

SENATE, No. 1558

STATE OF NEW JERSEY
219th LEGISLATURE

INTRODUCED FEBRUARY 13, 2020

Sponsored by:

Senator NICHOLAS P. SCUTARI

District 22 (Middlesex, Somerset and Union)

SYNOPSIS

Requires automobile insurers to disclose policy limits upon request by an attorney under certain circumstances.

CURRENT VERSION OF TEXT

As introduced.



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1 AN ACT concerning disclosure of automobile insurance policy
2 limits and supplementing P.L.1972, c.70 (C.39:6A-1 et seq.).

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4 **BE IT ENACTED** by the Senate and General Assembly of the State
5 of New Jersey:

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7 1. a. An insurer who receives a request, from an attorney
8 admitted to the practice of law in this State, for disclosure of the
9 policy limits under a private passenger automobile insurance policy
10 issued by the insurer to an insured, shall provide written disclosure
11 of the policy limits to the attorney no later than 30 days from
12 receipt of the request. The disclosure shall indicate the limits of all
13 private passenger automobile insurance policies and any applicable
14 umbrella or excess liability insurance policies issued by the insurer
15 to the insured.

16 b. A request for disclosure of policy limits shall be in writing
17 and shall include:

18 (1) a statement that the attorney represents an individual who
19 has suffered bodily injury or death alleged to be caused by a motor
20 vehicle accident with an insured under a private passenger
21 automobile insurance policy issued by the insurer;

22 (2) the name and last known address of the insured;

23 (3) the date and approximate time of the motor vehicle accident;
24 and

25 (4) a copy of the accident report, if available, relating to the
26 motor vehicle accident.

27 c. Disclosure of policy limits under this section shall not
28 constitute an admission that the alleged injury or damage is subject to
29 the policy.

30 d. Information concerning the insurance policy shall not be
31 admissible as evidence at trial by reason of disclosure pursuant to this
32 section.

33 e. The Department of Banking and Insurance shall publish on its
34 website the email address of each insurer, which shall be supplied by
35 each insurer issuing private passenger automobile policies in this State,
36 for the purpose of receiving requests for policy limit disclosures
37 pursuant to this section.

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39 2. This act shall take effect immediately, except subsection e. of
40 section 1 of this act shall take effect on the 60th day next following
41 enactment.

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STATEMENT

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46 This bill provides that an insurer who receives a request, from an
47 attorney admitted to the practice of law in this State, for disclosure
48 of the policy limits under a private passenger automobile insurance

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1 policy issued by the insurer to an insured, shall provide written
2 disclosure of the policy limits to the attorney within 30 days from
3 receipt of the request. The disclosure shall indicate the limits of all
4 private passenger automobile insurance policies and any applicable
5 umbrella or excess liability insurance policies issued by the insurer
6 to the insured.

7 The bill provides that a request for disclosure of policy limits
8 shall be in writing and shall include:

9 (1) a statement that the attorney represents an individual who
10 has suffered bodily injury or death alleged to be caused by a motor
11 vehicle accident with an insured under a private passenger
12 automobile insurance policy issued by the insurer;

13 (2) the name and last known address of the insured;

14 (3) the date and approximate time of the motor vehicle accident;
15 and

16 (4) a copy of the accident report, if available, relating to the
17 motor vehicle accident

18 Under the bill, disclosure of policy limits does not constitute an
19 admission that the alleged injury or damage is subject to the policy,
20 and information concerning the insurance policy is not admissible
21 as evidence at trial by reason of disclosure pursuant to the bill.

22 The Department of Banking and Insurance is required to publish
23 on its website the email address of each insurer, which shall be
24 supplied by each insurer issuing private passenger automobile
25 policies in this State, for the purpose of receiving requests for
26 policy limit disclosures. This provision takes effect on the 60th day
27 next following enactment of the bill.