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## **Ensure that Oregon Consumers get the Protection and Insurance Benefits They Pay For Please Vote Yes on HB 2821**

Chair Holvey and members of the committee, my name is Rob Dolton and I'm here to urge you to vote Yes on HB 2821. Under current law, most Oregonians pay premiums for insurance they can never collect. To fix this injustice, House Bill 2821 amends ORS 742.500, which deals with underinsured motorist insurance. This amendment will allow Oregonians to get the insurance coverage they have been paying for.

Underinsured motorist coverage applies when the coverage purchased by the at-fault driver is not enough to cover the damages to the victim of a car accident. Under current Oregon law, the victim is often unable to get all of the benefits from the premiums he/she has paid for.

A typical scenario is as follows: the victim, Sarah, pays for \$50,000 of underinsured motorist bodily injury liability coverage. The at-fault driver, Bob, pays for \$25,000 of bodily injury liability coverage. Bob hits Sarah in her car and she sustains serious, life-changing injuries with more than \$75,000 in bills from the accident. Since \$75,000 worth of insurance had been purchased between both drivers, you'd think Sarah's bills would be covered.

Sadly, you'd be wrong. Bob's insurance company would pay \$25,000 of Sarah's bills. Her insurer would then subtract that amount from her policy limit, only paying her \$25,000 of her \$50,000 policy even though she has \$75,000 worth of bills. If both policies had \$25,000 limits, her situation would be even worse: her company wouldn't have to pay her anything under the existing law.

These amendments resolve this injustice and allow Oregonians to collect the benefits they've paid for. This will change people's lives. One of my clients, a 29 year old waitress, was helping a friend near Sutherlin last summer. A driver, with a suspended license, made an illegal U-turn and crushed her. She was extracted from the car with the jaws-of-life, has undergone three surgeries and faces future reconstructive jaw surgery. Her medical expenses are already in excess of \$100,000. Both drivers paid for \$25,000 worth of coverage. As a result, under the current unjust system, she will only be able to get \$25,000 from the other driver's policy. She can collect \$-0- from her own UIM policy. She receives nothing from the policy she paid for!

House Bill 2821 would allow a victim like her to "stack" all the purchased coverage; the \$25,000 from the at-fault driver and her \$25,000 she paid for. Stacking would have provided \$50,000 for my client's medical bills. Instead, she had to move back to her family home and went on public assistance. Her insurance company kept her premiums, didn't pay the promised benefits and taxpayers are now paying for her health care.

This amendment allows Oregonians to collect all the benefits they have been paying for. Stacking is allowed in Washington and premiums have not sky-rocketed. As my client's case shows, without stacking insurance companies make more profits on the backs of their customers and the taxpayers. On behalf of my client and the Oregon Trial Lawyers Association, I urge you to fix this injustice and help Oregonians get the coverage they've been paying for.

**Please Support Oregon Consumers.  
The Oregon Trial Lawyers Association Urges You to Support HB 2821**