

**A-Engrossed**  
**House Bill 2369**

Ordered by the House April 8  
Including House Amendments dated April 8

Ordered printed by the Speaker pursuant to House Rule 12.00A (5). Pre-session filed (at the request of House Interim Committee on Consumer Protection)

**SUMMARY**

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure.

*[Prohibits motor vehicle liability insurer from settling with injured individual until 60 days after motor vehicle accident.]*

*[Provides that settlement agreement may not restrict ability of insurer to recover personal injury protection benefits by subrogation.]*

*[Requires liability insurer to provide to injured individual plain and concise statement of consequences of entering into settlement agreement.]*

*[Exempts from disclosure under public records law traffic crash exchange reports or similar reports describing vehicular accidents that are prepared by law enforcement officers. Provides exceptions to exemption by which traffic exchange reports or similar reports may be disclosed.]*

**Provides that release for bodily injuries obtained by motor vehicle liability insurer within 60 days following accident may not impair ability of insurer to recover personal injury protection benefits by subrogation.**

**A BILL FOR AN ACT**

Relating to motor vehicles.

**Be It Enacted by the People of the State of Oregon:**

**SECTION 1. Section 2 of this 2009 Act is added to and made a part of the Insurance Code.**

**SECTION 2. (1) When a motor vehicle liability insurer obtains a release for bodily injuries within 60 calendar days following an accident from a person who is eligible to receive personal injury protection benefits under ORS 742.518 to 742.542, the release must state that, subject to the motor vehicle liability insurer's applicable limits of liability, the rights of an insurer furnishing personal injury protection to recover payments made for medical benefits from the motor vehicle liability insurer are not impaired.**

**(2) Nothing in this section impairs the rights of a motor vehicle liability insurer to contest a recovery claim from an insurer furnishing personal injury protection, based upon liability or the reasonableness or necessity of medical benefits paid by the insurer furnishing personal injury protection.**

**SECTION 3. Section 2 of this 2009 Act applies to motor vehicle accidents that occur on or after the effective date of this 2009 Act and applies to releases obtained on or after the effective date of this 2009 Act.**

**NOTE:** Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted. New sections are in **boldfaced** type.