

Regular Session, 2012

ACT No. 221

HOUSE BILL NO. 1195 (Substitute for House Bill No. 622 by Representative Jackson)

BY REPRESENTATIVE KATRINA JACKSON

1 AN ACT

2 To amend and reenact R.S. 32:871(A) and 872(A), relative to uninsured motorists; to
3 provide for reimbursement for damages; and to provide for related matters.

4 Be it enacted by the Legislature of Louisiana:

5 Section 1. R.S. 32:871(A) and 872(A) are hereby amended and reenacted to read as
6 follows:

7 §871. Report required following accident; availability

8 A. The operator of every motor vehicle which is in any manner involved in
9 an accident within this state, in which any person is killed or injured or in which
10 damage to the property of any one person, including himself, ~~in excess of five~~
11 ~~hundred dollars is sustained~~, may report, in writing, to the commissioner a claim for
12 property damages and damages for physical injury sustained as a result of such
13 accident. Such report, the form of which shall be prescribed by the commissioner,
14 shall declare in writing that the motor vehicle is covered by security as required by
15 this Chapter, including the name of the insurance company, policy number, effective
16 dates of the policy, and the amount of said security, listing the liability limits as well
17 as bodily injury and property damage limits if also maintained, and such other
18 information as the commissioner may require to enable him to determine whether the
19 requirements for the deposit of security under R.S. 32:872 are applicable by reason
20 of the existence of insurance or other exceptions specified in this Chapter. The
21 commissioner may rely upon the accuracy of the information unless and until he has
22 reason to believe that the information is erroneous. If such operator is physically
23 incapable of making such report, the owner of the motor vehicle involved in such

1 accident, may make such report. The operator or the owner shall furnish such
2 additional relevant information as the commissioner shall require.

3 * * *

4 §872. Security and proof of financial responsibility required unless evidence of
5 insurance; when security determined; suspension; exception

6 A. If, twenty days after the receipt of a report of a motor vehicle accident
7 within this state which has resulted in bodily injury or death, or damage to property
8 of any one person ~~in excess of five hundred dollars, or if the damage is to property~~
9 ~~owned by the state of Louisiana in an amount in excess of fifty dollars,~~ the secretary
10 does not have on file evidence satisfactory to him that the person who would
11 otherwise be required to file security and give proof of financial responsibility under
12 Subsection B of this Section has been released from liability, or has been finally
13 adjudicated not to be liable, or has executed a duly acknowledged written agreement
14 providing for the payment of an agreed amount in installments with respect to all
15 claims for injuries or damages resulting from the accident, the secretary shall
16 determine the amount of security which shall be sufficient in his judgment to satisfy
17 any judgment or judgments for damages resulting from such accidents as may be
18 recovered against each operator or owner.

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____