

As Introduced

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H. B. No. 279

Representative Henne

**Cosponsors: Representatives Becker, Blessing, Hackett, Buchy, Derickson,
Brenner, Johnson, T., Sears, Reineke, Boose, Burkley, Ryan, Perales, Retherford,
Ginter, Ruhl, Brinkman, Romanchuk, Thompson, Terhar**

A BILL

To enact section 4509.105 of the Revised Code to 1
generally prohibit individuals who do not 2
maintain statutory minimum levels of automobile 3
insurance from collecting noneconomic damages 4
for harm sustained in a motor vehicle accident. 5

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:

Section 1. That section 4509.105 of the Revised Code be 6
enacted to read as follows: 7

Sec. 4509.105. (A) A driver who fails to maintain proof of 8
financial responsibility as required under this chapter shall 9
have no cause of action for recovery of damages for noneconomic 10
loss sustained as a proximate result of an accident while 11
operating a motor vehicle. 12

(B) Division (A) of this section does not apply if the 13
noneconomic loss sustained by the driver is caused by an 14
individual who pleads guilty to or is convicted of any of the 15
following: 16

<u>(1) Committing a violation of section 4511.19 of the</u>	17
<u>Revised Code at the time of the accident;</u>	18
<u>(2) Committing a violation of section 4549.03 of the</u>	19
<u>Revised Code in relation to the accident;</u>	20
<u>(3) Committing a felony at the time of the accident.</u>	21
<u>(C) Division (A) of this section does not apply to an</u>	22
<u>action for wrongful death.</u>	23
<u>(D) As used in this section, "noneconomic loss" has the</u>	24
<u>same meaning as in section 2307.01 of the Revised Code.</u>	25
Section 2. Section 4509.105 of the Revised Code, as	26
enacted by this act, shall take effect ninety days after the	27
effective date of this act.	28