

39:6-63 et al.

LEGISLATIVE FACT SHEET

N.J.R.S. 39:6-63

on *Increases amount recoverable out of Unsat. claim & Judgment Fund.*

(1972 Amendment)

LAWS OF 1972

CHAPTER 198 Dec. 26, 1972

SENATE BILL

ASSEMBLY BILL 803 (OCR)

INTRODUCED *March 6, 1972*

BY *Deverin and others*

SPONSOR'S STATEMENT

YES NO

ASSEMBLY COMMITTEE STATEMENT

YES NO

SENATE COMMITTEE STATEMENT

YES NO

FISCAL NOTE

YES NO

AMENDED DURING PASSAGE

YES NO

HEARING *None discovered*

VETO

GOVERNOR'S STATEMENT ON SIGNING YES *See other side*

BACKGROUND:

974.90 *New Jersey. Automobile Insurance Study Commission.*
A939 *Reparation Reform for New Jersey Motorists, pp. 149-150.*
1971a

974.90 *New Jersey. Commission to study certain automobile insurance*
A939 *matters, including a "no-fault" auto accident insurance plan,*
1971 *4 vols.*

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ASSEMBLY, No. 803

STATE OF NEW JERSEY

INTRODUCED MARCH 6, 1972

By Assemblymen DEVERIN, RAYMOND, BORNHEIMER,
FROUDE, KLEIN and EWING

Referred to Committee on Insurance

AN ACT to amend and supplement the "Unsatisfied Claim and Judgment Fund Law," approved May 10, 1952 (P. L. 1952, c. 174) ***[and repealing section 3 of P. L. 1956, c. 22]***

1 BE IT ENACTED *by the Senate and General Assembly of the State*
2 *of New Jersey:*

1 1. Section 3 of P. L. 1952, c. 174 (C. 39:6-63) is amended to read
2 as follows:

3 3. For the purpose of creating and maintaining the fund:

4 (a) (Deleted by amendment.)

5 (b) (Deleted by amendment.)

6 (c) (Deleted by amendment.)

7 (d) On December 30 in each year, beginning with 1956, the
8 director shall calculate the probable amount which will be needed to
9 carry out the provisions of this act during the ensuing registration
10 license year. In such calculation, he shall take into consideration
11 the amount presently reserved for pending claims, anticipated pay-
12 ments from the fund during said year, anticipated amounts to be
13 reserved for claims pending during said year, and the desirability
14 of maintaining a surplus over and above such anticipated payments
15 and present and anticipated reserves, such surplus not to exceed
16 the amount actually paid from the fund during the 12 full calendar
17 months immediately preceding the date of calculation. **[If, in his**
18 **judgment, the estimated balance of the fund at the beginning of the**
19 **next registration license year will be insufficient to meet such needs,**
20 **he shall:**

21 (1) Determine the amount to be ***[fixed]*** *fixed* as the
22 Unsatisfied Claim and Judgment Fund fee for such registra-
23 tion license year. Such fee shall in no case exceed \$50.00 and

EXPLANATION—Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted in the law.

24 shall be paid by each person registering an uninsured motor
 25 vehicle during such ensuing year at the time of registration in
 26 addition to any other fee prescribed by any other law.

27 (2) If the estimated total amount of Unsatisfied Claim and
 28 Judgment Fund fees to be collected during the ensuing registra-
 29 tion license year shall be insufficient, in the judgment of
 30 the director, to provide the estimated amount needed to carry
 31 out the provisions of this act during the said ensuing registra-
 32 tion license year, he shall assess this estimated deficiency】
 33 *Such probable amount which will be needed to carry out the*
 34 *provisions of this act shall be assessed against insurers for*
 35 *such year's contribution to the fund. Such 【deficiency】*
 36 *probable amount needed shall be apportioned among such in-*
 37 *surers in the proportion that the net direct written premiums*
 38 *of each bears to the aggregate net direct written premiums*
 39 *of all insurers during the preceding calendar year as shown*
 40 *by the records of the commissioner. 【Such aggregate assess-*
 41 *ment, however, shall in no event exceed 1% of the aggregate*
 42 *net direct written premiums for such preceding calendar year.】*
 43 Each insurer shall pay the sum so assessed to the treasurer
 44 on or before March 31, next following.

45 (e) Whenever any of the provisions of this act concerning the
 46 method and sources of assessments, the maximum amounts payable
 47 from the fund, eligibility or qualifications of claimants, or amounts
 48 to be deducted from payments made from the fund are amended
 49 by law, between January 1 and April 30 in any year, the director
 50 may, if he deems it necessary, rescind any assessment made on
 51 December 30 of the preceding year. He shall then, within 15 days
 52 of the adoption of such amendment, recalculate the probable
 53 amount which will be needed to carry out the provisions of this act
 54 during the ensuing registration license year, in accordance with
 55 the provisions of subsection (d) of this section. If, in his judgment,
 56 the estimated balance of the fund at the beginning of the next reg-
 57 istration license year will be insufficient to meet such needs, he shall
 58 determine 【the Unsatisfied Claim and Judgment Fund fee and】 the
 59 contributions of insurers, if any, in accordance with the provisions
 60 of subsection (d) of this section. In the event of a rescission and
 61 reassessment subsequent to March 1 in any year, insurers shall pay
 62 the sum so assessed, if any, to the treasurer within 90 days of the
 63 date of such assessment.

1 *2. Section 4 of P. L. 1952, c. 174 (C. 39:6-64) is amended to read
 2 as follows:

3 4. *Unsatisfied Claim and Judgment Fund Board.* There is hereby
 4 established in, but not as a part of, the Division of Motor Vehicles
 5 of the Department of Law and Public Safety, an *Unsatisfied Claim*
 6 *and Judgment Fund Board* consisting of the director, the commis-
 7 sioner, and four representatives of insurers. Such representatives
 8 of insurers shall be designated annually by the commissioner. He
 9 shall designate one representative of each of the following classes
 10 of companies:

11 (a) *Stock company rating organization members;*

12 (b) *Mutual company rating organization members;*

13 (c) *Independent stock companies; and*

14 (d) *Independent mutual and other companies.*

15 A person designated as a representative shall be an employee or
 16 officer of an insurer of the class which he represents. None of the
 17 members of the board shall receive any compensation or remuner-
 18 ation from the fund. Such board shall maintain an office in this
 19 State, administer the fund subject to the provisions of this act,
 20 determine its cash requirements, and the amounts, if any, available
 21 for investment, and shall have the power to employ such clerical
 22 and other help as may be necessary to the proper discharge of the
 23 duties of the board. The director in the administration of the Motor
 24 Vehicle Security-Responsibility Law and the board in the admin-
 25 istration of this act shall cooperate in order to avoid duplication
 26 and to achieve efficiency and economy. The board shall reimburse
 27 the Division of Motor Vehicles semiannually for the reasonable and
 28 appropriate costs and expenses incurred in performing any service
 29 for the board under this act. Expenses so incurred by the board or
 30 by any department, division or agency of the State on behalf of the
 31 board shall be assessed annually by it, against insurers pro rata in
 32 proportion to premium writings as provided in section 3 (d) [1].
 33 [Insurers shall be entitled to deduct any assessments so paid, from
 34 any assessments made by the director under said section.]*

1 * [2.] * * 3. * Section 9 of P. L. 1952, c. 174 (C. 39:6-69) is amended
 2 to read as follows:

3 9. When any qualified person recovers a valid judgment in any
 3A court of competent jurisdiction in this State, against any other
 4 person, who was the operator or owner of a motor vehicle, for
 5 injury to, death of, any person or persons, or a similar valid
 6 judgment in such court against such a defendant for an amount
 7 in excess of \$100.00, exclusive of interest and costs, for damages
 8 to property, except property of others in charge of such operator
 9 or owner or such operator's or owner's employees, arising out
 10 of the ownership, maintenance or use of the motor vehicle in this

11 State on or after April 1, 1955, and any amount remains unpaid
 12 thereon in the case of a judgment for bodily injury or death, or
 13 any amount in excess of \$100.00 remains unpaid thereon in case
 14 of a judgment for damage to property, such judgment creditor
 15 may, upon the termination of all proceedings, including reviews
 16 and appeals in connection with such judgment, file a verified claim
 17 in the court in which the judgment was entered and, upon 10 days'
 18 written notice to the board may apply to the court for an order
 19 directing payment out of the fund, of the amount unpaid upon
 20 such judgment for bodily injury or death, which does not exceed,
 21 or upon such judgment for damage to property which exceeds the
 22 sum of \$100.00 and does not exceed—

23 (a) The maximum amount or limit of **[\$10,000.00,]**
 24 ***[\$15,000.00]*** **\$15,000.00**, exclusive of interest and costs, on
 25 account of injury to, or death of, one person, in any one accident,
 25A and

26 (b) The maximum amount or limit, subject to such limit for
 27 any one person so injured or killed, of **[\$20,000.00]** *\$30,000.00*,
 28 exclusive of interest and costs, on account of injury to, or death
 29 of, more than one person, in any one accident, and

30 (c) The maximum amount or limit of \$5,000.00 exclusive of
 31 interest and costs, for damage to property in any one accident.

1 ***[3.]*** **4.** Section 13 of P. L. 1952, c. 174 (C. 39:6-73) is
 2 amended to read as follows:

3 13. No order shall be made for the payment and the treasurer
 4 shall make no payment, out of the fund, of

- 5 (a) Any claim for damage to property for less than \$100.00.
 6 (b) The first \$100.00 of any judgment for damage to property
 7 or of the unsatisfied portion thereof, or
 8 (c) The unsatisfied portion of any judgment which, after deduct-
 9 ing \$100.00 therefrom if the judgment is for damage to property,
 10 exceeds

11 (1) the maximum or limit of **[\$10,000.00]**, *\$15,000.00* exclu-
 12 sive of interest and costs, on account of injury to, or death of,
 13 one person in any one accident, and

14 (2) the maximum amount or limit, subject to such limit for
 15 any one person so injured or killed, of **[\$20,000.00]**, *\$30,000.00*
 16 exclusive of interest and costs, on account of injury to, or death
 17 of, more than one person, in any one accident, and

18 (3) the maximum amount or limit of \$5,000.00, exclusive of
 19 interest and costs, for damages to property in any one accident,
 20 provided, that such maximum amounts shall be reduced by any

21 amount received or recovered as specified in subparagraph (m)
22 of section 10.

23 (d) Any claim for damage to property which includes any sum
24 greater than the difference between said maximum amounts and the
25 sum of \$100.00, and any amount paid out of the fund in excess of
26 the amount so authorized may be recovered by the treasurer in an
27 action brought to him against the person receiving the same.

1 ***[4.]*** *5.* Section 24 of P. L. 1952, c. 174 (C. 39:6-84) is
2 amended to read as follows:

3 24. When a judgment is obtained against the director, in an
4 action brought under this act, upon the determination of all proceed-
5 ings including appeals and reviews, the court shall make an order
6 directed to the treasurer directing him to pay out of the fund to
7 the plaintiff in the action the amount thereof which does not exceed
8 **[\$10,000.00]**, \$15,000.00 exclusive of interest and costs, on account
9 of injury to, or death of, one person and, subject to such limits for
10 the death of, or injury to, any one person, does not exceed
11 **[\$20,000.00]**, \$30,000.00 exclusive of interest and costs, on account
12 of the injury to, or death of, more than one person, in any one acci-
13 dent, provided that such maximum amount shall be reduced by any
14 amount received or recovered by the plaintiff as specified in sub-
15 paragraph (m) of section 10.

1 ***[5.]*** *6.* Section 27 of P. L. 1952, c. 174 (C. 39:6-87) is
2 amended to read as follows:

3 27. Registration, etc., not restored until fund is reimbursed.
4 Where the license or privileges of any person, or the registration
5 of a motor vehicle registered in his name, has been suspended or
6 cancelled under the Motor Vehicle Security-Responsibility Law of
7 this State, and the treasurer has paid from the fund any amount in
8 settlement of a claim or towards satisfaction of a judgment against
9 that person, *or for the payment of personal injury protection bene-*
10 *fits as provided in ***[the "New Jersey Automobile Reparation Re-***
11 *form Act," P. L. , c.]** *section 7 and section 10 of this act*,
12 the cancellation or suspension shall not be removed, nor the license,
13 privileges, or registration, restored, nor shall any new license or
14 privilege be issued or granted to, or registration be permitted to be
14A made by, that person until he has

15 (a) Repaid in full to the treasurer the amount so paid by him
16 together with interest thereon at 6% per annum from the date of
17 such payment; and

18 (b) Satisfied all requirements of said Motor Vehicle Security-
19 Responsibility Law in respect of giving proof of ability to respond

20 in damages for future accidents, provided, that the court in which
 21 such judgment was rendered may, upon 10 days' notice to the board,
 22 make an order permitting payment of the amount of such person's
 23 indebtedness to the fund, to be made in installments, *or in the event*
 24 *the fund makes personal injury protection benefit payments* ***[on**
 25 *behalf of such person]**, such person and the fund by agreement
 26 may provide for repayment to the fund to be made in installments,
 27 and in such case, such person's driver's license, or his driving
 28 privilege, or registration certificate, if the same have been
 29 suspended or revoked, or have expired, may be restored or renewed
 30 and shall remain in effect unless and until such person defaults in
 31 making any installment payment specified in such order. In the
 32 event of any such default, the director shall upon notice of such
 33 default suspend such person's driver's license, or driving privileges
 34 or registration certificate until the amount of his indebtedness to
 35 the fund has been paid in full.

36 ***[A discharge in bankruptcy shall not relieve a person from the**
 37 **penalties and disabilities provided in this act.]***

1 ***[6.]*** *7.* When any person qualified to receive payments under
 2 the provisions of the "Unsatisfied Claim and Judgment Fund
 3 Law," suffers bodily injury or death arising out of the ownership,
 4 maintenance, operation or use of an automobile*, *as defined in*
 5 *P. L. 1972, c. 70, registered or principally garaged** in this State
 6 for which personal injury protection benefits under the "New
 7 Jersey Automobile Reparation Reform Act" would be payable to
 8 such person if personal injury protection coverage were in force
 9 and the damages resulting from such automobile accident or deaths
 10 are not satisfied due to the personal injury protection coverage not
 11 being in effect with respect to such automobile accident, then in such
 12 event the Unsatisfied Claim and Judgment Fund shall provide,
 12A under the following conditions, the following benefits:

13 a. Medical expense benefits. Payment of all reasonable medical
 14 expenses incurred as a result of personal injury sustained in an
 15 automobile accident. **In the event of death, payment shall be made*
 15A *to the estate of the decedent.**

16 b. Income continuation benefits. The payment of the loss of
 17 income of an income producer as a result of bodily injury disability,
 18 subject to a maximum weekly payment of \$100.00, per week. Such
 19 sums shall be payable during the life of the injured person and
 20 shall be subject to an amount or limit of \$5,200.00, on account of
 21 injury to any one person, in any one accident.

22 c. Essential services benefits. Payment of essential services
 23 benefits to an injured person ***[other than an income producer]***

24 shall be made in reimbursement of necessary and reasonable
 25 expenses incurred for such substitute essential services ordinarily
 26 performed by the injured person *~~for the injured person~~* *for*
 27 *himself**, his family and members of the family residing in the
 28 household, subject to an amount or limit of \$12.00 per day. Such
 29 benefits shall be payable during the life of the injured person and
 30 shall be subject to an amount or limit of \$4,380.00, on account of
 31 injury to any one person in any one accident.

32 d. Survivor benefits. In the event of the death of an income pro-
 33 ducer *~~or one performing essential services as a result of injuries~~
 34 sustained in an automobile accident, the benefits that would have
 35 been paid to the injured person but for his death, shall be paid
 36 to the surviving spouse dependent upon the deceased for such in-
 37 come or essential services, or in the event there is no dependent sur-
 38 viving spouse, then to the surviving children dependent upon the
 39 deceased for such income or essential services]* *as a result of*
 40 *injuries sustained in an accident entitling such person to benefits*
 41 *under section 7 of this act, the maximum amount of benefits which*
 42 *could have been paid to the income producer, but for his death,*
 43 *under section 7 b. shall be paid to the surviving spouse, or in the*
 44 *event there is no surviving spouse, then to the surviving children,*
 45 *and in the event there are no surviving spouse or surviving*
 46 *children, then to the estate of the income producer.*

47 *In the event of the death of one performing essential services as*
 48 *a result of injuries sustained in an accident entitling such person to*
 49 *benefits under section 7 c. of this act, the maximum amount of*
 50 *benefits which could have been paid such person, under section 7 c.,*
 51 *shall be paid to the person incurring the expense of providing such*
 52 *essential services.**

53 e. Funeral expenses benefits. *~~Payment of all~~* *All** reason-
 54 able funeral, burial and cremation expenses, subject to a maximum
 55 benefit of \$1,000.00, on account of the death to any one person in
 56 any one accident *shall be payable to decedent's estate*.*

57 *Provided, however, that no benefits shall be paid under this sec-*
 58 *tion unless the person applying for benefits has demonstrated:*

59 1. *he is not a person covered with respect to such injury or death*
 60 *by any workmen's compensation law, or the personal representa-*
 61 *tive of such a person;*

62 2. *he is not a spouse, parent or child of the uninsured motorist*
 63 *referred to in 4. of this section, or the personal representative of*
 64 *such spouse, parent or child;*

65 3. *he was not, at the time of the accident, a person;*

66 (a) operating or riding in a motor vehicle which he had
67 stolen or participated in stealing; or

68 (b) operating a motor vehicle without the permission of the
69 owner, and is not the personal representative of such a person,

70 4. he was not, at the time of the accident, operating or riding in
71 an uninsured motor vehicle owned by him or his spouse, parent or
72 child, and was not operating a motor vehicle in violation of an
73 order of suspension or revocation; and

74 5. he is not an insurer, and is not bringing this action on behalf
75 of any insurer.*

1 ***[7.]*** *8.* The benefits provided in ***[section 4 a., b., c., d., and**
2 e. of the New Jersey Automobile Reparation Reform Act, P. L.
3 ..., c. ...]* *sections 7 and 10*, shall be payable as loss accrues,
4 upon written notice of such loss *including reasonable proof of such
5 loss* and without regard to collateral sources, except that benefits
6 collectible under ***[workmen's compensation insurance,]*** em-
7 ployees temporary disability benefit statutes and medicare pro-
8 vided under Federal law, shall be deducted from the benefits
9 collectible under ***[section 4 a., b., c., d., and e. of the New Jersey**
10 Automobile Reparation Reform Act; provided, however, that any
11 person entitled to workmen's compensation benefits shall not be
12 disqualified from receiving personal injury protection benefits
13 under this section.]* *sections 7 and 10.*

1 ***[8.]*** *9.* Any qualified person entitled to receive benefits as
2 provided in section ***[6]*** *7* of this act shall be precluded from
3 receiving such benefits where such person's conduct contributed to
4 his personal injuries or death in any of the following ways:

5 ***[a.** While operating an automobile while under the influence of
6 alcohol or of any controlled dangerous substances as defined in
7 article 2 of P. L. 1970, c. 226; or]**]***

8 ***[b.]*** *a.* While committing a high misdemeanor or felony or
9 seeking to avoid ***[unlawful]*** *lawful* apprehension or arrest by
10 a police officer; or

11 ***[c.]*** *b.* While acting with specific intent of causing injury or
12 damage to himself or others.

1 ***[9.]*** *10.* When the death of or personal injury to any person
2 arises out of the ownership, maintenance or use of an automobile in
3 this State on or after the effective date of this act, but the identity
4 of the automobile and of the operator and owner thereof cannot be
5 ascertained or it is established that the automobile was at the time
6 said accident occurred, in the possession of some person other
7 than the owner without the owner's consent and that the identity
8 of such person cannot be ascertained, any person qualified to

9 receive payments under the provisions of the "Unsatisfied Claim
10 and Judgment Fund Law" shall be entitled to receive payment
11 under sections ***[6 and 9]*** *7 and 10* of this act, provided that:

12 a. The claimant is not a person covered with respect to such
13 injury or death by any workmen's compensation law, or the per-
14 sonal representative of such a person,

15 b. The claimant was not at the time of the accident operating or
16 riding in an uninsured motor vehicle owned by him or his spouse,
17 parent or child, and was not operating a motor vehicle in violation
18 of an order of suspension or revocation,

19 ***[c.]*** The claimant has a cause of action against the operator or
20 owner of such motor vehicle or against the operator who was
21 operating the motor vehicle without the consent of the owner of
22 the motor vehicle,]* *c. The claimant was not at the time of the
22A accident:

22B (1) a person operating or riding in a motor vehicle which he had
22C stolen or participated in stealing, or

22D (2) operating a motor vehicle without the permission of the
22E owner, and is not the personal representative of such a person,*

23 d. All reasonable efforts have been made to ascertain the identity
24 of the motor vehicle and of the owner and operator thereof and
25 either that the identity of the motor vehicle and the owner and
26 operator thereof cannot be established, or that the identity of the
27 operator, who was operating the motor vehicle without the owner's
28 consent, cannot be established,

29 *e. the claimant is not a spouse, parent or child of the uninsured
30 motorist referred to in subsection b. of this section, or the personal
31 representative of such spouse, parent or child, or*

32 ***[e.]*** *f.* The action or claim is not brought by or on behalf of
33 an insurer.

1 ***[10.]*** *11.* Any qualified person ***[entitled]*** *seeking* to
2 receive benefits as provided in sections ***[6 and 9]*** *7 and 10* of
3 this act shall ***[as soon as practicable after the]*** *comply with
4 the provisions of section 5 of P. L. 1952, c. 174 (C. 39:6-65)*
5 ***[accident make application to the Unsatisfied Claim and Judg-
6 ment Fund, the form and contents shall be prescribed by the fund,
7 for the payment of benefits as provided in sections 6 and 9 of this
8 act]*** and payment under these sections shall be payable to the
9 qualified person entitled to receive such benefits, as the loss accrues,
10 upon receipt of reasonable proof of such loss and without the need
11 of a ***[notice as provided in section 5 of P. L. 1954, c. 174
12 (C. 39:6-65), or]*** a judgment as to damages, or a hearing as

13 provided in section 10 of P. L. 1954, c. 174 (C. 39:6-70) or an order
 14 for payment as provided in section 11 of P. L. 1954, c. 174
 15 (C. 39:6-71).

1 ***[11.** In the event payment is made under sections 6 and 9 of this
 2 act, the director of the Unsatisfied Claim and Judgment Fund shall
 3 be subrogated to the rights of any party to whom it makes such
 4 payments, to the extent of such payments. Such subrogation rights
 5 regardless of the amount in controversy, when exercised in this
 6 State, shall be exercised by agreement or by arbitration as provided
 7 in "An act providing for the arbitration of automobile accident
 8 claims in certain cases," P. L. . . . , c. . . . The exemption from
 9 tort liability does not apply to the Unsatisfied Claim and Judgment
 10 Funds subrogation rights.]*

1 **12. The director shall be entitled to recover on behalf of the*
 2 *Unsatisfied Claim and Judgment Fund for all payments made by*
 3 *it pursuant to sections 7 and 10 of this act, regardless of fault, from*
 4 *any person who owned or operated the automobile involved in the*
 5 *accident and whose failure to have the required insurance coverage*
 6 *in effect at the time of the accident resulted in the payment of per-*
 7 *sonal injury protection benefits. If the identity of the owner and*
 8 *operator is not ascertained until after personal injury protection*
 9 *benefits have been paid then the director shall be entitled to recover*
 10 *for such payments, regardless of fault, from the operator if he was*
 11 *driving without the owner's permission or from the operator and*
 12 *the owner if he was driving with the owner's permission or, in*
 13 *either case, from the insurer if there is an insurance policy pro-*
 14 *viding personal injury protection benefits that was in effect at the*
 15 *time of the accident with respect to such automobile.*

16 *The director is authorized to bring an action, which shall be a*
 17 *summary proceeding, in the County Court or the Superior Court to*
 18 *reduce the right provided by this section to judgment.**

1 ***[12.** Section 3 of "An act to amend and supplement the Un-
 2 satisfied Claim and Judgment Fund Law," approved May 10, 1952
 3 (P. L. 1952, c. 174), is repealed.]*

1 13. This act shall take effect January 1, 1973, except that section
 2 1 shall take effect immediately.

FROM THE OFFICE OF THE GOVERNOR

DECEMBER 26, 1972

FOR RELEASE:
IMMEDIATE

A 803 - P. 2

Governor William T. Cahill signed into law today seven bills to supplement provisions of the new no-fault automobile insurance which goes into effect in New Jersey on January 1st. The Governor, who actively supported the no-fault package of legislation from its inception, commended the members of the Automobile Insurance Study Commission, Commissioner of Insurance Richard C. McDonough and the Legislature for their cooperation in passing this most important legislation.

The principal bill, sponsored by Assemblyman Eugene Raymond (R., Camden), amends the No-Fault Act to clarify certain questions that arose since its passage. The bill changes make it clear that medically indigent individuals who receive free or low cost medical care may include reasonable value of those services in calculating the \$200 "threshold" amount to determine if they have the right to sue for damages. They broaden the personal injury protection benefits provided. They make it clear that camper-type vehicles are covered by no-fault insurance, and allow senior citizens to receive "income producer" benefits beyond age 65 under certain circumstances if they are injured in an automobile accident.

In addition, the bill gives the Commissioner of Insurance the necessary power to promulgate rules and regulations to implement and enforce the act and sets up a time limit during which individuals must claim personal injury protection benefit

Bill A-802, also sponsored by Assemblyman Raymond, makes motor vehicle liability insurance coverage compulsory. Under this bill, any individual convicted of operating a motor vehicle in New Jersey without the minimum coverage can be punished by the courts as a disorderly person.

Another Raymond-sponsored measure, A-1007, requires all operators of motor vehicles in this State to carry an insurance identification card which demonstrates they have the required insurance coverage.

Two of the other bills amend the Unsatisfied Claim and Judgment Fund and the Security Responsibility Laws to coincide with the concept of No-Fault insurance. Bill A-803, sponsored by Assemblyman Thomas Deverin (D., Middlesex), provided that pedestrians injured by an uninsured driver, who should have no-fault insurance coverage but does not, will be able to collect no-fault benefits from the Unsatisfied Claim and Judgment Fund.

Under Bill A-804, sponsored by Assemblyman Raymond, the amounts of security which an uninsured individual involved in an accident must post with the Division of Motor Vehicles has been increased to coincide with the minimum limits of insurance coverage which an individual is now required to have in effect in order to operate a motor vehicle in New Jersey.

The other two of the seven bills were sponsored by Assemblyman Philip Kaltenbacher (R., Essex). A-1475 allows the Director of the Division of Motor Vehicles to control information supplied by insurance companies with respect to cancellation and non-renewal of automobile insurance policies. A-1477 requires insurance companies to supply information on the termination of motor vehicle insurance or the issuance or renewal of insurance as required by the Director of Motor Vehicles.

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