



A JOINT RESOLUTION OF THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA REQUESTING AN INTERIM STUDY TO INVESTIGATE THE ISSUES OF UNDERINSURED AND UNINSURED MOTORISTS IN MONTANA, CALCULATE THE COST TO MONTANA'S CITIZENS, AND PRESENT FINDINGS AND RECOMMENDATIONS TO THE 62ND LEGISLATURE.

WHEREAS, section 61-6-301, MCA, mandates motor vehicle insurance; and

WHEREAS, it is unlawful to operate a motor vehicle upon a public highway in Montana without certification and proof of insurance; and

WHEREAS, while the exact number of uninsured motorists is difficult to ascertain by the very nature of the noncompliance with state law, the number of motorists without insurance in Montana is unacceptably high; and

WHEREAS, the high cost of mandatory vehicle insurance is making compliance by low-income households very difficult and the purchase of adequate coverage above the required limits financially difficult for those who do buy insurance; and

WHEREAS, fines, punishment, loss of driving privileges, and other penalties often result in loss of employment and produce a further stress on law enforcement and social services and yet increased compliance is not being achieved; and

WHEREAS, a public policy resolution to this situation is difficult to achieve within the confines of a legislative session; and

WHEREAS, it is the duty of the Legislature to take those actions necessary, legislative or otherwise, to promote increased adherence to current state law in the interest of public health, economic viability, and safety.

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA:

That the Legislative Council be requested to designate an appropriate interim committee, pursuant to section 5-5-217, MCA, or direct sufficient staff resources to:

(1) study the issues of underinsured and uninsured motorists in Montana to determine the extent of the problem and the impact to:

- (a) public agencies dealing with law enforcement, transportation, and local government generally;
- (b) the health care community;
- (c) the insurance industry; and
- (d) Montana citizens injured or otherwise aggrieved by underinsured and uninsured motorists;

(2) study and compile policy actions from other states, as available, that have improved compliance with regard to motor vehicle insurance; and

(3) study and develop potential legislative actions to increase adherence to current state laws, amend state law as considered applicable, and provide recommendations to state agencies as necessary.

BE IT FURTHER RESOLVED, that if the study is assigned to staff, any findings or conclusions be presented to and reviewed by an appropriate committee designated by the Legislative Council.

BE IT FURTHER RESOLVED, that all aspects of the study, including presentation and review requirements, be concluded prior to September 15, 2010.

BE IT FURTHER RESOLVED, that the final results of the study, including any findings, conclusions, comments, or recommendations of the appropriate committee, be reported to the 62nd Legislature.

- END -

I hereby certify that the within joint resolution,
SJ 0016, originated in the Senate.

Secretary of the Senate

President of the Senate

Signed this _____ day
of _____, 2009.

Speaker of the House

Signed this _____ day
of _____, 2009.

SENATE JOINT RESOLUTION NO. 16

INTRODUCED BY R. BROWN, GEBHARDT, JACKSON, MURPHY, TUTVEDT

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