

# 2004 SESSION

INTRODUCED

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## HOUSE BILL NO. 137

Offered January 14, 2004

Prefiled December 29, 2003

A *BILL to amend and reenact § 8.01-417 of the Code of Virginia, relating to civil procedure; disclosure of insurance liability limits.*

Patron—Kilgore

Referred to Committee for Courts of Justice

### **Be it enacted by the General Assembly of Virginia:**

#### **1. That § 8.01-417 of the Code of Virginia is amended and reenacted as follows:**

§ 8.01-417. Copies of written statements or transcriptions of verbal statements by injured person to be delivered to him.

A. Any person who takes from a person who has sustained a personal injury a signed written statement or voice recording of any statement relative to such injury shall deliver to such injured person a copy of such written statement forthwith or a verified typed transcription of such recording within ~~thirty~~ 30 days from the date such statement was given or recording made, when and if the statement or recording is transcribed or in all cases when requested by the injured person or his attorney.

B. After written notice of representation of an injured person, his attorney may, prior to the filing of a civil action for personal injuries sustained as a result of a motor vehicle accident, request from any person who has issued an insurance agreement as described in Rule 4:1(b)(2) of the Rules of the Supreme Court of Virginia, and that person shall disclose the limits of liability of such insurance agreement in writing within 30 days of the receipt of such request. The disclosure shall be made by sending a copy of the declarations page of such agreement or its equivalent setting forth the limits of liability. The disclosure shall be provided whether or not the person who issued the insurance agreement contests the applicability of the agreement to the injured person's claim. Information concerning the insurance agreement is not by reason of disclosure pursuant to this subsection admissible as evidence in trial. Nothing in this subsection shall be deemed to abrogate the provisions of Rule 4:1(b)(2) of the Rules of the Supreme Court of Virginia.

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