

LEGISLATURE OF NEBRASKA
ONE HUNDRED SIXTH LEGISLATURE
SECOND SESSION

LEGISLATIVE BILL 787

Introduced by Lathrop, 12.

Read first time January 08, 2020

Committee: Transportation and Telecommunications

- 1 A BILL FOR AN ACT relating to insurance; to amend section 44-6408,
- 2 Reissue Revised Statutes of Nebraska; to construe applicability
- 3 relating to certain uninsured and underinsured motor vehicle
- 4 insurance coverages; and to repeal the original section.
- 5 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 44-6408, Reissue Revised Statutes of Nebraska, is
2 amended to read:

3 44-6408 (1) No policy insuring against liability imposed by law for
4 bodily injury, sickness, disease, or death suffered by a natural person
5 arising out of the ownership, operation, maintenance, or use of a motor
6 vehicle within the United States, its territories or possessions, or
7 Canada shall be delivered, issued for delivery, or renewed with respect
8 to any motor vehicle principally garaged in this state unless coverage is
9 provided for the protection of persons insured who are legally entitled
10 to recover compensatory damages for bodily injury, sickness, disease, or
11 death from (a) the owner or operator of an uninsured motor vehicle in
12 limits of twenty-five thousand dollars because of bodily injury,
13 sickness, disease, or death of one person in any one accident and,
14 subject to such limit for one person, fifty thousand dollars because of
15 bodily injury, sickness, disease, or death of two or more persons in any
16 one accident, and (b) the owner or operator of an underinsured motor
17 vehicle in limits of twenty-five thousand dollars because of bodily
18 injury, sickness, disease, or death of one person in any one accident
19 and, subject to such limit for one person, fifty thousand dollars because
20 of bodily injury, sickness, disease, or death of two or more persons in
21 any one accident.

22 (2) At the written request of the named insured, the insurer shall
23 provide higher limits of uninsured and underinsured motorist coverages in
24 accordance with its rating plan and rules, except that in no event shall
25 the insurer be required to provide limits higher than one hundred
26 thousand dollars per person and three hundred thousand dollars per
27 accident.

28 (3) After purchase of uninsured and underinsured motorist coverages,
29 no insurer or any affiliated insurer shall be required to notify any
30 policyholder in any renewal, reinstatement, substitute, amended, altered,
31 modified, transfer, or replacement policy as to the availability of

1 optional limits of such coverages. The named insured may, subject to the
2 limitations of this section, make a written request for additional
3 coverage or coverage more extensive than that provided in a prior policy.

4 (4) Nothing in this section shall be construed to limit or restrict
5 the power of the Public Service Commission to establish minimum amounts
6 of uninsured and underinsured insurance coverage for contract carriers
7 pursuant to section 75-304.

8 Sec. 2. Original section 44-6408, Reissue Revised Statutes of
9 Nebraska, is repealed.