

1 **State of Arkansas**  
2 **79th General Assembly**  
3 **Regular Session, 1993**  
4 **By: Senator Dowd**

# A Bill

**SENATE BILL**

## For An Act To Be Entitled

"THE UNINSURED MOTORIST COVERAGE REFORM ACT."

### Subtitle

"THE UNINSURED MOTORIST COVERAGE REFORM ACT."

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

SECTION 1. Title. This act may be referred to as "The Uninsured Motorist Coverage Reform Act."

SECTION 2. Purpose. The purpose of this act is to provide that a hit and run driver is presumed to be an uninsured motorist so that victims of hit and run drivers can recover against their uninsured motorist coverage.

SECTION 3. Subchapter 4 of Chapter 89 of Title 23 of the Arkansas Code Annotated is amended by adding the following section at the end thereof:

"23-89-406. Presumption. When the operator of any vehicle flees the scene of an accident or otherwise fails to comply with Arkansas Code Annotated 27-53-101 et seq., the vehicle shall be presumed to be an \_uninsured motor vehicle\_ for purposes of Arkansas Code Annotated 23-89-401 et seq. Such presumption may be rebutted by evidence that the operator of the vehicle had such liability insurance as is required by law on the date of the accident."

SECTION 4. All provisions of this act of a general and permanent nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code Revision Commission shall incorporate the same in the Code.

SECTION 5. If any provision of this act or the application thereof to

1 any person or circumstance is held invalid, such invalidity shall not affect  
2 other provisions or applications of the act which can be given effect without  
3 the invalid provision or application, and to this end the provisions of this  
4 act are declared to be severable.

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6 SECTION 6. All laws and parts of laws in conflict with this act are  
7 hereby repealed.

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