CHAPTER 79–S.F.No. 608

An act relating to insurance; increasing the required minimum liability limits on aircraft insurance; amending Minnesota Statutes 2006, section 360.59, subdivision 10.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. Minnesota Statutes 2006, section 360.59, subdivision 10, is amended to read:

Subd. 10. **Certificate of insurance.** (a) Every owner of aircraft in this state when applying for registration, reregistration, or transfer of ownership shall supply any information the commissioner reasonably requires to determine that the aircraft during the period of its contemplated operation is covered by an insurance policy with limits of not less than ~~$25,000~~ $100,000 per passenger seat liability both for passenger bodily injury or death and for property damage; not less than ~~$25,000~~ $100,000 for bodily injury or death to each nonpassenger in any one accident; and not less than ~~$50,000~~ $300,000 per occurrence for bodily injury or death to nonpassengers in any one accident.

The information ~~shall~~ supplied to the commissioner must include but is not limited to the name and address of the owner, the period of contemplated use or operation, if any, and, if insurance coverage is then presently required, the name of the insurer, the insurance policy number, the term of the coverage, policy limits, and any other data the commissioner requires. No certificate of registration shall be issued pursuant to subdivision 3 in the absence of the information required by this subdivision.

(b) In the event of cancellation of aircraft insurance by the insurer, the insurer shall notify the Department of Transportation at least ten days prior to the date on which the insurance coverage is to be terminated. Unless proof of a new policy of insurance is filed with the department meeting the requirements of this subdivision during the period of the aircraft's contemplated use or operation, the registration certificate for the aircraft shall be revoked forthwith. ~~Provided, however, that~~

(c) Nothing in this subdivision shall be construed to require an owner of aircraft to maintain passenger seat liability coverage on aircraft for which an experimental certificate has been issued by the administrator of the Federal Aviation Administration pursuant to Code of Federal Regulations, title 14, sections 21.191 to 21.195 and 91.42, whereunder persons operating the aircraft are prohibited from carrying passengers in the aircraft. Whenever the aircraft becomes certificated to carry passengers, passenger seat liability coverage shall be required as provided in this subdivision.

(d) The requirements of this subdivision shall not apply to any aircraft built by the original manufacturer prior to December 31, 1939 and owned and operated solely as a collector's item, if the owner files an affidavit with the commissioner. The affidavit shall state the owner's name and address, the name and address of the person from whom the aircraft was purchased, the make, year, and model number of the aircraft, the federal aircraft registration number, the manufacturer's identification number, and that the aircraft

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is owned and operated solely as a collector's item and not for general transportation purposes.

EFFECTIVE DATE. This section is effective January 1, 2009, and applies to policies offered, sold, issued, or renewed on or after that date.

Sec. 2. **CONSULTATIONS ON CERTAIN ISSUES.**

(a) Representatives of aircraft owners, aircraft pilots, insurance companies that issue aircraft insurance, and other interested parties shall meet and confer regarding issues related to aviation insurance and third parties.

(b) The parties shall provide a written report of their recommendations by November 15, 2007, to the chairs of the house and senate committees that have jurisdiction over insurance legislation.

EFFECTIVE DATE. This section is effective the day following final enactment.

Presented to the governor May 14, 2007

Signed by the governor May 17, 2007, 3:34 p.m.

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