

ASSEMBLY, No. 2717

STATE OF NEW JERSEY

INTRODUCED FEBRUARY 3, 1997

By Assemblymen GARRETT and GARCIA

1 AN ACT concerning insurance for certain out-of-state motor vehicles
2 in this State and amending P.L.1985, c.520.

3

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

6

7 1. Section 18 of P.L.1985, c.520 (C.17:28-1.4) is amended to read
8 as follows:

9 18. Any insurer authorized to transact or transacting automobile or
10 motor vehicle insurance business in this State, or controlling or
11 controlled by, or under common control by, or with, an insurer
12 authorized to transact or transacting automobile or motor vehicle
13 insurance business in this State, which sells a policy providing
14 automobile or motor vehicle liability insurance coverage, or any similar
15 coverage, in any other state or in any province of Canada, shall include
16 in each policy coverage to satisfy at least the liability insurance
17 requirements of section 1 of P.L.1972, c.197 (C.39:6B-1) or section
18 3 of P.L.1972, c.70 (C.39:6A-3), the uninsured motorist insurance
19 requirements of subsection a. of section 2 of P.L.1968, c.385
20 (C.17:28-1.1), and personal injury protection benefits coverage
21 pursuant to section 4 of P.L.1972, c. 70 (C.39:6A-4) or of section 19
22 of P.L.1983, c.362 (C.17:28-1.3), whenever the automobile or motor
23 vehicle insured under the policy is used or operated in this State.

24 Any liability insurance policy subject to this section shall be
25 construed as providing the coverage required herein, and any named
26 insured, and any immediate family member as defined in section 14.1
27 of P.L.1983, c.362 (C.39:6A-8.1), under that policy, shall be subject
28 to the tort option specified in subsection a. of section 8 of P.L.1972,
29 c.70 (C.39:6A-8).

30 Each insurer authorized to transact or transacting automobile or
31 motor vehicle insurance business in this State and subject to the
32 provisions of this section shall[, within 30 days of the effective date of
33 P.L.1985, c.520,] file and maintain with the Department of Banking
34 and Insurance written certification of compliance with the provisions

EXPLANATION - Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and intended to be omitted in the law.

Matter underlined thus is new matter.

1 of this section.

2 "Automobile" means an automobile as defined in section 2 of
3 P.L.1972, c.70 (C.39:6A-2).

4 (cf: P.L.1988, c.119, s.1)

5

6 2. This act shall take effect immediately.

7

8

9

STATEMENT

10

11 This bill amends the statute which requires insurers authorized to
12 transact or transacting automobile or motor vehicle insurance business
13 in this State, or controlling or controlled by an insurer authorized to
14 transact or transacting business in this State, to provide to the out-of-
15 state insureds who they insure for liability insurance coverage the same
16 automobile or motor vehicle insurance coverage required of New
17 Jersey drivers whenever the automobile or motor vehicle insured under
18 the policy is used or operated in this State. This bill clarifies that the
19 controlling or affiliated insurer must also be transacting automobile or
20 motor vehicle insurance business to be subject to the provisions of the
21 statute.

22

23

24

25

26 Clarifies insurance coverage compliance requirement for out-of-state
27 automobiles and motor vehicles.