

17:33B-14

LEGISLATIVE HISTORY CHECKLIST
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(Auto accident--emergency)

NJSA: 17:33B-14

LAWS OF: 1997 CHAPTER: 381

BILL NO: S1435

SPONSOR(S): LaRossa

DATE INTRODUCED: July 25, 1996

COMMITTEE: ASSEMBLY: Insurance

SENATE: Commerce

AMENDED DURING PASSAGE: Yes Amendments during passage denoted by
Second reprint enacted superscript numbers

DATE OF PASSAGE: ASSEMBLY: January 12, 1998

SENATE: April 21, 1997

DATE OF APPROVAL: January 19, 1998

FOLLOWING STATEMENTS ARE ATTACHED IF AVAILABLE:

SPONSOR STATEMENT: Yes

COMMITTEE STATEMENT: ASSEMBLY: Yes

SENATE: Yes

FISCAL NOTE: No

VETO MESSAGE: No

MESSAGE ON SIGNING: No

FOLLOWING WERE PRINTED:
REPORTS: No

HEARINGS: No

KBP:pp

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P.L. 1997, CHAPTER 381, *approved January 19, 1998*
Senate, No. 1435 (*Second Reprint*)

1 AN ACT concerning certain at-fault accidents and amending P.L.1990,
2 c.8.

3
4 **BE IT ENACTED** by the Senate and General Assembly of the State
5 of New Jersey:

6
7 1. Section 26 of P.L.1990, c.8 (C.17:33B-14) is amended to read
8 as follows:

9 26. The commissioner shall, within 90 days of the effective date of
10 this act, promulgate a schedule of automobile insurance eligibility
11 points by rule or regulation adopted pursuant to the "Administrative
12 Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.). The schedule
13 shall assess a point valuation to driving experience related violations
14 and shall include assessments for violations of lawful speed limits
15 within such increments as determined by the commissioner, other
16 moving violations, and at-fault accidents. For the purposes of this
17 section, an "at-fault accident" means an at-fault accident which results
18 in payment by the insurer of at least a \$500 claim; except that an at-
19 fault accident shall not mean an accident occurring as a result of
20 operation of any motor vehicle ²[¹with a visible flashing blue light¹]²
21 in response to a medical emergency if the operator at the time of the
22 accident was a physician responding to the medical emergency.
23 (cf: P.L.1990, c.8, s.26)

24
25 2. This act shall take effect immediately.

26
27
28
29 Provides exception to definition of "at-fault accident" for accidents
30 involving physicians responding to medical emergencies using flashing
31 blue light.

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

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

¹ Senate SCM committee amendments adopted October 28, 1996.

² Assembly AIN committee amendments adopted December 11, 1997.

SENATE, No. 1435

STATE OF NEW JERSEY

INTRODUCED JULY 25, 1996

By Senator LaROSSA

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23 (cf: P.L.1990, c.8, s.26)

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STATEMENT

29

30 This bill would make an exception to the definition of "at-fault
31 accident" for accidents in which a medical doctor is at-fault while
32 operating a motor vehicle in response to a medical emergency. Under
33 current law, such accidents are charged against the personal driving
34 record of the medical doctor, if he is at-fault, and could lead to the

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1 assessment of automobile insurance eligibility points against the
2 doctor. This bill would preclude an insurer from assessing automobile
3 insurance eligibility points against and thus surcharging a medical
4 doctor who is involved in an at-fault accident while operating a motor
5 vehicle in response to a medical emergency.

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10 Provides exception to definition of "at-fault accident" for accidents
11 involving physicians responding to medical emergencies.

[Second Reprint]
SENATE, No. 1435

STATE OF NEW JERSEY

INTRODUCED JULY 25, 1996

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By Senators LaROSSA and Inverso

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ASSEMBLY INSURANCE COMMITTEE

STATEMENT TO

[First Reprint]

SENATE, No. 1435

with committee amendments

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STATE OF NEW JERSEY

DATED: DECEMBER 11, 1997

The Assembly Insurance Committee reports favorably and with committee amendments Senate Bill No. 1435 (1R).

This bill, as amended by the committee excludes from the definition of an "at-fault accident" those accidents in which a medical doctor is at-fault while operating a motor vehicle in response to a medical emergency. Under current law, such accidents are charged against the personal driving record of the medical doctor, if he is at-fault, and could lead to the assessment of automobile insurance eligibility points against the doctor. Automobile insurance eligibility points are used to determine if a driver qualifies for automobile insurance coverage in the voluntary market, or must be written in the residual market. This bill would preclude the assessment of automobile insurance eligibility points against a medical doctor who is involved in an at-fault accident while operating a motor vehicle in response to a medical emergency. However, the provisions of the bill would not immunize a physician from civil liability for causing an accident while operating a motor vehicle in response to a medical emergency.

SENATE COMMERCE COMMITTEE

STATEMENT TO

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SENATE, No. 1435

with committee amendments

STATE OF NEW JERSEY

DATED: OCTOBER 28, 1996

The Senate Commerce Committee reports favorably and with committee amendments Senate Bill No. 1435.

This bill, as amended by the committee, excludes from the definition of an "at-fault accident" those accidents in which a medical doctor is at-fault while operating a motor vehicle with a visible flashing blue light in response to a medical emergency. Under current law, such accidents are charged against the personal driving record of the medical doctor, if he is at-fault, and could lead to the assessment of automobile insurance eligibility points against the doctor. This bill precludes an insurer from assessing automobile insurance eligibility points against and thus surcharging a medical doctor who is involved in an at-fault accident while operating a motor vehicle with a visible flashing blue light in response to a medical emergency.