

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

As Engrossed: H1/24/19

A Bill

HOUSE BILL 1027

For An Act To Be Entitled

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

Subtitle

15 TO REQUIRE AN INSURER TO PROVIDE COVERAGE
16 FOR ADEQUATE TRANSPORTATION REIMBURSEMENT
17 UNTIL AN INSURED'S DAMAGED MOTOR VEHICLE
18 IS REPAIRED.

21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

23 SECTION 1. Arkansas Code § 23-79-306, concerning the requirements for
24 a commercial property and casualty insurance policy, is amended to add an
25 additional subdivision to read as follows:

26 (9) An insurer that writes motor vehicle insurance shall provide
27 coverage for any adequate transportation reimbursement until an insured's
28 damaged motor vehicle is repaired.

30 SECTION 2. Arkansas Code § 23-89-202 is amended to read as follows:
31 23-89-202. Required first party coverage.

32 Every automobile liability insurance policy covering any private
33 passenger motor vehicle issued or delivered in this state shall provide
34 minimum medical and hospital benefits, income disability, ~~and~~ accidental
35 death benefits, and adequate transportation reimbursement under policy
36 provisions and on forms approved by the Insurance Commissioner to the named



1 insured and members of his or her family residing in the same household
2 injured in a motor vehicle accident, to passengers injured while occupying
3 the insured motor vehicle, and to persons other than those occupying another
4 vehicle struck by the insured motor vehicle, without regard to fault, as
5 follows:

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

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

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

28 (4) Adequate transportation reimbursement until an insured's
29 damaged motor vehicle is repaired.

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

33 23-89-217. Adequate transportation reimbursement coverage required.

34 An insurer that writes motor vehicle insurance shall provide coverage
35 for adequate transportation reimbursement in an automobile liability
36 insurance policy until an insured's damaged motor vehicle is repaired.

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/s/Rye