

## HOUSE BILL NO. HB0115

Insurance on loaned vehicles.

Sponsored by: Representative(s) Illoway, Latta, McOmie and  
Walsh and Senator(s) Hines and Larson

A BILL

for

1 AN ACT relating to insurance; requiring that the operator's  
2 motor vehicle insurance coverage be primary coverage as  
3 specified; providing compliance date; and providing for an  
4 effective date.

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6 *Be It Enacted by the Legislature of the State of Wyoming:*

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8 **Section 1.** W.S. 31-9-405(j) and by creating a new  
9 subsection (n) is amended to read:

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11 **31-9-405. "Liability policy" defined; required**  
12 **coverage; additional clauses.**

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14 (j) Except as provided in subsection (n) of this  
15 section, any motor vehicle liability policy may provide for

1 the prorating of the insurance thereunder with other valid  
2 and collectible insurance.

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4 (n) On and after July 1, 2004 each motor vehicle  
5 liability policy shall provide that the operator's motor  
6 vehicle liability coverage is the primary coverage and the  
7 owner's motor vehicle liability coverage is secondary or  
8 excess coverage when:

9

10 (i) The motor vehicle is provided to the  
11 operator for temporary use without charge to the operator  
12 and without compensation to the owner from or on behalf of  
13 the operator, excluding compensation received by the owner  
14 as a result of repair or service to the motor vehicle for  
15 the operator;

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17 (ii) The negligent operation of the motor  
18 vehicle results in the death of or injury to a person or  
19 personal property; and

20

21 (iii) The operator is insured under a motor  
22 vehicle liability policy that complies with the financial  
23 responsibility laws of this state. If the operator is not

1 so insured, the owner's motor vehicle liability coverage  
2 shall be the primary coverage.

3

4 **Section 2.** This act is effective July 1, 2003.

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6

(END)