

Insurance Companies—Damage to Persons.

Damage to persons is not an insurable risk under the laws of Montana.

Oct. 8th, 1919.

Hon. Geo. P. Porter,
Commissioner of Insurance,
Building.

Dear Sir:

I have your letter of September 17th, with which you submitted a duly certified copy of amendment to the charter of the St. Paul Fire & Marine Insurance Company, with the request that I advise you as to whether or not this company can do the class of business designated in the amendment to its charter.

In 1911 the legislature passed Chapter 114, amending Section 4050 of the Revised Codes of 1907. This particular act relates to insurance companies and defines the kinds and classes of business to be carried on by such companies. This Act in Section 2 provides as follows:

“* * * Combinations may be permitted of the different classes herein established, under one incorporation, except that fire insurance companies may not transact any other character of business than that designated in paragraph one of the preceding chapter.”

It will be noted from the amendment of the charter of the St. Paul Fire & Marine Insurance Company that one of the risks which this company intends to carry is designated as follows:

“To insure against loss or damage to automobiles or other vehicles and their contents, by collision, fire, burglary or theft, and other perils of operation, and against liability for damage to *persons*.”

Damage to persons is not a risk which an insurance company such as the St. Paul Fire & Marine Insurance Company is permitted to carry under the laws of Montana. With the exception of this particular risk there is no objection to the amended charter. You may therefore act accordingly.

Respectfully,

S. C. FORD,

Attorney General.