Overview

This bill provides that owners of uninsured motor vehicles may not recover for noneconomic losses from negligent drivers.

1 Uninsured motorist; limitation on recovery of damages for noneconomic detriment.

Subd. 1. Waiver of recovery. Provides that an owner of an uninsured motor vehicle may not sue to recover noneconomic losses from the negligent driver of another vehicle that caused an accident with the uninsured vehicle. This does not apply if the negligent insured driver caused the accident by violating criminal laws by being under the influence of drugs or alcohol or committing vehicular assault or homicide.

Subd. 2. Effect of waiver. Provides that any damages received by an uninsured owner must be reduced by the amount of damages attributable to noneconomic losses. Prohibits telling a jury that this will be done.

Subd. 3. Recovery for economic loss. Provides that this section does not affect an uninsured owner's right to recover for economic losses.

Subd. 4. Presumption. Creates a rebuttable presumption that the uninsured owner knew that the vehicle was uninsured, if the vehicle became uninsured at least 30 days prior to the accident.

Subd. 5. Effect on passengers. Provides that passengers in the uninsured vehicle are not affected by this section. In other words, they may still recover for noneconomic losses.

2 Effective date; application. Effective August 1, 1999, and applies to accident occurring on or after that date.