

UNINSURED AND UNDERINSURED MOTORIST COVERAGE IN OTHER STATES

Attached is a table created by the National Association of Independent Insurers in 2002, relating to uninsured and underinsured motorist coverage in other states. The table does not include the states of Maine, Nevada, North Dakota, and Virginia. Because

the study assigned to the Transportation Committee is of the uninsured and underinsured motorist in this state, the following is a continuation of the table for the State of North Dakota.

UM/UIM Separate Coverage	Bodily Injury			Property Damage		UIM		Hit and Run Physical Contact Required
	Coverage Required	Minimum Limits	Optional Additional Limits	Coverage Required	Deductible	Coverage Required	Minimum Limits	
Yes	Mandatory § 26.1-40-15.2	FR=25/50 § 26.1-40-15.2	BI or 100/300, whichever is less § 26.1-40-15.2	No provision	No provision	Mandatory § 26.1-40-15.3	Same as UM § 26.1-40-15.3	No

The following is a key for the abbreviations used in the table:

- UM = Uninsured motorist coverage
- UIM = Underinsured motorist coverage
- BI = Bodily injury liability coverage
- FR = Financial responsibility

The hit and run physical contact required column relates to uninsured motorist coverage and a situation in which an accident is caused without contact between the involved vehicles. For example, this situation occurs when a motor vehicle crosses the center-line causing a person in another motor vehicle to swerve into the ditch to avoid being hit and thereby being injured. Under the definitions in North Dakota Century Code Section 26.1-40-15.1, an uninsured motor vehicle includes a vehicle for which the identity of the owner or operator cannot be ascertained and the bodily injury is caused by actual physical contact or is independently verified by a disinterested witness. In this state, physical contact is not required because of the option of having the accident verified by an independent disinterested witness.

Of the states listed in the table and North Dakota, 13 states and the District of Columbia have mandatory uninsured motorist laws. These states are Maryland, Massachusetts, Minnesota, Missouri, New Hampshire, New Jersey, New York, North Dakota, Rhode Island, South Carolina, South Dakota, Vermont, and Wisconsin. Of the states with mandatory uninsured motorist laws, underinsured motorist coverage is optional in Massachusetts, New Jersey, New York, South Carolina, and Wisconsin.

After a review of other states' laws, it appears that most states include motorcycles within the same provisions as are required for other motor vehicles, including automobiles. In this state, uninsured and underinsured motorist coverage is mandatory for motorcycles, as well as liability coverage, the same as it is for other motor vehicles. As a point of contrast, no-fault coverage is not mandatory for motorcycles; however, optional medical benefit coverage for motorcycles is available in the market.

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