ASSEMBLY FINANCIAL INSTITUTIONS AND INSURANCE COMMITTEE

STATEMENT TO

ASSEMBLY, No. 3444

with committee amendments

STATE OF NEW JERSEY

DATED: MAY 14, 2021

The Assembly Financial Institutions and Insurance Committee reports favorably and with committee amendments Assembly Bill No. 3444.

As amended, this bill provides that an insurer who receives a request, from an attorney admitted to the practice of law in this State, for disclosure of the policy limits under a private passenger automobile insurance policy issued by the insurer to an insured, shall provide written disclosure of the policy limits to the attorney within 30 days from receipt of the request. The disclosure shall indicate the limits of all private passenger automobile insurance policies and any applicable umbrella or excess liability insurance policies issued by the insurer to the insured.

The bill provides that a request for disclosure of policy limits shall be in writing and shall include:

(1) a statement that the attorney represents an individual who has suffered bodily injury or death alleged to be caused by a motor vehicle accident with an insured under a private passenger automobile insurance policy issued by the insurer;

(2) the name and last known address of the insured;

(3) the date and approximate time of the motor vehicle accident;

(4) a copy of the accident report, if available, relating to the motor vehicle accident; and

(5) a statement from the claimant, or an attorney representing the claimant, providing insurance information, including the claimant's insurer, policy number, and policyholder name; tort threshold selection; and personal injury protection coverage limit.

Under the bill, disclosure of policy limits does not constitute an admission that the alleged injury or damage is subject to the policy, and information concerning the insurance policy is not admissible as evidence at trial by reason of disclosure pursuant to the bill. The disclosure is to be confidential and available only to the individual injured and the attorney representing the injured person and personnel in the office of the attorney.

The Department of Banking and Insurance is required to publish on its website the email address of each insurer, which shall be supplied by each insurer issuing private passenger automobile policies in this State, for the purpose of receiving requests for policy limit disclosures. This provision takes effect on the 60th day next following enactment of the bill.

As amended and reported, this bill is identical to Senate Bill No. 1558 (1R) as reported by the committee.

COMMITTEE AMENDMENTS:

The committee amended the bill to:

(1) require that the automobile insurance policy disclosure required pursuant to the bill include a statement from the claimant, or an attorney representing the claimant, providing the following information:

(a) insurer name, policy number, and policyholder name;

(b) tort threshold selection; and

(c) personal injury protection coverage limit; and

(2) require that the disclosure be confidential and available only to the individual injured and the attorney representing the injured person and personnel in the office of the attorney.