

1 State of Arkansas  
2 92nd General Assembly  
3 Regular Session, 2019  
4  
5 By: Representative Rye  
6

# A Bill

HOUSE BILL 1027

## For An Act To Be Entitled

8 AN ACT TO REQUIRE AN INSURER TO PROVIDE COVERAGE FOR  
9 RENTAL CAR REIMBURSEMENT UNTIL AN INSURED'S DAMAGED  
10 MOTOR VEHICLE IS REPAIRED; AND FOR OTHER PURPOSES.

## Subtitle

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13 TO REQUIRE AN INSURER TO PROVIDE COVERAGE  
14 FOR RENTAL CAR REIMBURSEMENT UNTIL AN  
15 INSURED'S DAMAGED MOTOR VEHICLE IS  
16 REPAIRED.  
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20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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22 SECTION 1. Arkansas Code § 23-79-306, concerning the requirements for  
23 a commercial property and casualty insurance policy, is amended to add an  
24 additional subdivision to read as follows:

25 (9) An insurer that writes motor vehicle insurance shall provide  
26 coverage for any rental care reimbursement until an insured's damaged motor  
27 vehicle is repaired.  
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29 SECTION 2. Arkansas Code § 23-89-202 is amended to read as follows:  
30 23-89-202. Required first party coverage.

31 Every automobile liability insurance policy covering any private  
32 passenger motor vehicle issued or delivered in this state shall provide  
33 minimum medical and hospital benefits, income disability, ~~and~~ accidental  
34 death benefits, and rental car reimbursement under policy provisions and on  
35 forms approved by the Insurance Commissioner to the named insured and members  
36 of his or her family residing in the same household injured in a motor



1 vehicle accident, to passengers injured while occupying the insured motor  
2 vehicle, and to persons other than those occupying another vehicle struck by  
3 the insured motor vehicle, without regard to fault, as follows:

4 (1) Medical and Hospital Benefits. All reasonable and necessary  
5 expenses for medical, hospital, nursing, dental, surgical, ambulance, funeral  
6 expenses, and prosthetic services incurred within twenty-four (24) months  
7 after the automobile accident, up to an aggregate of five thousand dollars  
8 (\$5,000) per person, and may include any nonmedical remedial care and  
9 treatment rendered in accordance with a recognized religious method of  
10 healing. Expenses for hospital room charges may be limited to semiprivate  
11 accommodations;

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

22 (3) Accidental Death Benefits. The sum of five thousand dollars  
23 (\$5,000), to be paid to the personal representative of the insured, should  
24 injury, sickness, or disease resulting from an automobile accident cause  
25 death within one (1) year from the date of the accident; and

26 (4) Rental car reimbursement until an insured's damaged motor  
27 vehicle is repaired.

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

31 23-89-217. Rental car reimbursement coverage required.

32 An insurer that writes motor vehicle insurance shall provide coverage  
33 for rental car reimbursement in an automobile liability insurance policy  
34 until an insured's damaged motor vehicle is repaired.

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