Comments on Summary of Uninsured Motorist Laws

(*a*) *New York*

(1) Law limits coverage to accidents in New York (extra-territorial coverage available for $1 additional premium).

(2) MVAIC pays benefits to qualified persons, and on claims involving policies issued or renewed on or before 6/30/65.

(*b*) *South Carolina*

(1) Annual fee assessed against uninsured motorists (prescribed by Insurance Commissioner; not to exceed $50 (eff. 11/1/66)).

(2) Fund created by fees is used to pay cost of administration of the "Plan", and balance is distributed among insurers to pay for, at least in part, UM coverage

(*c*) *Arbitration prohibited* (*by statute*)

The following states have enacted Statutes which prohibit arbitration under UM coverage:

Mandatory UM States

South Carolina.—Section 46–750.37 S.C. Code.
Virginia.—Section 38.1 381(g) Va. Ins. Laws.
West Virginia.—Section 33–6–31 (g), W. Va. Code.

Statutory UM States

Arkansas.—Section 66–3233, Ark. Statutes.
Georgia.—Section 56–407 A(F) Ga. Code Annotated.
Louisiana.—Section 22:1406, D(5), La. Statutes Annotated.
Mississippi.—Section 5, House Bill No. 121 Laws of 1966 (eff. 5–18–66).
Tennessee.—Tenn. House Bill 479, Section 6, Paragraph 2.

(*d*) *Virginia*

(1) After 1/1/67 the insured was given right to contract for UM up to liability limits at extra cost.

(2) Annual fee of $50 (eff. 6/27/66) assessed against unsinsured motorists.

(3) Fund created by fees is used to pay cost of administration of the "Plan", and balance distributed among insurers to reduce the cost of UM coverage to policyholders.

(*e*) *California*

The insolvency provision is not a part of the Statute. Insolvency provisions were provided by a court ruling (9/16/66).

(*f*) *Kentucky* (*Arbitration*)

Regulation I G 23 of Insurance Department: prohibits contracts which require arbitration.

(*g*) *North Carolina*

(1) $5/10/5 limits with $100 PD deductible eff. 9–1–65. Premium for this coverage $3.

(2) $15/30/5 limits available if liability limits of at least that amount. Premium $4.

(*h*) *Washington and California*

Limits $15/30 from 7/1/68.

Supplementary Information on State Financial Restrictions and Funds

California

Impoundment.—If an individual is involved in an accident and is found to be financially irresponsible, his vehicle is impounded until financial responsibility can be proven.