

SENATE BILL No. 136

By Committee on Financial Institutions and Insurance

2-8

1 AN ACT concerning insurance; relating to the recovery of economic or
2 noneconomic loss sustained as a result of an accident while operating
3 an uninsured motor vehicle.
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5 *Be it enacted by the Legislature of the State of Kansas:*

6 Section 1. (a) Any person who, at the time of an automobile accident
7 resulting in injuries to that person, is required but fails to maintain
8 personal injury protection benefits coverage mandated by the Kansas
9 automobile injury reparations act, article 31 of chapter 40 of the Kansas
10 Statutes Annotated, and amendments thereto, shall have no cause of
11 action for recovery of noneconomic loss sustained as a result of an
12 accident while operating an uninsured automobile. The provisions of this
13 subsection shall not apply to any person who at the time of an automobile
14 accident has failed to maintain coverage for a period of 30 days or less
15 and who had maintained continuous coverage for at least one year
16 immediately prior to such failure to maintain coverage.

17 (b) Any person who is convicted of, or pleads guilty to, a violation
18 of K.S.A. 8-1014 or 8-1567, and amendments thereto, or a similar
19 violation of law in another state or an ordinance of any city, or resolution
20 of any county, in connection with an accident, shall have no cause of
21 action for recovery of noneconomic loss sustained as a result of the
22 accident.

23 (c) The provisions of this section shall apply to a cause of action
24 arising on and after the effective date of this act.

25 Sec. 2. This act shall take effect and be in force from and after its
26 publication in the statute book.
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