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**HOUSE BILL NO. 2292**

Offered January 21, 1999

*A BILL to amend and reenact § 38.2-2232 of the Code of Virginia, relating to liability insurance; private pleasure watercraft; optional uninsured private pleasure watercraft coverage.*

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Patrons—Armstrong and Day

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Referred to Committee on Corporations, Insurance and Banking

**Be it enacted by the General Assembly of Virginia:****1. That § 38.2-2232 of the Code of Virginia is amended and reenacted as follows:**

§ 38.2-2232. Liability insurance on private pleasure watercraft; optional coverage.

Every insurer issuing a new or renewal policy or contract covering liability arising from the ownership, maintenance or use of a private pleasure watercraft shall offer, in writing, to the named insured the option of purchasing coverage ~~undertaking to pay all sums the insured is legally entitled to recover as for damages which the insured is legally entitled to recover~~ from the owner or operator of an uninsured private pleasure watercraft arising out of the ownership, maintenance, or use of such uninsured watercraft. *Such insurer shall be required to offer limits of liability for uninsured private pleasure watercraft coverage equal to the limits of the liability insurance provided by the policy. However, no insurer shall be required to pay damages for uninsured private pleasure watercraft coverage in excess of the limits of uninsured private pleasure watercraft coverage provided by the policy. Uninsured private pleasure watercraft coverage shall include coverage for bodily injury and property damage liability.* Insurers issuing or providing liability policies that are of an excess or umbrella type or which provide liability coverage incidental to a policy not related to a specifically insured private pleasure watercraft shall not be required to offer, provide or make available to those policies uninsured private pleasure watercraft coverage. *Insurers, including but not limited to homeowners insurers, which issue or provide liability coverage to a specifically insured private pleasure watercraft or to a private pleasure watercraft that has been specifically endorsed onto the policy shall be required to offer uninsured private watercraft coverage.*

For purposes of this section, "uninsured private pleasure watercraft" means a private pleasure watercraft for which there is no ~~liability insurance~~ *valid insurance policy or contract covering liability arising from the ownership, maintenance, or use of such private pleasure watercraft in effect at the time liability is incurred.*

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