

ALEC EXPOSED

"ALEC" has long been a secretive collaboration between Big Business and "conservative" politicians. Behind closed doors, they ghostwrite "model" bills to be introduced in state capitols across the country. This agenda-underwritten by global corporations-- includes major tax loopholes for big industries and the super rich, proposals to offshore U.S. jobs and gut minimum wage, and efforts to weaken public health, safety, and environmental protections. Although many of these bills have become law, until now, their origin has been largely unknown. With ALEC EXPOSED, the Center for Media and Democracy hopes more Americans will study the bills to understand the depth and breadth of how big corporations are changing the legal rules and undermining democracy across the nation.

ALEC's Corporate Board --in recent past or present

- AT&T Services, Inc.
• centerpoint360
• UPS
• Bayer Corporation
• GlaxoSmithKline
• Energy Future Holdings
• Johnson & Johnson
• Coca-Cola Company
• PhRMA
• Kraft Foods, Inc.
• Coca-Cola Co.
• Pfizer Inc.
• Reed Elsevier, Inc.
• DIAGEO
• Peabody Energy
• Intuit, Inc.
• Koch Industries, Inc.
• ExxonMobil
• Verizon
• Reynolds American Inc.
• Wal-Mart Stores, Inc.
• Salt River Project
• Altria Client Services, Inc.
• American Bail Coalition
• State Farm Insurance

For more on these corporations, search at www.SourceWatch.org.

DID YOU KNOW? Corporations VOTED to adopt this. Through ALEC, global companies work as "equals" in "unison" with politicians to write laws to govern your life. Big Business has "a VOICE and a VOTE," according to newly exposed documents. DO YOU?

Home -> Model Legislation -> Commerce, Insurance, and Economic Development

The Uninsured Motorist Stipulation of Benefits Act

Summary

This bill is designed to reduce the number of uninsured motorists and to protect those who do comply with the fiscal responsibility laws from lawsuits by uninsured motorists.

Model Legislation

Section 1. {Title.} This Act may be cited as The Uninsured Motorist Stipulation of Benefits Act.

Section 2. {Legislative finding and declaration.}

(A) It is the policy of this state that an uninsured motorist shall be deemed to have waived his or her right to recover for noneconomic loss from a motorist who carries the statutorily required automobile insurance in the event of an accident unless the accident was caused by the (tortfeasor/s/ insured motorist's) use of alcohol or other drugs.

(B) If an uninsured motorist is awarded damages against a (tortfeasor/ insured motorist), it shall require the deduction of the portion of the award representing compensation for noneconomic losses and prohibits informing the trier of the fact of such deduction.

Section 3. {Statement of Purpose.}

(A) An owner and operator of a motor vehicle who operates the motor vehicle on the public highways of this state, or who knowingly permits the operation of the motor vehicle on the public highways of this state, who fails to have in full force and effect a complying liability policy providing at least the minimum liability coverage required by the state and covering said motor vehicle at the time of an accident, shall:

(1) be deemed to have waived any right to recover against a complying policyholder for non-economic loss; and

(2) recover, if at all, only for an award covering economic loss; and

(3) such waiver shall not apply if it can be demonstrated by clear and convincing evidence that the accident was caused, wholly or in part, by a tortfeasor's operating a motor vehicle under the influence of drugs or alcohol, or who is convicted of vehicular assault or homicide.

(B) In an action against a complying policyholder by a person deemed to have waived recovery under subsection (A) of this section:

(1) Any award in favor of such person shall be reduced by an amount equal to the portion of the award representing compensation for noneconomic losses.

(2) The trier of fact shall not be informed, directly or indirectly, of such waiver or of its effect on the total amount of said person's recovery.

(C) Nothing in this Act shall be construed to preclude recovery against an alleged tortfeasor of benefits provided or economic loss coverage.

(D) There is a rebuttable presumption of a knowing violation of the minimum insurance requirements contained in subsection (A) of this section, if said insurance has lapsed, terminated, or otherwise been ineffective for a period of at least 30 days prior to the accident.

(E) Passengers in the uninsured vehicle are not subject to this waiver.

Section 4. {Safety clause.} The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

Section 5. {Severability clause.}

Section 6. {Repealer clause.}

Section 7. {Effective date.}

Did you know that global corporation Kraft Foods served as corporate co-chair in 2011?

Were your laws repealed?

About Us and ALEC EXPOSED. The Center for Media and Democracy reports on corporate spin and government propaganda. We are located in Madison, Wisconsin, and publish www.PRWatch.org, www.SourceWatch.org, and now www.ALECexposed.org. For more information contact: editor@prwatch.org or 608-260-9713.

Center for Media and Democracy's quick summary

This bill would benefit insurance companies by (1) encouraging the purchase of auto insurance and (2) reducing the amount insurers are obligated to pay to injured individuals. Specifically, a person injured by the negligence of another driver is not eligible for noneconomic damages (such as "pain and suffering") if the injured person did not have auto insurance.