



General Assembly

February Session, 2002

Amendment

LCO No. 3618

HB0508703618HD0

Offered by:

REP. NEWTON, 124th Dist.

To: House Bill No. 5087

File No. 64

Cal. No. 65

"AN ACT CONCERNING THE SUSPENSION OF MOTOR VEHICLE OPERATORS' LICENSES."

1 After line 47, add the following:

2 "Sec. 3. Section 38a-336 of the general statutes is amended by adding
3 subsection (h) as follows (*Effective October 1, 2002, and applicable to*
4 *causes of action accruing on or after said date*):

5 (NEW) (h) There shall be a presumption that a tortfeasor is
6 uninsured if an injured person provides a sworn, written statement to
7 the insurer providing uninsured motorist coverage to such injured
8 person that such injured person is unable to determine whether the
9 tortfeasor was uninsured at the time of the accident that caused such
10 person's injuries. Such sworn, written statement shall contain: (1) A
11 statement by the injured person or such injured person's legal
12 representative that, after reasonable efforts have been made, it cannot
13 be determined whether the tortfeasor was insured at the time of the
14 accident, and (2) a listing of the measures taken to ascertain whether

15 the tortfeasor was insured at the time of the accident. If, at the time of
16 the accident, the tortfeasor presented an insurance identification card
17 to the investigating police officer and the information on such card was
18 listed on the accident report, the injured person or such injured
19 person's legal representative shall present documentation or
20 information from the insurer designated in such insurance card that
21 confirms that the tortfeasor was not insured by that insurer at the time
22 of the accident. The insurer providing uninsured motorist coverage to
23 such injured person may rebut such presumption by providing written
24 information to its insured that provides the names of all liability
25 insurance companies that provided coverage to the tortfeasor at the
26 time of the accident and the applicable policy numbers and amounts of
27 liability coverage."