



## MISSISSIPPI INSURANCE DEPARTMENT

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### BULLETIN 2013-3 MISSISSIPPI DEPARTMENT OF INSURANCE

#### HOUSE BILL 545 SINGLE-LIMIT, NONSTACKING UNINSURED MOTORIST COVERAGE May 10, 2013

On April 23, 2013, House Bill 545 was signed into law, which amended Miss. Code Ann. § 83-11-102, to revise the number of vehicles that must be covered for an insured in an automobile liability policy to purchase single-limit, nonstacking uninsured motorist insurance coverage. This Bulletin is being issued to provide guidance concerning the new law to property and casualty companies and their producers who write automobile insurance coverage.

#### **New Mandatory Number of Vehicles for Single-Limit, Nonstacking Uninsured Motorist Coverage.**

Currently under Miss. Code Ann. § 83-11-102, insurers can only offer multi-vehicle, single-limit, non-stacking uninsured motorist insurance coverage to an insured in an automobile liability policy that covers ten (10) or more vehicles. House Bill 545 amends Miss. Code Ann. § 83-11-102, to decrease the number of vehicles required for the purchase of single-limit, nonstacking uninsured motorist coverage, from ten (10) or more vehicles, to four (4) or more.

Under a multi-vehicle policy providing single-limit, non-stacking uninsured motorist insurance coverage, the uninsured motorist coverage limit must be in an amount of no less than the liability limits required under the Mississippi Motor Vehicle Safety Responsibility Law for four (4) vehicles combined. Therefore, as of July 1, 2013, the minimum limits an insurer may offer for non-stacking uninsured motorist coverage are \$100,000 for bodily injury or death to one person in any one accident; \$200,000 for bodily injury or death of two or more persons in any one accident; and \$100,000 for injury to or destruction of property of others.

#### **Effective Date**

Section 2 of House Bill 545 states the effective date shall be on and after July 1, 2013. Therefore, the four vehicles requirement for a policy providing single-limit, nonstacking uninsured motorist coverage shall apply to all policies written or renewed with an effective date on or after July 1, 2013.

**Filing of Rates/Rules and Forms**

The Department of Insurance (“Department”) recognizes that the new limits may affect an insurer’s rates/rules and forms that are currently on file with the Department. Due to the short time period from the passage of this bill and the bill’s effective date, any revisions to an insurer’s rates/rules and forms should be filed with the Department as soon as possible.

**Notice to Producers**

All insurers shall inform and advise their producers of any changes in the insurers’ rates/rules and forms resulting from the implementation of House Bill 545. Insurers shall also provide their producers a copy of this Bulletin, or a summary thereof.

**Disclosures of Limitations of Non-stacking Policy**

HB 545 still requires that insurers comply with the provisions of Miss. Code Ann. § 83-11-102(2) and inform policyholders, on a form promulgated by the Department, of the limitation of stacking imposed and that such coverage is an alternative to coverage without such limitation. A disclosure document containing the disclosures required in Miss. Code Ann. § 83-11-102(2) shall be provided in the course of the sale or issuance of non-stacking uninsured motorist coverage. Said disclosure document shall be in the form of the disclosure attached hereto as Appendix A.

**Regulation 2002-1, “Non-Stacking Uninsured Motorist Insurance Coverage”**

In accordance with the Administrative Procedures Act, Regulation 2002-1 (19 Miss. Admin. Code, Chpt. 2, Rule 2) shall be amended to conform to the provisions of HB 545.

An insurer with further questions concerning the implementation of House Bill 545 may contact the Legal Division of the Mississippi Department of Insurance, (601)359-3577.

  
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**MIKE CHANEY**  
**COMMISSIONER OF INSURANCE**

**MISSISSIPPI NON-STACKING  
UNINSURED MOTORIST INSURANCE**

Miss. Code Ann. §83-11-102 provides for an **optional** Non-stacking Uninsured Motorist Coverage available to an insured under an auto liability policy that covers **four (4) or more** vehicles. The Non-stacking Uninsured Motorist limits selected shall cover all vehicles listed in the policy and does not apply per vehicle. The selection of this Non-stacking coverage imposes a limitation on adding together or stacking of coverages. **If the insured selects the Non-stacking Uninsured Motorist Policy, in the event of an accident, the total limit of uninsured motorist coverage available from the policy will be only the one limit previously selected by the insured. It is an alternative to stackable uninsured motorist coverage where the coverage limits for each vehicle may be added together or stacked to determine the total coverage available. While only one limit of uninsured motorist coverage is available from a Non-stacking Uninsured Motorist policy, other limits of uninsured motorist coverage from other policies might be available to add to the single coverage available from the Non-stacking Uninsured Motorist policy depending upon the specific circumstances.**

The minimum limits required under Mississippi law for Non-stacking Uninsured Motorist Coverage are four (4) times the limits required by the Mississippi Motor Vehicle Safety Responsibility Law. Therefore, the Non-stacking Uninsured Motorist Coverage limits pursuant to Miss. Code Ann. §83-11-102 require \$100,000 per person, \$200,000 per accident and \$100,000 for property damage. An increase to the statutory limits under this Law shall increase the minimum limits for Non-stacking Uninsured Motorist coverage accordingly.

I understand the limitations imposed by the Non-stacking Uninsured Motorist policy and that such coverage is an alternative to coverage without such limitation. I further agree that acceptance of this limitation shall apply to any policy from the same insurer, including sister insurers in the same holding company, which renews the coverage, extends the coverage, or changes covered vehicles unless and until I make a written request for a change to stackable uninsured motorist coverage.

Selection of Non-stacking Uninsured Motorist coverage is affirmed by your signature below. I select the following coverages at the limits shown below:

- Non-stackable UM Bodily Injury and UM Property Damage at limits of per person / \_\_\_\_\_ per accident / \_\_\_\_\_ property damage.
- Non-stackable UM Bodily Injury Coverage (No Property Coverage) at limits of per person / \_\_\_\_\_ per accident.
- Non-stackable Combined Single-limit UM Coverage (Includes Bodily Injury and Property Damage Coverage together) at the limit of \_\_\_\_\_ per accident.

Date: \_\_\_\_\_ Policy Number (if available): \_\_\_\_\_  
Applicant Name (Print): \_\_\_\_\_ Address: \_\_\_\_\_  
Signature of Applicant: \_\_\_\_\_ Proposed Effective Date of Coverage: \_\_\_\_\_

Appendix "A"