

**74th OREGON LEGISLATIVE ASSEMBLY - 2007 Regular Session**  
**STAFF MEASURE SUMMARY**  
**House Committee on Consumer Protection**

**MINORITY REPORT**  
**MEASURE: HB 3086 A**  
**CARRIER: Rep. Girod**

**REVENUE: No revenue impact**  
**FISCAL: No fiscal impact**

---

**Action:** Do Pass as Amended and be Printed A-Engrossed  
**Signers on the Report:** Reps. Girod and Gilliam

**Prepared By:** Steve Dixon, Administrator  
**Meeting Dates:** 4/23

---

**WHAT THE MEASURE DOES:** Revises motor vehicle liability insurance laws. Provides that motor vehicle policies issued in Oregon shall contain a provision that provides liability coverage for each family member of the insured residing in the same household as the insured in an amount equal to the amount of liability coverage purchased by the insured.

Provides that insurer shall provide uninsured motorist coverage that awards a claimant with a sum equal to damages the claimant would have been recovered in a civil action after the determination of fault and resolution of applicable defense.

**ISSUES DISCUSSED:**

- Amounts that family members can and cannot claim under an existing policy.
- Inability of insured to obtain the same amount of payment for a family member injured in accident that would otherwise be available for a non-family member.
- The potential for increased insurance cost under this measure.
- The appropriateness of a family member to obtain non-economic damages.
- History behind why an individual cannot currently obtain damages for a family member equal to what that individual can obtain for a non-family member.

**EFFECT OF MINORITY AMENDMENT:** Minority Report eliminates the ability of an injured family member to receive damages for pain and suffering under another family member's automobile insurance policy. An injured family member is only eligible for economic damages under the minority report.

**BACKGROUND:** Under current law a family member covered under an automobile insurance policy that is involved in an accident where another family member is driving, cannot obtain the same compensation for the accident as a non-family member.

5/1/2007 5:01:00 PM

*This summary has not been adopted or officially endorsed by action of the committee.*

Committee Services Form – 2007 Regular Session