

House Bill 3220

Sponsored by Representative HOLVEY

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 **as introduced**.

Removes exemption for public or livery conveyance from definition of "private passenger motor vehicle" for purposes of determining personal injury protection benefit coverage in insurance policies.

A BILL FOR AN ACT

1
2 Relating to insurance; amending ORS 742.518.

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

4 **SECTION 1.** ORS 742.518 is amended to read:

5 742.518. As used in ORS 742.518 to 742.542:

6 (1) "Evaluation services" means physical examinations or reviews of medical records of benefi-
7 ciaries conducted at the request of an insurer by either an employee of the insurer or a third-party
8 medical record or bill review service to determine whether the provision or continuation of medical
9 services is necessary or reasonable.

10 (2) "Managed care services" means any system of health care delivery that attempts to control
11 or coordinate use of health care services in order to contain health care expenditures or improve
12 quality of health care services.

13 (3) "Motor vehicle" means a self-propelled land motor vehicle or trailer, other than:

14 (a) A farm-type tractor or other self-propelled equipment designed for use principally off public
15 roads, while **the tractor or equipment is** not upon public roads;

16 (b) A vehicle operated on rails or crawler-treads; or

17 (c) A vehicle located for use as a residence or premises.

18 (4) "Motorcycle" and "moped" have the meanings given those terms in ORS 801.345 and 801.365.

19 (5) "Occupying" means in, or upon, or entering into or alighting from.

20 (6) "Pedestrian" means a person [*while*] **who is** not occupying a self-propelled vehicle other than
21 a wheelchair or a similar low-powered motorized or mechanically propelled vehicle that is designed
22 specifically for use by a person with a physical disability and that is determined to be medically
23 necessary for the occupant of the wheelchair or other low-powered vehicle.

24 (7) "Personal injury protection benefits" means the benefits described in ORS 742.518 to 742.542.

25 (8) "Private passenger motor vehicle" means a four-wheel passenger or station wagon type motor
26 vehicle [*not used as a public or livery conveyance,*] and [*includes*] any other four-wheel motor vehicle
27 of the utility, pickup body, sedan delivery or panel truck type not used for wholesale or retail de-
28 livery other than farming, a self-propelled mobile home and a farm truck.

29 (9) "Proof of loss" means documentation that allows an insurer to determine whether a person
30 is entitled to personal injury protection benefits and the amount of any benefit that is due.

31 (10) "Provider" has the meaning given that term in ORS 743B.001.

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.

