

150 uninsured motorist coverage of at least \$25,000 per person and \$500,000 per accident.

151 (ii) This coverage is secondary to any other insurance covering an injured covered
152 person.

153 (c) Uninsured motorist coverage:

154 (i) does not cover any benefit paid or payable under Title 34A, Chapter 2, Workers'
155 Compensation Act, except that the covered person is credited an amount described in
156 Subsection 34A-2-106(5);

157 (ii) may not be subrogated by the workers' compensation insurance carrier, workers'
158 compensation insurance, uninsured employer, the Uninsured Employers Fund created in
159 Section 34A-2-704, or the Employers' Reinsurance Fund created in Section 34A-2-702;

160 (iii) may not be reduced by any benefits provided by workers' compensation insurance,
161 uninsured employer, the Uninsured Employers Fund created in Section 34A-2-704, or the
162 Employers' Reinsurance Fund created in Section 34A-2-702;

163 (iv) notwithstanding Subsection 31A-1-103(3) ~~§~~→ (f) ~~←~~§ , may be reduced by health
163a insurance

164 subrogation only after the covered person has been made whole;

165 (v) may not be collected for bodily injury or death sustained by a person:

166 (A) while committing a violation of Section 41-1a-1314;

167 (B) who, as a passenger in a vehicle, has knowledge that the vehicle is being operated
168 in violation of Section 41-1a-1314; or

169 (C) while committing a felony; and

170 (vi) notwithstanding Subsection (5)(c)(v), may be recovered:

171 (A) for a person under 18 years old who is injured within the scope of Subsection
172 (5)(c)(v) but limited to medical and funeral expenses; or

173 (B) by a law enforcement officer as defined in Section 53-13-103, who is injured
174 within the course and scope of the law enforcement officer's duties.

175 (d) As used in this Subsection (5), "motor vehicle" has the same meaning as under
176 Section 41-1a-102.

177 (6) When a covered person alleges that an uninsured motor vehicle under Subsection
178 (2)(b) proximately caused an accident without touching the covered person or the motor
179 vehicle occupied by the covered person, the covered person shall show the existence of the
180 uninsured motor vehicle by clear and convincing evidence consisting of more than the covered

(iv) A covered person's recovery under any available policies may not exceed the full amount of damages.

(v) Underinsured coverage on a motor vehicle occupied at the time of an accident is primary coverage, and the coverage elected by a person described under Subsections 31A-22-305(1)(a), (b), and (c) is secondary coverage.

(vi) The primary and the secondary coverage may not be set off against the other.

(vii) A covered person as described under Subsection (4)(b)(i) or is entitled to the highest limits of underinsured motorist coverage under only one additional policy per household applicable to that covered person as a named insured, spouse, or relative.

(viii) A covered injured person is not barred against making subsequent elections if recovery is unavailable under previous elections.

(ix) (A) As used in this section, "interpolicy stacking" means recovering benefits for a single incident of loss under more than one insurance policy.

(B) Except to the extent permitted by this Subsection (4), interpolicy stacking is prohibited for underinsured motorist coverage.

(c) Underinsured motorist coverage:

(i) does not cover any benefit paid or payable under Title 34A, Chapter 2, Workers' Compensation Act, except that the covered person is credited an amount described in Subsection 34A-2-106(5);

(ii) may not be subrogated by a workers' compensation insurance carrier, workers' compensation insurance, uninsured employer, the Uninsured Employers Fund created in Section 34A-2-704, or the Employers' Reinsurance Fund created in Section 34A-2-702;

(iii) may not be reduced by benefits provided by workers' compensation insurance, uninsured employer, the Uninsured Employers Fund created in Section 34A-2-704, or the Employers' Reinsurance Fund created in Section 34A-2-702;

(iv) notwithstanding Subsection 31A-1-103(3) ~~§~~ → (f) ← ~~§~~, may be reduced by health insurance

subrogation only after the covered person is made whole;

(v) may not be collected for bodily injury or death sustained by a person:

(A) while committing a violation of Section 41-1a-1314;

(B) who, as a passenger in a vehicle, has knowledge that the vehicle is being operated in violation of Section 41-1a-1314; or