

State of Arkansas

77th General Assembly

Regular Session, 1989

A Bill

SENATE BILL

450

By: Senator Bradford

For An Act To Be Entitled

"AN ACT TO AMEND ARKANSAS CODE 23-89-209 PERTAINING TO UNDER-INSURED MOTORIST COVERAGE."

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

SECTION 1. Arkansas Code 23-89-209 is hereby amended to read as follows:

"(a) Every insurer writing automobile liability insurance, covering liability arising from the ownership, maintenance or use of any motor vehicle in this state, shall make available to the named insured 'underinsured motorist coverage' which enables the insured, or the insured's legal representatives, to recover from the insurer the amount of damages for bodily injury or death which the insured is legally entitled to recover from the owner or operator of another vehicle. The limit of liability of the 'underinsured motorist coverage' shall be reduced by the amount of bodily injury liability coverage available to or provided on behalf of the owner or operator of the other motor vehicle and/or available to any other person or entity liable to the insured. The minimum limits for underinsured motorist coverages shall be the same as the minimum bodily injury liability limits required by Arkansas law.

(b) For purposes of this act, private passenger automobile liability insurance shall be defined pursuant to 23-89-301."

SECTION 2. 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 3. All laws and parts of laws in conflict with this Act are hereby repealed.