

Sixty-sixth
Legislative Assembly
of North Dakota

ENGROSSED HOUSE BILL NO. 1448

Introduced by

Representative Schobinger

1 A BILL for an Act to amend and reenact section 26.1-40-16 of the North Dakota Century Code,
2 relating to exclusion of people from coverage of automobile insurance.

3 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

4 **SECTION 1. AMENDMENT.** Section 26.1-40-16 of the North Dakota Century Code is
5 amended and reenacted as follows:

6 **26.1-40-16. Exclusion of named persons - Restrictive endorsements.**

7 By written agreement with the named insured, a private passenger automobile insurance
8 policy covering an automobile or other motor vehicle registered or principally garaged in this
9 state may exclude a named individual, ~~individuals, or class of individuals~~ from coverage. The
10 policy may contain a restrictive endorsement reducing the limits of liability, uninsured motorist
11 coverage, underinsured motorist coverage, basic no-fault benefits coverage, or collision
12 coverage while the vehicle is operated by a named individual ~~or class of individuals~~. ~~However, if~~
13 ~~the policy does provide liability coverage to a person named in a restrictive endorsement, but~~
14 the coverage may not be less than the minimum provided under section 26.1-40-15.2, section
15 26.1-40-15.3, subsection 2 of section 26.1-41-01, and section 39-16.1-11. A personal
16 automobile policy may not reduce or exclude the limits of liability, uninsured motorist coverage,
17 underinsured motorist coverage, basic no-fault benefits coverage, or collision coverage for a
18 class of individuals. If the policy excludes a named individual, ~~individuals, or class of individuals~~
19 from all coverage and the named insured expressly or impliedly consents to the operation of a
20 secured motor vehicle by the excluded party, the named insured is not relieved of personal
21 liability as provided by subsection 5 of section 26.1-41-02.