



General Assembly

February Session, 2002

Amendment

LCO No. 3662

HB0531603662HD0

Offered by:

REP. STONE, 9th Dist.

To: Subst. House Bill No. 5316

File No. 62

Cal. No. 71

"AN ACT CONCERNING CREDIT UNION MODERNIZATION."

1 After line 4136, add the following and renumber the remaining
2 section accordingly:

3 "Sec. 86. Section 38a-336 of the general statutes is amended by
4 adding subsection (h) as follows (*Effective October 1, 2002, and applicable*
5 *to causes of action accruing on or after said date*):

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

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