

1997 SESSION

INTRODUCED

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HOUSE BILL NO. 817

Offered January 22, 1996

A BILL to amend the Code of Virginia by adding a section numbered 38.2-227.1, relating to motor vehicle insurance; liability for punitive damages resulting from intoxication.

Patron—Watkins

Referred to Committee for Courts of Justice

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding a section numbered 38.2-227.1 as follows:

§ 38.2-227.1. Exemplary or punitive damages awarded against intoxicated drivers.

Except as may be otherwise agreed to by an insurer and an insured, in every case where the trier of fact awards the plaintiff exemplary or punitive damages against the defendant pursuant to § 8.01-44.5, such defendant shall be personally liable to the plaintiff for the exemplary or punitive damages awarded, and no self-insurer or insurance company under any policy of motor vehicle insurance shall be liable to the plaintiff for the exemplary or punitive damages awarded.

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