

HOUSE JOINT RESOLUTION NO. 16

Introduced: 01/28/83

Referred to Committee on Business & Industry: 01/28/83

Hearing: 2/4/83

Report: 02/04/83, Do Pass

2nd Reading: 2/8/83, Do Pass

3rd Reading: 02/10/83, Do Pass

Transmitted to Senate: 2/10/83

Referred to Committee on Business & Industry: 02/11/83

Hearing: 3/11/83

Died in Senate Committee

1 *McBain* *House* JOINT RESOLUTION NO. *16*  
 2 INTRODUCED BY *Menahan* *Wicks* *Enright* *M. Hart*  
 3 *Daily* *Keenan* *J. Sensen* *Sammons* *Metcalfe*  
 4 A JOINT RESOLUTION OF THE SENATE AND THE HOUSE OF *Uchida*  
 REPRESENTATIVES OF THE STATE OF MONTANA REQUESTING AN *Manual*  
 INTERIM STUDY OF PROVISIONS GOVERNING MOTOR VEHICLE  
 LIABILITY INSURANCE IN MONTANA. *Enright* *Doz*

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

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  
6 sufficient protection of citizens from irresponsible  
7 motorists at a reasonable cost for the protection provided.

8 (3) That the committee submit a report of its findings  
9 under (2) and any other findings, together with its  
10 recommendations, to the 49th Legislature.

-End-

Approved by Committee  
on Business and Industry

1 *McBain* *House* JOINT RESOLUTION NO. *16*  
2 INTRODUCED BY *Menahan* *Wicks* *Quilley* *W. Hart*  
3 *Keenan* *J. Jensen* *Samuelson* *Mitcalfe*  
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5 REPRESENTATIVES OF THE STATE OF MONTANA REQUESTING AN  
6 INTERIM STUDY OF PROVISIONS GOVERNING MOTOR VEHICLE  
7 LIABILITY INSURANCE IN MONTANA. *Quisell* *Doz*

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 3 *with* *Robert* *Washington* *Keenan* *J. Jensen* *Saunders* *Mitcalfe*  
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