

H. R. 1

To require the users of motor vehicles to be insured or secured against third party risks; and for connected purposes.

IN THE HOUSE OF REPRESENTATIVES

20TH MARCH 2018

Mr. WILSON (for himself, and San Andreas Government) introduced the following bill.

A BILL

To require the users of motor vehicles to be insured or secured against third party risks; and for connected purposes.

CONTENTS

| | | |
|------------|--|---|
| Section 1. | Short Title; Commencement..... | 1 |
| Section 2. | Definitions..... | 1 |
| Section 3. | Mandatory Third-Party Insurance..... | 2 |
| Section 4. | Requirements in respect of policies of insurance. | 2 |

BE IT ENACTED by the Governor-General with advice and consent of the General Assembly of the State of San Andreas and by the authority of the same, —

SECTION 1. SHORT TITLE; COMMENCEMENT

- (1) This Act may be cited as the “Motor Vehicle Insurance (San Andreas) Act of 2018”.
- (2) This Act shall come into force on the 1st day of the month following the month on which it is passed.

SECTION 2. DEFINITIONS

For the purposes of this Act—

- (1) a “motor vehicle” shall mean any carriage or vehicle which is mechanically propelled by either—
 - (a) a combustion engine, or
 - (b) an electric engine.

- (2) “policy of insurance” shall mean any policy of insurance or such a security in respect of third party risks that complies with the requirements under Section 4.
- (3) “authorised insurer” shall mean any provider of insurance or security against third-party risks registered with the State of San Andreas Department of Transport.

SECTION 3. MANDATORY THIRD-PARTY INSURANCE

- (1) Subject to the provisions of this Act—
 - (a) a person must not use a motor vehicle on a road or other public place unless there is in force, in relation to the use of the vehicle by that person, a policy of insurance, and
 - (b) a person must not cause or permit any other person to use a motor vehicle on a road or other public place unless there is in force, in relation to the use of the vehicle by that other person, a policy of insurance.
- (2) If a person acts in contravention of subsection (1) above he is guilty of an offence.
- (3) A person charged with using a motor vehicle in contravention of this section shall not be convicted if he proves—
 - (a) that the vehicle did not belong to him and was not in his possession under a contract of hiring or of loan,
 - (b) that he was using the vehicle in the course of his employment, and
 - (c) that he neither knew nor had reason to believe that there was not in force in relation to the vehicle such a policy of insurance or security as is mentioned in subsection (1) above.
- (4) This Section does not apply to invalid carriages.

SECTION 4. REQUIREMENTS IN RESPECT OF POLICIES OF INSURANCE.

In order to comply with the requirements of this Act, a policy of insurance must satisfy the following conditions.

- (1) The policy must be issued by an authorised insurer.
- (2) Subject to subsection (3) below, the policy—
 - (a) must insure such person, persons or classes of persons as may be specified in the policy in respect of any liability which may be incurred by them in respect of the death of or bodily injury to any person or damage to property caused by, or arising out of, the use of the vehicle on a road or other public place in the State of San Andreas, and
 - (b) must, in the case of a vehicle normally based in another State or territory within the Commonwealth of Saint Andrews, or a foreign nation, insure him or them in respect of any civil liability which may be incurred by him or them as a result of an event related to the use of the vehicle in the State of San Andreas if, —
 - (i) according to the law of that territory, they would be required to be insured in respect of a civil liability which would arise under that law as a result of that

event if the place where the vehicle was used when the event occurred were in that territory, and

- (ii) the cover required by that law would be higher than that required by paragraph (a) above, and
 - (c) must in the case of a vehicle normally based in the State of San Andreas insure them in respect of any liability which may be incurred by them in respect of the use of the vehicle and of any trailer, whether or not coupled, in a State other than San Andreas according to
 - (i) the law on compulsory insurance against civil liability in respect of the use of vehicles of the State in whose territory the event giving rise to the liability occurred; or
 - (ii) if it would give higher cover, the law which would be applicable under this Act if the place where the vehicle was used when that event occurred were in the State of San Andreas; and
 - (d) must also insure him or them in respect of any liability which may be incurred by them under the provisions of this Act relating to payment for emergency treatment.
- (3) The policy shall not, by virtue of subsection (2)(a) above, be required—
- (a) to cover liability in respect of the death, arising out of and in the course of their employment, of a person in the employment of a person insured by the policy or of bodily injury sustained by such a person arising out of and in the course of their employment, or
 - (b) to provide insurance of more than \$1,000,000 in respect of all such liabilities as may be incurred in respect of damage to property caused by, or arising out of, any one accident involving the vehicle, or
 - (c) to cover liability in respect of damage to the vehicle, or
 - (d) to cover liability in respect of damage to goods carried for hire or reward in or on the vehicle or in or on any trailer, whether or not coupled, drawn by the vehicle, or
 - (e) to cover any liability of a person in respect of damage to property in his custody or under his control, or
 - (f) to cover any contractual liability.

(To be continued)