



NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
Senate Bill 319

AMENDMENT NO. _____
(to be filled in by
Principal Clerk)

S319-ATU-53 [v.3]

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Amends Title [YES]
Second Edition

Date _____, 2024

Representative Stevens

moves to amend the bill on page 1, lines 3-5, by rewriting the lines to read:

"A PROCEDURE FOR REMOTE BIDDING AT A FORECLOSURE SALE, TO PERMIT HEALTH BENEFIT PLAN SPONSORS TO OBTAIN CONSENT TO ELECTRONIC MAILING OF REQUIRED COMMUNICATIONS, TO AMEND THE DEFINITION OF AN UNDERINSURED VEHICLE, AND TO MAKE TECHNICAL CHANGES TO CERTAIN PROVISIONS IN S.L. 2023-133 CONCERNING THE CALCULATION OF UNDERINSURED MOTORIST COVERAGE AND INSURANCE RATEMAKING LAWS.";

and on page 4, lines 23-24, by inserting the following between those lines:

SECTION 7.(a) G.S. 20-279.21(b) reads as rewritten:

"(b) Except as provided in G.S. 20-309(a2), such owner's policy of liability insurance:

...

(4) Shall, in addition to the coverages set forth in subdivisions (2) and (3) of this subsection, provide underinsured motorist coverage, to be used only with a policy that is written at limits that exceed those prescribed by subdivision (2) of this subsection. The limits of such underinsured motorist bodily injury coverage shall be equal to the highest limits of bodily injury liability coverage for any one vehicle insured under the policy; provided, however, that (i) the limits shall not exceed one million dollars (\$1,000,000) per person and one million dollars (\$1,000,000) per accident regardless of whether the highest limits of bodily injury liability coverage for any one vehicle insured under the policy exceed those limits, (ii) a named insured may purchase greater or lesser limits, except that the limits shall exceed the bodily injury liability limits required pursuant to subdivision (2) of this subsection, and in no event shall an insurer be required by this subdivision to sell underinsured motorist bodily injury coverage at limits that exceed one million dollars (\$1,000,000) per person and one million dollars (\$1,000,000) per accident, and (iii) the limits shall be equal to the limits of uninsured motorist bodily injury coverage purchased pursuant to subdivision (3) of this subsection. When the policy is issued and renewed, the insurer shall notify the named insured as provided in subsection (m) of this section. An "uninsured motor vehicle," as described in



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1 subdivision (3) of this subsection, includes an "underinsured highway
2 vehicle," which means a highway vehicle with respect to the ownership,
3 maintenance, or use of which, the sum of the limits of liability under all bodily
4 injury liability bonds and insurance policies applicable at the time of the
5 accident is less than the applicable limits of underinsured motorist ~~coverage~~
6 ~~for the vehicle involved in the accident and insured under the owner's policy.~~
7 coverage. For purposes of an underinsured motorist claim asserted by a person
8 injured in an accident where more than one person is injured, a highway
9 vehicle will also be an "underinsured highway vehicle" if the total amount
10 actually paid to that person under all bodily injury liability bonds and
11 insurance policies applicable at the time of the accident is less than the
12 applicable limits of underinsured motorist ~~coverage for the vehicle involved~~
13 ~~in the accident and insured under the owner's policy.~~
14 coverage. Notwithstanding the immediately preceding sentence, a highway vehicle shall
15 not be an "underinsured motor vehicle" for purposes of an underinsured
16 motorist claim under an owner's policy insuring that vehicle unless the owner's
17 policy insuring that vehicle provides underinsured motorist coverage with
18 limits that are greater than that policy's bodily injury liability limits. For the
19 purposes of this subdivision, the term "highway vehicle" means a land motor
20 vehicle or trailer other than (i) a farm-type tractor or other vehicle designed
21 for use principally off public roads and while not upon public roads, (ii) a
22 vehicle operated on rails or crawler-treads, or (iii) a vehicle while located for
23 use as a residence or premises. The provisions of subdivision (3) of this
24 subsection shall apply to the coverage required by this subdivision.
25 Underinsured motorist coverage is deemed to apply when, by reason of
26 payment of judgment or settlement, all liability bonds or insurance policies
27 providing coverage for bodily injury caused by the ownership, maintenance,
28 or use of the underinsured highway vehicle have been exhausted. Exhaustion
29 of that liability coverage for the purpose of any single liability claim presented
30 for underinsured motorist coverage is deemed to occur when either (a) the
31 limits of liability per claim have been paid upon the claim, or (b) by reason of
32 multiple claims, the aggregate per occurrence limit of liability has been paid.
33 Underinsured motorist coverage is deemed to apply to the first dollar of an
34 underinsured motorist coverage claim beyond amounts paid to the claimant
35 under the exhausted liability policy.

36 In any event, the limit of underinsured motorist coverage applicable to any
37 claim is determined to be the difference between the amount paid to the
38 claimant under the exhausted liability policy or policies and the limit of
39 underinsured motorist coverage applicable to the motor vehicle involved in
40 the accident. Furthermore, if a claimant is an insured under the underinsured
41 motorist coverage on separate or additional policies, the limit of underinsured
42 motorist coverage applicable to the claimant is the difference between the
43 amount paid to the claimant under the exhausted liability policy or policies

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1 and the total limits of the claimant's underinsured motorist coverages as
2 determined by combining the highest limit available under each policy;
3 provided that this sentence shall apply only to insurance on nonfleet private
4 passenger motor vehicles as described in G.S. 58-40-15(9) and (10). The
5 underinsured motorist limits applicable to any one motor vehicle under a
6 policy shall not be combined with or added to the limits applicable to any
7 other motor vehicle under that policy.

8 An underinsured motorist insurer may at its option, upon a claim pursuant
9 to underinsured motorist coverage, pay moneys without there having first been
10 an exhaustion of the liability insurance policy covering the ownership, use,
11 and maintenance of the underinsured highway vehicle. In the event of
12 payment, the underinsured motorist insurer shall be either: (a) entitled to
13 receive by assignment from the claimant any right or (b) subrogated to the
14 claimant's right regarding any claim the claimant has or had against the owner,
15 operator, or maintainer of the underinsured highway vehicle, provided that the
16 amount of the insurer's right by subrogation or assignment shall not exceed
17 payments made to the claimant by the insurer. No insurer shall exercise any
18 right of subrogation or any right to approve settlement with the original owner,
19 operator, or maintainer of the underinsured highway vehicle under a policy
20 providing coverage against an underinsured motorist where the insurer has
21 been provided with written notice before a settlement between its insured and
22 the underinsured motorist and the insurer fails to advance a payment to the
23 insured in an amount equal to the tentative settlement within 30 days
24 following receipt of that notice. Further, the insurer shall have the right, at its
25 election, to pursue its claim by assignment or subrogation in the name of the
26 claimant, and the insurer shall not be denominated as a party in its own name
27 except upon its own election. Assignment or subrogation as provided in this
28 subdivision shall not, absent contrary agreement, operate to defeat the
29 claimant's right to pursue recovery against the owner, operator, or maintainer
30 of the underinsured highway vehicle for damages beyond those paid by the
31 underinsured motorist insurer. The claimant and the underinsured motorist
32 insurer may join their claims in a single suit without requiring that the insurer
33 be named as a party. Any claimant who intends to pursue recovery against the
34 owner, operator, or maintainer of the underinsured highway vehicle for
35 moneys beyond those paid by the underinsured motorist insurer shall before
36 doing so give notice to the insurer and give the insurer, at its expense, the
37 opportunity to participate in the prosecution of the claim. Upon the entry of
38 judgment in a suit upon any such claim in which the underinsured motorist
39 insurer and claimant are joined, payment upon the judgment, unless otherwise
40 agreed to, shall be applied pro rata to the claimant's claim beyond payment by
41 the insurer of the owner, operator or maintainer of the underinsured highway
42 vehicle and the claim of the underinsured motorist insurer.

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1 A party injured by the operation of an underinsured highway vehicle who
2 institutes a suit for the recovery of moneys for those injuries and in such an
3 amount that, if recovered, would support a claim under underinsured motorist
4 coverage shall give notice of the initiation of the suit to the underinsured
5 motorist insurer as well as to the insurer providing primary liability coverage
6 upon the underinsured highway vehicle. Upon receipt of notice, the
7 underinsured motorist insurer shall have the right to appear in defense of the
8 claim without being named as a party therein, and without being named as a
9 party may participate in the suit as fully as if it were a party. The underinsured
10 motorist insurer may elect, but may not be compelled, to appear in the action
11 in its own name and present therein a claim against other parties; provided
12 that application is made to and approved by a presiding superior court judge,
13 in any such suit, any insurer providing primary liability insurance on the
14 underinsured highway vehicle may upon payment of all of its applicable limits
15 of liability be released from further liability or obligation to participate in the
16 defense of such proceeding. However, before approving any such application,
17 the court shall be persuaded that the owner, operator, or maintainer of the
18 underinsured highway vehicle against whom a claim has been made has been
19 apprised of the nature of the proceeding and given his right to select counsel
20 of his own choice to appear in the action on his separate behalf. If an
21 underinsured motorist insurer, following the approval of the application, pays
22 in settlement or partial or total satisfaction of judgment moneys to the
23 claimant, the insurer shall be subrogated to or entitled to an assignment of the
24 claimant's rights against the owner, operator, or maintainer of the
25 underinsured highway vehicle and, provided that adequate notice of right of
26 independent representation was given to the owner, operator, or maintainer, a
27 finding of liability or the award of damages shall be res judicata between the
28 underinsured motorist insurer and the owner, operator, or maintainer of
29 underinsured highway vehicle.

30 As consideration for payment of policy limits by a liability insurer on
31 behalf of the owner, operator, or maintainer of an underinsured motor vehicle,
32 a party injured by an underinsured motor vehicle may execute a contractual
33 covenant not to enforce against the owner, operator, or maintainer of the
34 vehicle any judgment that exceeds the policy limits. A covenant not to enforce
35 judgment shall not preclude the injured party from pursuing available
36 underinsured motorist benefits, unless the terms of the covenant expressly
37 provide otherwise, and shall not preclude an insurer providing underinsured
38 motorist coverage from pursuing any right of subrogation.

39 Notwithstanding the provisions of this subsection, no policy of motor
40 vehicle liability insurance applicable solely to commercial motor vehicles as
41 defined in G.S. 20-4.01(3d) or applicable solely to fleet vehicles shall be
42 required to provide underinsured motorist coverage. When determining
43 whether a policy is applicable solely to fleet vehicles, the insurer may rely

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1 upon the number of vehicles reported by the insured at the time of the issuance
2 of the policy for the policy term in question. In the event of a renewal of the
3 policy, when determining whether a policy is applicable solely to fleet
4 vehicles, the insurer may rely upon the number of vehicles reported by the
5 insured at the time of the renewal of the policy for the policy term in question.
6 Any motor vehicle liability policy that insures both commercial motor
7 vehicles as defined in G.S. 20-4.01(3d) and noncommercial motor vehicles
8 shall provide underinsured motorist coverage in accordance with the
9 provisions of this subsection in an amount equal to the highest limits of bodily
10 injury liability coverage for any one noncommercial motor vehicle insured
11 under the policy, subject to the right of the insured to purchase greater or lesser
12 underinsured motorist bodily injury liability coverage limits as set forth in this
13 subsection. For the purpose of the immediately preceding sentence,
14 noncommercial motor vehicle shall mean any motor vehicle that is not a
15 commercial motor vehicle as defined in G.S. 20-4.01(3d), but that is otherwise
16 subject to the requirements of this subsection."

17 **SECTION 7.(b)** This section of the act is effective when it becomes law, and applies
18 to all claims pending on or arising after that date.

19 **SECTION 8.(a)** G.S. 20-279.21, as amended by S.L. 2023-133, reads as rewritten:

20 "...

21 (b) Except as provided in G.S. 20-309(a2), such owner's policy of liability insurance:

22 ...

23 (4) Shall, in addition to the coverages set forth in subdivisions (2) and (3) of this
24 subsection, provide underinsured motorist ~~coverage, to be used only with a~~
25 ~~policy that is written at limits that exceed those prescribed by subdivision (2)~~
26 ~~of this subsection. coverage.~~ The limits of such underinsured motorist bodily
27 injury coverage shall be equal to the highest limits of bodily injury liability
28 coverage for any one vehicle insured under the policy; provided, however, that
29 (i) the limits shall not exceed one million dollars (\$1,000,000) per person and
30 one million dollars (\$1,000,000) per accident regardless of whether the
31 highest limits of bodily injury liability coverage for any one vehicle insured
32 under the policy exceed those limits, (ii) a named insured may purchase
33 greater or lesser limits, ~~except that the limits shall exceed the bodily injury~~
34 ~~liability limits required pursuant to subdivision (2) of this subsection,~~ and in
35 no event shall an insurer be required by this subdivision to sell underinsured
36 motorist bodily injury coverage at limits that exceed one million dollars
37 (\$1,000,000) per person and one million dollars (\$1,000,000) per accident,
38 and (iii) the limits shall be equal to the limits of uninsured motorist bodily
39 injury coverage purchased pursuant to subdivision (3) of this subsection.
40 When the policy is issued and renewed, the insurer shall notify the named
41 insured as provided in subsection (m) of this section. An "uninsured motor
42 vehicle," as described in subdivision (3) of this subsection, includes an
43 "underinsured highway vehicle," which means a highway vehicle with respect

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1 to the ownership, maintenance, or use of which, the sum of the limits of
2 liability under all bodily injury liability bonds and insurance policies
3 applicable at the time of the accident is less than the total damages sustained
4 by an individual seeking payment of benefits under this subdivision. For
5 purposes of an underinsured motorist claim asserted by a person injured in an
6 accident where more than one person is injured, a highway vehicle will also
7 be an "underinsured highway vehicle" if all bodily injury liability bonds and
8 insurance policies applicable to such highway vehicle at the time of the
9 accident are exhausted and the total amount actually paid to that person from
10 the exhaustion of all bodily injury liability bonds and insurance policies
11 applicable to such highway vehicle at the time of the accident is less than the
12 total damages sustained by such person seeking payment of benefits under this
13 subdivision. Notwithstanding the immediately preceding sentence, a highway
14 vehicle shall not be an "underinsured motor vehicle" for purposes of an
15 underinsured motorist claim under an owner's policy insuring that vehicle
16 unless the owner's policy insuring that vehicle provides underinsured motorist
17 coverage with limits that are greater than that policy's bodily injury liability
18 limits, in which event the available underinsured motorist coverage is that
19 amount of underinsured motorist coverage under the owner's policy insuring
20 that vehicle which exceeds the policy's bodily injury liability limits. For the
21 purposes of this subdivision, the term "highway vehicle" means a land motor
22 vehicle or trailer other than (i) a farm-type tractor or other vehicle designed
23 for use principally off public roads and while not upon public roads, (ii) a
24 vehicle operated on rails or crawler-treads, or (iii) a vehicle while located for
25 use as a residence or premises. The provisions of subdivision (3) of this
26 subsection shall apply to the coverage required by this subdivision.
27 Underinsured motorist coverage is deemed to apply when, by reason of
28 payment of judgment or settlement, all liability bonds or insurance policies
29 providing coverage for bodily injury caused by the ownership, maintenance,
30 or use of the underinsured highway vehicle have been exhausted. Exhaustion
31 of that liability coverage for the purpose of any single claim presented for
32 underinsured motorist coverage is deemed to occur when either (a) the limits
33 of liability per claim have been paid or tendered upon the claim, or (b) by
34 reason of multiple claims, the aggregate per occurrence limit of liability has
35 been paid or tendered. Underinsured motorist coverage is deemed to apply to
36 the first dollar of an underinsured motorist coverage claim beyond amounts
37 paid to the claimant under the exhausted liability policy or policies applicable
38 to the underinsured highway vehicle at the time of the accident. The amount
39 of underinsured motorist coverage applicable to any claim for benefits under
40 this subdivision shall not be reduced by a setoff or credit against any coverage,
41 including liability insurance, except for workers' compensation coverage to
42 the extent provided for in subsection (e) of this section. If a claimant is an
43 insured under the underinsured motorist coverage on separate or additional

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1 policies, the total amount of underinsured motorist coverage applicable to the
2 claimant is the sum of the limits of the claimant's underinsured motorist
3 coverages as determined by combining the highest limit available under each
4 policy, and shall not be reduced by a setoff against any coverage, including
5 liability insurance, except for workers' compensation coverage to the extent
6 provided for in subsection (e) of this section. The previous sentence shall
7 apply only to insurance on nonfleet private passenger motor vehicles as
8 described in G.S. 58-40-10(1) and (2).

9 The underinsured motorist limits applicable to any one motor vehicle
10 under a policy shall not be combined with or added to the limits applicable to
11 any other motor vehicle under that policy.

12 An underinsured motorist insurer may at its option, upon a claim pursuant
13 to underinsured motorist coverage, pay moneys without there having first been
14 an exhaustion of the liability insurance policy covering the ownership, use,
15 and maintenance of the underinsured highway vehicle. In the event of
16 payment, the underinsured motorist insurer shall be either: (a) entitled to
17 receive by assignment from the claimant any right or (b) subrogated to the
18 claimant's right regarding any claim the claimant has or had against the owner,
19 operator, or maintainer of the underinsured highway vehicle, provided that the
20 amount of the insurer's right by subrogation or assignment shall not exceed
21 payments made to the claimant by the insurer. No insurer shall exercise any
22 right of subrogation or any right to approve settlement with the original owner,
23 operator, or maintainer of the underinsured highway vehicle under a policy
24 providing coverage against an underinsured motorist where the insurer has
25 been provided with written notice before a settlement between its insured and
26 the underinsured motorist and the insurer fails to advance a payment to the
27 insured in an amount equal to the tentative settlement within 30 days
28 following receipt of that notice. Further, the insurer shall have the right, at its
29 election, to pursue its claim by assignment or subrogation in the name of the
30 claimant, and the insurer shall not be denominated as a party in its own name
31 except upon its own election. Assignment or subrogation as provided in this
32 subdivision shall not, absent contrary agreement, operate to defeat the
33 claimant's right to pursue recovery against the owner, operator, or maintainer
34 of the underinsured highway vehicle for damages beyond those paid by the
35 underinsured motorist insurer. The claimant and the underinsured motorist
36 insurer may join their claims in a single suit without requiring that the insurer
37 be named as a party. Any claimant who intends to pursue recovery against the
38 owner, operator, or maintainer of the underinsured highway vehicle for
39 moneys beyond those paid by the underinsured motorist insurer shall before
40 doing so give notice to the insurer and give the insurer, at its expense, the
41 opportunity to participate in the prosecution of the claim. Upon the entry of
42 judgment in a suit upon any such claim in which the underinsured motorist
43 insurer and claimant are joined, payment upon the judgment, unless otherwise

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1 agreed to, shall be applied pro rata to the claimant's claim beyond payment by
2 the insurer of the owner, operator or maintainer of the underinsured highway
3 vehicle and the claim of the underinsured motorist insurer.

4 A party injured by the operation of an underinsured highway vehicle who
5 institutes a suit for the recovery of moneys for those injuries and in such an
6 amount that, if recovered, would support a claim under underinsured motorist
7 coverage shall give notice of the initiation of the suit to the underinsured
8 motorist insurer as well as to the insurer providing primary liability coverage
9 upon the underinsured highway vehicle. Upon receipt of notice, the
10 underinsured motorist insurer shall have the right to appear in defense of the
11 claim without being named as a party therein, and without being named as a
12 party may participate in the suit as fully as if it were a party. The underinsured
13 motorist insurer may elect, but may not be compelled, to appear in the action
14 in its own name and present therein a claim against other parties; provided
15 that application is made to and approved by a presiding superior court judge,
16 in any such suit, any insurer providing primary liability insurance on the
17 underinsured highway vehicle may upon payment of all of its applicable limits
18 of liability be released from further liability or obligation to participate in the
19 defense of such proceeding. However, before approving any such application,
20 the court shall be persuaded that the owner, operator, or maintainer of the
21 underinsured highway vehicle against whom a claim has been made has been
22 apprised of the nature of the proceeding and given his right to select counsel
23 of his own choice to appear in the action on his separate behalf. If an
24 underinsured motorist insurer, following the approval of the application, pays
25 in settlement or partial or total satisfaction of judgment moneys to the
26 claimant, the insurer shall be subrogated to or entitled to an assignment of the
27 claimant's rights against the owner, operator, or maintainer of the
28 underinsured highway vehicle and, provided that adequate notice of right of
29 independent representation was given to the owner, operator, or maintainer, a
30 finding of liability or the award of damages shall be res judicata between the
31 underinsured motorist insurer and the owner, operator, or maintainer of
32 underinsured highway vehicle.

33 As consideration for payment of policy limits by a liability insurer on
34 behalf of the owner, operator, or maintainer of an underinsured motor vehicle,
35 a party injured by an underinsured motor vehicle may execute a contractual
36 covenant not to enforce against the owner, operator, or maintainer of the
37 vehicle any judgment that exceeds the policy limits. A covenant not to enforce
38 judgment shall not preclude the injured party from pursuing available
39 underinsured motorist benefits, unless the terms of the covenant expressly
40 provide otherwise, and shall not preclude an insurer providing underinsured
41 motorist coverage from pursuing any right of subrogation.

42 Notwithstanding the provisions of this subsection, no policy of motor
43 vehicle liability insurance applicable solely to commercial motor vehicles as

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1 defined in G.S. 20-4.01(3d) or applicable solely to fleet vehicles shall be
2 required to provide underinsured motorist coverage. When determining
3 whether a policy is applicable solely to fleet vehicles, the insurer may rely
4 upon the number of vehicles reported by the insured at the time of the issuance
5 of the policy for the policy term in question. In the event of a renewal of the
6 policy, when determining whether a policy is applicable solely to fleet
7 vehicles, the insurer may rely upon the number of vehicles reported by the
8 insured at the time of the renewal of the policy for the policy term in question.
9 Any motor vehicle liability policy that insures both commercial motor
10 vehicles as defined in G.S. 20-4.01(3d) and noncommercial motor vehicles
11 shall provide underinsured motorist coverage in accordance with the
12 provisions of this subsection in an amount equal to the highest limits of bodily
13 injury liability coverage for any one noncommercial motor vehicle insured
14 under the policy, subject to the right of the insured to purchase greater or lesser
15 underinsured motorist bodily injury liability coverage limits as set forth in this
16 subsection. For the purpose of the immediately preceding sentence,
17 noncommercial motor vehicle shall mean any motor vehicle that is not a
18 commercial motor vehicle as defined in G.S. 20-4.01(3d), but that is otherwise
19 subject to the requirements of this subsection.

20 ...

21 (m) Every insurer that sells motor vehicle liability policies subject to the requirements of
22 subdivisions (b)(3) and (b)(4) of this section shall, when issuing and renewing a policy, give
23 reasonable notice to the named insured of all of the following:

- 24 (1) The named insured is required to purchase uninsured motorist bodily injury
25 coverage, uninsured motorist property damage coverage, and underinsured
26 motorist bodily injury coverage.
- 27 (2) The named insured's uninsured motorist bodily injury coverage limits shall be
28 equal to the highest limits of bodily injury liability coverage for any one
29 vehicle insured under the policy unless the insured elects to purchase greater
30 or lesser limits for uninsured motorist bodily injury coverage.
- 31 (3) The named insured's uninsured motorist property damage coverage limits
32 shall be equal to the highest limits of property damage liability coverage for
33 any one vehicle insured under the policy unless the insured elects to purchase
34 lesser limits for uninsured motorist property damage coverage.
- 35 (4) The named insured's underinsured motorist bodily injury coverage limits shall
36 be equal to the highest limits of bodily injury liability coverage for any one
37 vehicle insured under the policy unless the insured elects to purchase greater
38 or lesser limits for underinsured motorist bodily injury coverage.
- 39 (5) The named insured may purchase uninsured motorist bodily injury coverage
40 ~~and, if applicable, and~~ underinsured motorist coverage with limits up to one
41 million dollars (\$1,000,000) per person and one million dollars (\$1,000,000)
42 per accident.

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1 An insurer shall be deemed to have given reasonable notice if it includes the following or
2 substantially similar language on the policy's original and renewal declarations pages or in a
3 separate notice accompanying the original and renewal declarations pages in at least 12 point
4 type:

5 NOTICE: YOU ARE REQUIRED TO PURCHASE UNINSURED MOTORIST BODILY
6 INJURY COVERAGE, UNINSURED MOTORIST PROPERTY DAMAGE COVERAGE
7 ~~AND, IN SOME CASES, AND~~ UNDERINSURED MOTORIST BODILY INJURY
8 COVERAGE. THIS INSURANCE PROTECTS YOU AND YOUR FAMILY AGAINST
9 INJURIES AND PROPERTY DAMAGE CAUSED BY THE NEGLIGENCE OF OTHER
10 DRIVERS WHO MAY HAVE LIMITED OR ONLY MINIMUM COVERAGE OR EVEN NO
11 LIABILITY INSURANCE. YOU MAY PURCHASE UNINSURED MOTORIST BODILY
12 INJURY COVERAGE ~~AND, IF APPLICABLE, AND~~ UNDERINSURED MOTORIST
13 COVERAGE WITH LIMITS UP TO ONE MILLION DOLLARS (\$1,000,000) PER PERSON
14 AND ONE MILLION DOLLARS (\$1,000,000) PER ACCIDENT OR AT SUCH LESSER
15 LIMITS YOU CHOOSE. YOU CANNOT PURCHASE COVERAGE FOR LESS THAN THE
16 MINIMUM LIMITS FOR THE BODILY INJURY AND PROPERTY DAMAGE COVERAGE
17 THAT ARE REQUIRED FOR YOUR OWN VEHICLE. IF YOU DO NOT CHOOSE A
18 GREATER OR LESSER LIMIT FOR UNINSURED MOTORIST BODILY INJURY
19 COVERAGE, A LESSER LIMIT FOR UNINSURED MOTORIST PROPERTY DAMAGE
20 COVERAGE, AND/OR A GREATER OR LESSER LIMIT FOR UNDERINSURED
21 MOTORIST BODILY INJURY COVERAGE, THEN THE LIMITS FOR THE UNINSURED
22 MOTORIST BODILY INJURY COVERAGE ~~AND, IF APPLICABLE, AND~~ THE
23 UNDERINSURED MOTORIST BODILY INJURY COVERAGE WILL BE THE SAME AS
24 THE HIGHEST LIMITS FOR BODILY INJURY LIABILITY COVERAGE FOR ANY ONE
25 OF YOUR OWN VEHICLES INSURED UNDER THE POLICY AND THE LIMITS FOR THE
26 UNINSURED MOTORIST PROPERTY DAMAGE COVERAGE WILL BE THE SAME AS
27 THE HIGHEST LIMITS FOR PROPERTY DAMAGE LIABILITY COVERAGE FOR ANY
28 ONE OF YOUR OWN VEHICLES INSURED UNDER THE POLICY. IF YOU WISH TO
29 PURCHASE UNINSURED MOTORIST ~~AND, IF APPLICABLE, AND~~ UNDERINSURED
30 MOTORIST COVERAGE AT DIFFERENT LIMITS THAN THE LIMITS FOR YOUR OWN
31 VEHICLE INSURED UNDER THE POLICY, THEN YOU SHOULD CONTACT YOUR
32 INSURANCE COMPANY OR AGENT TO DISCUSS YOUR OPTIONS FOR OBTAINING
33 DIFFERENT COVERAGE LIMITS. YOU SHOULD ALSO READ YOUR ENTIRE POLICY
34 TO UNDERSTAND WHAT IS COVERED UNDER UNINSURED AND UNDERINSURED
35 MOTORIST COVERAGES.

36 ..."

37 **SECTION 8.(b)** G.S. 58-37-35(b), as amended by S.L. 2023-133, reads as rewritten:

38 "(b) The Facility shall reinsure for each coverage available in the Facility to the standard
39 percentage of one hundred percent (100%) or lesser equitable percentage established in the
40 Facility's plan of operation as follows:

- 41 (1) For the following coverages of motor vehicle insurance and in at least the
42 following amounts of insurance:

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- 1 a. Bodily injury liability: fifty thousand dollars (\$50,000) each person,
2 one hundred thousand dollars (\$100,000) each accident;
3 b. Property damage liability: fifty thousand dollars (\$50,000) each
4 accident;
5 c. Medical payments: one thousand dollars (\$1,000) each person; except
6 that this coverage shall not be available for motorcycles or mopeds;
7 d. Uninsured motorist: fifty thousand dollars (\$50,000) each person; one
8 hundred thousand dollars (\$100,000) each accident for bodily injury;
9 fifty thousand dollars (\$50,000) each accident property damage (one
10 hundred dollars (\$100.00) deductible);
11 d1. Underinsured motorist: fifty thousand dollars (\$50,000) each person;
12 one hundred thousand dollars (\$100,000) each accident for bodily
13 injury;
14 e. Any other motor vehicle insurance or financial responsibility limits in
15 the amounts required by any federal law or federal agency regulation;
16 by any law of this State; or by any rule duly adopted under Chapter
17 150B of the General Statutes or by the North Carolina Utilities
18 Commission.

19 ..."

20 **SECTION 8.(c)** Section 12.(i) of S.L. 2023-133 reads as rewritten:

21 "**SECTION 12.(i)** This section becomes effective ~~January 1, 2025,~~ July 1, 2025 and
22 applies to policies issued or renewed on or after that date."

23 **SECTION 9.(a)** G.S. 58-36-65(k), as amended by S.L. 2023-133, reads as rewritten:

24 "(k) For insureds receiving a drivers license for the first time ~~on or before January 1, 2025,~~
25 July 1, 2025, the subclassification plan may provide for premium surcharges for insureds having
26 less than three years' driving experience as licensed drivers. Notwithstanding subsection (j) of
27 this section, for insureds receiving a drivers license for the first time on or after ~~January 1, 2025,~~
28 July 1, 2025, the subclassification plan may provide for premium surcharges for insureds having
29 less than eight years' driving experience as licensed drivers."

30 **SECTION 9.(b)** Section 16(j) of S.L. 2023-133 reads as rewritten:

31 "**SECTION 16.(j)** This section becomes effective ~~January 1, 2025,~~ July 1, 2025. Section 16.(e)
32 becomes effective July 1, 2025, and applies to convictions occurring on or after that date. Section
33 16.(h) becomes effective July 1, 2025, and applies to prior convictions and prayers for judgment
34 continued occurring on or after that date.";

35
36 and on page 4, lines 28-29, by rewriting the lines to read:

37 "applies to contracts entered into on or after that date. Section 7 of this act becomes effective
38 when it becomes law, and applies to claims pending on or arising after that date. Except as
39 otherwise provided, this act is effective when it becomes law.";

40
41 and to renumber the sections accordingly.

**NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
Senate Bill 319**

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AMENDMENT NO. _____
(to be filled in by
Principal Clerk)

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SIGNED _____
Amendment Sponsor

SIGNED _____
Committee Chair if Senate Committee Amendment

ADOPTED _____ FAILED _____ TABLED _____