

CHAPTER 630—H. F. No. 857

[Coded in Part]

An act relating to uninsured motorists coverage; amending Minnesota Statutes 1967, Section 72A.149, Subdivisions 1, 2, 3, 4, 5, and adding subdivisions.

Be it enacted by the Legislature of the State of Minnesota:

Section 1. Minnesota Statutes 1967, Section 72A.149, is amended by adding a subdivision to read:

72A.149 Insurance; uninsured motorist coverage. *Subdivision 1. Definition. "Policy of automobile liability insurance" means a policy delivered or issued for delivery in this state, insuring a natural person as named insured, and any relative or relatives of the named insured who is a resident of the same household covering automobiles owned by the insured of (a) the private passenger type, including a private passenger, station wagon or jeep type automobile not used as a public or livery conveyance for passengers, nor rented to others, or (b) the utility automobile type which shall mean any other four-wheel vehicle whether having a pick-up, sedan delivery, or panel truck type body not used primarily in the occupation, profession or business of the insured.*

Sec. 2. Minnesota Statutes 1967, Section 72A.149, Subdivision 1, is amended to read:

~~Subdivision 1:~~ *Subd. 2. No automobile liability or motor vehicle liability policy of insurance, not included within the definition of policy of automobile liability insurance contained in subdivision 1 of this section, insuring against loss resulting from liability imposed by law for bodily injury or death suffered by any person arising out of the ownership, maintenance or use of a motor vehicle shall be delivered or issued for delivery in this state with respect to any motor vehicle registered or principally garaged in this state unless coverage is provided therein or supplemental thereto, under provisions approved by the commissioner of insurance, for the protection of persons insured thereunder who are legally entitled to recover damages from owners or operators of uninsured motor vehicles, including colliding motor vehicles whose operators or owners are unknown or are unidentifiable at the time of the accident, and whose identity does not become known thereafter, because of bodily injury, sickness or disease, including death, resulting therefrom; provided, that the named insured shall have the right to reject in writing such coverage; and provided further that, unless the named insured requests such coverage in writing, such coverage need not be provided in or supplemental to a*

Changes or additions indicated by italics, deletions by ~~strikeout~~.

renewal policy where the named insured had rejected the coverage in connection with a policy previously issued to him by the same insurer. The policy limits of the coverage required to be offered by this section shall be as set forth in Minnesota Statutes 1965, Section 170.25, Subdivision 3, until January 1, 1971; thereafter, at the option of the insured, the uninsured motorist limits shall be equal to those provided in the policy of bodily injury liability insurance of the insured or such lesser limits as the insured elects to carry.

Sec. 3. Minnesota Statutes 1967, Section 72A.149, is amended by adding a subdivision to read:

Subd. 3. No automobile liability or motor vehicle liability policy of insurance, included within the definition of policy of automobile liability insurance contained in subdivision 1 of this section, insuring against loss resulting from liability imposed by law for bodily injury or death suffered by any person arising out of the ownership, maintenance or use of a motor vehicle shall be delivered or issued for delivery in this state with respect to any motor vehicle registered or principally garaged in this state unless coverage is provided therein or supplemental thereto, under provisions approved by the commissioner of insurance, for the protection of persons insured thereunder who are legally entitled to recover damages from owners or operators of uninsured motor vehicles, including colliding motor vehicles whose operators or owners are unknown or are unidentifiable at the time of the accident, and whose identity does not become known thereafter, because of bodily injury, sickness or disease, including death, resulting therefrom. The policy limits of the coverage required by this section shall be at least equal to the amount set forth in Minnesota Statutes, Section 170.25, Subdivision 3, until January 1, 1971; thereafter, at the option of the insured, the uninsured motorist limits shall be equal to those provided in the policy of bodily injury liability insurance of the insured or for such lesser limits as are designated in writing by the insured, which may not be less than the amount set forth in Minnesota Statutes, Section 170.25, Subdivision 3.

Sec. 4. Minnesota Statutes 1967, Section 72A.149, Subdivision 2, is amended to read:

Subd. 2. 4. For the purpose of this coverage the term "uninsured motor vehicle" shall, subject to the terms and conditions of such coverage, be deemed to include an insured motor vehicle where the liability insurer thereof is unable to make payment with respect to the legal liability of its insured within the limits specified therein because of insolvency.

Sec. 5. Minnesota Statutes 1967, Section 72A.149, Subdivision 3, is amended to read:

Changes or additions indicated by *italics*, deletions by ~~strikeout~~.

Subd. 3: 5. Protection against insolvency of the other party's insurer shall be applicable only to accidents occurring during a policy period in which the insured's uninsured motorist coverage is in effect. Nothing herein contained shall be construed to prevent any insurer from affording insolvency protection under terms and conditions more favorable to its insureds than is provided hereunder.

Sec. 6. Minnesota Statutes 1967, Section 72A.149, Subdivision 4, is amended to read:

Subd. 4: 6. In the event of payment to any person under the coverage required by this section and subject to the terms and conditions of such coverage, the insurer making such payment shall, to the extent thereof, be entitled to the proceeds of any settlement or judgment resulting from the exercise of any rights of recovery of such person against any person or organization legally responsible for the bodily injury for which such payment is made, including the proceeds recoverable from the assets of the insolvent insurer.

Sec. 7. Minnesota Statutes 1967, Section 72A.149, Subdivision 5, is amended to read:

Subd. 5: 7. This section shall take effect with respect to automobile liability and motor-vehicle liability policies or renewals with an inception date on and after January 1, 1968.

Sec. 8. Minnesota Statutes 1967, Section 72A.149, is amended by adding a subdivision to read:

Subd. 8. Until January 1, 1970, the insured may reject in writing any coverage required by subdivision 3 to be offered to him.

Approved May 23, 1969.

CHAPTER 631—H. F. No. 890

[Coded]

An act relating to education; establishment and use of imprest cash funds in independent school districts; amending Minnesota Statutes 1967, Chapter 123, by adding a section.

Be it enacted by the Legislature of the State of Minnesota:

Section 1. Minnesota Statutes 1967, Chapter 123, is amended by adding a section to read:

Changes or additions indicated by italics, deletions by ~~strikeout~~.