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Ensure that Oregon Consumers get the Protection and Insurance Benefits They Pay For Please Vote Yes on Senate Bill 411 A

Chair Fagan and members of the committee, my name is Rob Dolton and I'm here to urge you to vote Yes on Senate Bill 411 A. Under current law, most Oregonians pay premiums for insurance they can never collect. To fix this injustice, SB 411 amends ORS 742.500, which deals with underinsured motorist insurance. This amendment will allow Oregonians to collect 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 all 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.

Let's look at a real life situation: the victim, Justin, pays a premium for \$25,000 of underinsured motorist coverage. The at-fault driver, Zachary, pays for \$25,000 of liability coverage. Zachary, a drunk driver, crosses the center line and hits the vehicle Justin is riding in head-on. Justin sustains a concussion and internal organ damage, incurring more than \$60,000 in medical bills. Since \$50,000 worth of insurance had been purchased between both drivers, you'd think Justin would have \$50,000 to apply toward his medical bills, wage loss and other losses.

Sadly, you'd be wrong. Under current law Zachary's insurance company would pay its \$25,000 policy limit. Justin's insurer would then, in effect, subtract that amount from his underinsured motorist policy limit, denying Justin any recovery from his own insurance even though he has \$60,000 worth of medical bills alone. Because Justin's policy limit matches that of the at-fault driver he cannot collect a penny from his own underinsured coverage; under current law he is NOT underinsured as a matter of law.

SB 411 corrects this injustice by allowing Oregonians to collect the benefits they've paid for. This bill will change people's lives. SB 411 would allow a victim like Justin to "stack" all the purchased coverage; the \$25,000 from the at-fault driver AND the \$25,000 underinsured motorist coverage he paid for. Stacking would have provided \$50,000 for my client's medical bills. Instead, Justin lost his job due to his inability to work for an extended period of time following surgery and has had his credit history ruined by not being able to pay even half the medical bills arising from this wreck.

Justin's unpaid bills are not going to just vanish. Either the medical providers, many of whom are small businesses, are going to be forced to write off the billings for which there is no insurance or they will end up being paid by taxpayers through secondary sources such as the Oregon Health Plan.

This amendment allows Oregonians to collect all the benefits they have been paying for. 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 what they paid for.

**Please Support Oregon Consumers.
The Oregon Trial Lawyers Association Urges You to Support SB 411A.**