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SENATE BILL NO. 1182

Offered January 13, 2021

Prefiled January 8, 2021

A BILL to amend and reenact §§ 46.2-419, 46.2-472, and 46.2-2057 of the Code of Virginia, relating to motor vehicle liability insurance coverage limits.

Patrons—Surovell; Delegate: Bagby

Referred to Committee on Commerce and Labor

Be it enacted by the General Assembly of Virginia:

1. That §§ 46.2-419, 46.2-472, and 46.2-2057 of the Code of Virginia are amended and reenacted as follows:

§ 46.2-419. When judgment satisfied.

A. Every judgment for damages in any motor vehicle accident referred to in this chapter shall, for the purpose of this chapter, be satisfied:

1. When paid in full or when ~~\$25,000~~ \$50,000 has been credited upon any judgment or judgments rendered in excess of that amount because of bodily injury to or death of one person as the result of any one accident;

2. When, subject to the limit of ~~\$25,000~~ \$50,000 because of bodily injury to or death of one person, the judgment has been paid in full or when the sum of ~~\$50,000~~ \$100,000 has been credited upon any judgment or judgments rendered in excess of that amount because of bodily injury to or death of two or more persons as the result of any one accident;

3. When the judgment has been paid in full or when ~~\$20,000~~ \$40,000 has been credited upon any judgment or judgments rendered in excess of that amount because of injury to or destruction of property of others as a result of any one accident; or

4. When the judgment has been discharged in bankruptcy.

B. Payments made in settlement of any claims because of bodily injury, death or property damage arising from a motor vehicle accident shall be credited in reduction of the amount provided in this section.

§ 46.2-472. Coverage of owner's policy.

Every motor vehicle owner's policy shall:

1. Designate by explicit description or by appropriate reference, all motor vehicles with respect to which coverage is intended to be granted.

2. Insure as insured the person named and any other person using or responsible for the use of the motor vehicle or motor vehicles with the permission of the named insured.

3. Insure the insured or other person against loss from any liability imposed by law for damages, including damages for care and loss of services, because of bodily injury to or death of any person, and injury to or destruction of property caused by accident and arising out of the ownership, use, or operation of such motor vehicle or motor vehicles within the Commonwealth, any other state in the United States, or Canada, subject to a limit exclusive of interest and costs, with respect to each motor vehicle, of ~~\$25,000~~ \$50,000 because of bodily injury to or death of one person in any one accident and, subject to the limit for one person, to a limit of ~~\$50,000~~ \$100,000 because of bodily injury to or death of two or more persons in any one accident, and to a limit of ~~\$20,000~~ \$40,000 because of injury to or destruction of property of others in any one accident.

§ 46.2-2057. Taxicab insurance required.

A. Each operator of a motor vehicle performing a bona fide taxicab service shall file insurance as required under this article unless evidence can be shown to the Department that the operator is a self-insurer under an ordinance of the city or county where the home office of the operator is located or pursuant to § 46.2-368.

B. Any self-insurance protection authorized pursuant to this section shall provide for protection against the uninsured or underinsured motorist to the extent required by § 38.2-2206. Notwithstanding § 38.2-2206 or any other provision of this title, protection against the uninsured or underinsured motorist shall be subject to a limit exclusive of interest and costs, with respect to each motor vehicle, of \$25,000 because of bodily injury to or death of one person in any one accident; subject to the limit for one person, a limit of \$50,000 because of bodily injury or death of two or more persons in any one accident; and a limit of \$20,000 because of injury to or destruction of property of others in any one accident. Nothing herein shall preclude any self-insurer operator from purchasing or providing uninsured or underinsured motorist insurance coverage in an amount greater than required in this

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59 *subsection. Such protection against uninsured and underinsured motorist shall be secondary coverage to*
60 *any other valid and collectible insurance providing the same protection that is available to any person*
61 *otherwise entitled to assert a claim to such protection by virtue of this section.*
62 **2. That the provisions of this act shall apply to policies issued or renewed on or after January 1,**
63 **2022.**