



House of Representatives *State of Utah*

UTAH STATE CAPITOL COMPLEX • 350 STATE CAPITOL
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March 2, 2010

Mr. Speaker:

The Law Enforcement and Criminal Justice Committee reports a favorable recommendation on **S.B. 62**, MOTOR VEHICLE INSURANCE COVERAGE AMENDMENTS, by Senator S. Urquhart, with the following amendments:

1. *Page 1, Line 13*

Senate 2nd Reading Amendments

2-25-2010:

13 This bill:

▶ provides that an arbitrator or arbitration panel may issue a subpoena for the attendance of a witness and for the production of records and other evidence at any hearing of an arbitration proceeding on an uninsured or underinsured motorist coverage claim;

2. *Page 8, Lines 223 through 225:*

223 (g) (i) Except as otherwise provided in this section or unless otherwise agreed to
in

224 writing by the parties, an arbitration proceeding conducted under this section shall be
governed

225 by Title 78B, Chapter 11, Utah Uniform Arbitration Act.

(ii) An arbitrator or arbitration panel may issue a subpoena for the attendance of a witness and for the production of records and other evidence at any hearing in accordance with Section 78B-11-118.

3. *Page 10a, Lines 306f through 306j*

Senate 2nd Reading Amendments

2-25-2010:

306f {(ii) If the judge or arbitrator determines that the covered person intentionally withheld

306g a material fact prior to the initial demand;

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- 306h ~~—(A) the award may not exceed the uninsured motorist policy limits; and~~
306i ~~—(B) no costs may be awarded to the covered person under Subsection (9)(d)(iii).~~
306j ~~—(iii)}~~ (ii) If the award is greater than the uninsured motorist carrier's offer described in

4. Page 16, Lines 488 through 490:

- 488 (g) (i) Except as otherwise provided in this section or unless otherwise agreed to
in
489 writing by the parties, an arbitration proceeding conducted under this section shall be
governed
490 by Title 78B, Chapter 11, Utah Uniform Arbitration Act.

(ii) An arbitrator or arbitration panel may issue a subpoena for the attendance of a witness and for the production of records and other evidence at any hearing in accordance with Section 78B-11-118. =

5. Page 19, Lines 572e through 572j

Senate 2nd Reading Amendments

2-25-2010:

- 572e motorist policy.
572f ~~{(ii) If the judge or arbitrator determines that the covered person intentionally withheld~~
572g a material fact prior to the initial demand:
572h ~~—(A) the award may not exceed the underinsured motorist policy limits; and~~
572i ~~—(B) no costs may be awarded to the covered person under Subsection (8)(d)(iii).~~
572j ~~—(iii)}~~ (ii) If the award is greater than the underinsured motorist carrier's offer described in

Respectfully,

Douglas C. Aagard
Committee Chair

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Voting: 5-3-3

3 SB0062.HC1.WPD 3/2/10 6:44 pm ssmith/SES SCH/LGE

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