  
14 delivery in this state with respect to any motor vehicle  
15 registered or principally garaged in this state unless  
16 coverage is provided therein, ~~or supplemental thereto,~~ in  
17 limits for bodily injury or death as provided by W.S.  
18 31-9-102(a)(xi), under provisions approved by the insurance  
19 commissioner for the protection of persons insured  
20 thereunder or legally entitled to recover damages from  
21 owners or operators of uninsured and underinsured motor  
22 vehicles because of bodily injury, sickness or disease,  
23 including death resulting therefrom. ~~The named insured may~~  
24 ~~reject the coverage. Unless the named insured requests the~~

1 ~~coverage in writing, the coverage need not be provided in~~  
2 ~~or supplemental to a renewal policy where the named insured~~  
3 ~~had rejected the coverage in connection with the policy~~  
4 ~~previously issued to him by the same insurer.~~

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6       **Section 2.** This act is effective July 1, 2004.

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(END)