

**Hall of the House of Representatives**  
91st General Assembly - Regular Session, 2017  
**Amendment Form**

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**Subtitle of House Bill No. 2193**

TO AMEND THE LAW CONCERNING DRIVERS EXCLUDED FROM A MOTOR VEHICLE INSURANCE  
POLICY; AND TO IMPOSE CRIMINAL LIABILITY ON THE INSURED DRIVER AND THE EXCLUDED  
DRIVER IN CERTAIN CIRCUMSTANCES.

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**Amendment No. 1 to House Bill No. 2193**

Amend House Bill No. 2193 as originally introduced:

Delete everything after the enacting clause and substitute the following:

"SECTION 1. Arkansas Code § 23-89-203 is amended to read as follows:  
23-89-203. Rejection of coverage.

(a) The named insured ~~shall have the right to~~ may reject in writing all or any one (1) or more of the coverages enumerated in § 23-89-202.

(b) After a named insured or applicant for insurance rejects this coverage, the insurer or any of its affiliates shall not be required to notify any insured in any renewal, reinstatement, substitute, amended, or replacement policy as to the availability of such coverage.

(c) A named insured that rejects coverage under subsection (a) of this section and excludes a driver from coverage may be personally liable for civil damages caused by the excluded driver if the named insured enabled an excluded driver to take the motor vehicle.

(d) If an excluded driver takes a motor vehicle knowing that he or she is not on the policy, the excluded driver shall be:

(1) Guilty of a Class A misdemeanor; and

(2) Personally liable for civil damages caused by the excluded driver.

(e)(1) Unless a named insured files a police report after an unnamed driver takes a motor vehicle, the named insured may be personally liable for civil damages caused by the unnamed driver if the named insured enabled an unnamed driver to take the motor vehicle without permission.

(2) If a named insured files a police report concerning the theft of the motor vehicle, the named insured is not personally liable for any damage caused by the unnamed driver."



The Amendment was read \_\_\_\_\_

By: Representative Hammer

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Chief Clerk