

Stricken language would be deleted from and underlined language would be added to present law.

State of Arkansas
92nd General Assembly
Regular Session, 2019

As Engrossed: H1/24/19

A Bill

HOUSE BILL 1027

By: Representative Rye

For An Act To Be Entitled

AN ACT TO REQUIRE AN INSURER TO PROVIDE COVERAGE FOR ADEQUATE TRANSPORTATION REIMBURSEMENT UNTIL AN INSURED'S DAMAGED MOTOR VEHICLE IS REPAIRED; AND FOR OTHER PURPOSES.

Subtitle

TO REQUIRE AN INSURER TO PROVIDE COVERAGE FOR ADEQUATE TRANSPORTATION REIMBURSEMENT UNTIL AN INSURED'S DAMAGED MOTOR VEHICLE IS REPAIRED.

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

SECTION 1. Arkansas Code § 23-79-306, concerning the requirements for a commercial property and casualty insurance policy, is amended to add an additional subdivision to read as follows:

(9) An insurer that writes motor vehicle insurance shall provide coverage for any adequate transportation reimbursement until an insured's damaged motor vehicle is repaired.

SECTION 2. Arkansas Code § 23-89-202 is amended to read as follows:
23-89-202. Required first party coverage.

Every automobile liability insurance policy covering any private passenger motor vehicle issued or delivered in this state shall provide minimum medical and hospital benefits, income disability, ~~and~~ accidental death benefits, and adequate transportation reimbursement under policy provisions and on forms approved by the Insurance Commissioner to the named



insured and members of his or her family residing in the same household injured in a motor vehicle accident, to passengers injured while occupying the insured motor vehicle, and to persons other than those occupying another vehicle struck by the insured motor vehicle, without regard to fault, as follows:

(1) Medical and Hospital Benefits. All reasonable and necessary expenses for medical, hospital, nursing, dental, surgical, ambulance, funeral expenses, and prosthetic services incurred within twenty-four (24) months after the automobile accident, up to an aggregate of five thousand dollars (\$5,000) per person, and may include any nonmedical remedial care and treatment rendered in accordance with a recognized religious method of healing. Expenses for hospital room charges may be limited to semiprivate accommodations;

(2) Income Disability Benefits. Seventy percent (70%) of the loss of income from work during a period commencing eight (8) days after the date of the accident, and not to exceed fifty-two (52) weeks, but subject to a maximum of one hundred forty dollars (\$140) per week. In the case of a nonincome earner, the benefits shall consist of expenses not to exceed seventy dollars (\$70.00) per week, or any fractional part of a week, which are reasonably incurred for essential services in lieu of those the injured person would have performed without income during a period commencing eight (8) days after the date of the accident and not to exceed fifty-two (52) weeks; ~~and~~

(3) Accidental Death Benefits. The sum of five thousand dollars (\$5,000), to be paid to the personal representative of the insured, should injury, sickness, or disease resulting from an automobile accident cause death within one (1) year from the date of the accident; and

(4) Adequate transportation reimbursement until an insured's damaged motor vehicle is repaired.

SECTION 3. Arkansas Code Title 23, Chapter 89, Subchapter 2, is amended to add an additional section to read as follows:

23-89-217. Adequate transportation reimbursement coverage required.
An insurer that writes motor vehicle insurance shall provide coverage for adequate transportation reimbursement in an automobile liability insurance policy until an insured's damaged motor vehicle is repaired.

/s/Rye