

BY: Economic Matters Committee

AMENDMENTS TO HOUSE BILL NO. 1394

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “authorizing” in line 3 down through “insured” in line 5 and substitute “requiring an insurer to offer that certain disputes be submitted to arbitration under certain circumstances; providing for selection of an arbitrator and for payment of costs of arbitration under certain circumstances”.

AMENDMENT NO. 2

On page 3, in lines 18 and 21, in each instance, strike the brackets.

On page 3, strike in their entirety lines 22 through 26, inclusive, and substitute:

“(K) (1) IN A DISPUTE ARISING OUT OF A CLAIM UNDER THE UNINSURED MOTORIST COVERAGE OF A MOTOR VEHICLE LIABILITY POLICY, BEFORE AN INSURER HIRES AN ATTORNEY TO REPRESENT THE UNINSURED MOTORIST, THE INSURER SHALL OFFER FOR THE DISPUTE TO BE SUBMITTED TO ARBITRATION.

(2) WHEN A DISPUTE IS SUBMITTED TO ARBITRATION UNDER THIS SUBSECTION:

(I) THE PARTIES SHALL SELECT AN ARBITRATOR BY MUTUAL AGREEMENT, AND IF THEY ARE UNABLE TO REACH A MUTUAL AGREEMENT, AN ARBITRATOR SHALL BE SUPPLIED BY THE AMERICAN ARBITRATION ASSOCIATION BY ITS PROCEDURES; AND

(II) THE COSTS OF ARBITRATION SHALL BE SHARED EQUALLY BY THE INSURER AND THE INSURED, UNLESS OTHERWISE AGREED BY THE PARTIES.”.