

HOUSE JOINT RESOLUTION NO. 55

INTRODUCED BY MARKS, TURNAGE,  
METCALF, MENAHAN, FABREGA

IN THE HOUSE

March 18, 1981	Introduced and referred to Committee on Business and Industry.
March 26, 1981	Committee recommend bill do pass. Report adopted.  Bill printed and placed on members' desks.
April 1, 1981	Second reading, pass consideration to the 75th legislative day.
April 7, 1981	Pass consideration to the 78th legislative day.
April 9, 1981	Second reading, do pass.  On motion rules suspended and bill placed on third reading this day.  Third reading, passed. Ayes, 92; Noes, 1. Transmitted to Senate.

IN THE SENATE

April 10, 1981	Introduced and referred to Committee on Business and Industry.
April 15, 1981	Committee recommend bill be concurred in. Report adopted.
April 17, 1981	Second reading, concurred in.  On motion rules suspended. Bill placed on calendar for third reading this day.

April 17, 1981

Third reading, concurred in.  
Ayes, 49; Noes, 0.

IN THE HOUSE

April 20, 1981

Returned from Senate. Con-  
curred in. Sent to enrolling.

Reported correctly enrolled.

1                    HOUSE    JOINT RESOLUTION NO. 55  
 2    INTRODUCED BY Mike Turuaga  
 3    Metcalfe Menahan

4    A JOINT RESOLUTION OF THE SENATE AND THE HOUSE OF  
 5    REPRESENTATIVES OF THE STATE OF MONTANA REQUESTING AN  
 6    INTERIM STUDY OF PROVISIONS GOVERNING MOTOR VEHICLE  
 7    LIABILITY INSURANCE IN MONTANA.

8  
 9            WHEREAS, Montana law now requires liability insurance  
 10    protection as a condition of registration and operation of a  
 11    motor vehicle in the state; and

12           WHEREAS, Montana law prescribes those matters that a  
 13    motor vehicle liability policy must address; and

14           WHEREAS, motor vehicle liability policies insure, with  
 15    respect to the named insured, vehicles designated in the  
 16    policy; and

17           WHEREAS, motor vehicle insurance policies also insure  
 18    persons other than the named insured with respect to  
 19    designated vehicles; and

20           WHEREAS, motor vehicle insurance policies insure the  
 21    named insured with respect to liabilities arising from the  
 22    operation of motor vehicles not owned by him but which he  
 23    operates as if they were his insured vehicles; and

24           WHEREAS, the statute requiring the maintenance of  
 25    liability protection together with standard industry

1    practice and state law with regard to the form and content  
 2    of the liability insurance policy have created a situation  
 3    in which insurance companies are able to receive insurance  
 4    premium payments for coverage of vehicles that are only  
 5    occasionally exposed to the risk against which they are  
 6    insured; and

7            WHEREAS, insurance rates are based on the number of  
 8    vehicles insured rather than the risk exposure represented  
 9    by those vehicles; and

10           WHEREAS, the state has a duty to assure that windfall  
 11    profits are not bestowed on the insurance industry as a  
 12    consequence of the effort to protect the state's citizenry  
 13    from the irresponsible motorist.

14  
 15    NOW, THEREFORE, BE IT RESOLVED BY THE SENATE AND THE HOUSE  
 16    OF REPRESENTATIVES OF THE STATE OF MONTANA:

17            (1) That an appropriate interim committee be assigned  
 18    to study the regulation of motor vehicle liability  
 19    protection in Montana.

20            (2) That the committee include in its study a  
 21    consideration of at least the following:

22            (a) the rate structures for motor vehicle liability  
 23    insurance offered for sale in Montana;

24            (b) the feasibility of requiring policies to be  
 25    offered that would insure against the liability of the

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1 operator of any vehicle regardless of ownership and that  
2 coverage be a mandatory condition precedent to the issuance  
3 of an operator's license in lieu of coverage being based  
4 upon the vehicle or its ownership; and

5 (c) whether state laws now adequately promote adequate  
6 protection of citizens from irresponsible motorists at a  
7 reasonable cost for the protection provided.

8 (3) That the committee submit a report of its findings  
9 under paragraph (2) and any other findings together with its  
10 recommendations to the 48th Legislature.

-End-

Approved by Committee  
on Business and Industry

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2    INTRODUCED BY *Marks Turnoagl Falanga*

3    *Metcalfe Menahan*

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