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RH/CL

P.L. 2021, CHAPTER 177, *approved July 22, 2021*
Senate, No. 1558 (*First Reprint*)

1 **AN ACT** concerning disclosure of automobile insurance policy
2 limits and supplementing P.L.1972, c.70 (C.39:6A-1 et seq.).
3

4 **BE IT ENACTED** by the Senate and General Assembly of the State
5 of New Jersey:
6

7 1. a. An insurer who receives a request, from an attorney
8 admitted to the practice of law in this State, for disclosure of the
9 policy limits under a private passenger automobile insurance policy
10 issued by the insurer to an insured, shall provide written disclosure
11 of the policy limits to the attorney no later than 30 days from
12 receipt of the request. The disclosure shall indicate the limits of all
13 private passenger automobile insurance policies and any applicable
14 umbrella or excess liability insurance policies issued by the insurer
15 to the insured.

16 b. A request for disclosure of policy limits shall be in writing
17 and shall include:

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

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

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

24 ¹**[and]**¹

25 (4) a copy of the accident report, if available, relating to the
26 motor vehicle accident¹; and

27 (5) a statement from the claimant, or an attorney representing
28 the claimant, providing insurance information, which shall include
29 the claimant's:

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

31 (b) tort threshold selection; and

32 (c) personal injury protection coverage limit¹.

33 c. Disclosure of policy limits under this section shall not
34 constitute an admission that the alleged injury or damage is subject to
35 the policy.

36 d. Information concerning the insurance policy shall not be
37 admissible as evidence at trial by reason of disclosure pursuant to this
38 section. ¹The disclosure shall be confidential and available only to the

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

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

¹Senate floor amendments adopted November 16, 2020.

1 individual injured and the attorney representing the injured person and
2 personnel in the office of the attorney.¹

3 e. The Department of Banking and Insurance shall publish on its
4 website the email address of each insurer, which shall be supplied by
5 each insurer issuing private passenger automobile policies in this State,
6 for the purpose of receiving requests for policy limit disclosures
7 pursuant to this section.

8
9 2. This act shall take effect immediately, except subsection e. of
10 section 1 of this act shall take effect on the 60th day next following
11 enactment.

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16 Requires automobile insurers to disclose policy limits upon
17 request by an attorney under certain circumstances.

CHAPTER 177

AN ACT concerning disclosure of automobile insurance policy limits and supplementing P.L.1972, c.70 (C.39:6A-1 et seq.).

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

C.39:6A-13.2 Disclosure of policy limits to attorney.

1. a. 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 no later than 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.

b. 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, which shall include the claimant's:

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

(b) tort threshold selection; and

(c) personal injury protection coverage limit.

c. Disclosure of policy limits under this section shall not constitute an admission that the alleged injury or damage is subject to the policy.

d. Information concerning the insurance policy shall not be admissible as evidence at trial by reason of disclosure pursuant to this section. The disclosure shall be confidential and available only to the individual injured and the attorney representing the injured person and personnel in the office of the attorney.

e. The Department of Banking and Insurance shall 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 pursuant to this section.

2. This act shall take effect immediately, except subsection e. of section 1 of this act shall take effect on the 60th day next following enactment.

Approved July 22, 2021.

SENATE, No. 1558

STATE OF NEW JERSEY
219th LEGISLATURE

INTRODUCED FEBRUARY 13, 2020

Sponsored by:

Senator NICHOLAS P. SCUTARI

District 22 (Middlesex, Somerset and Union)

SYNOPSIS

Requires automobile insurers to disclose policy limits upon request by an attorney under certain circumstances.

CURRENT VERSION OF TEXT

As introduced.



S1558 SCUTARI

2

1 AN ACT concerning disclosure of automobile insurance policy
2 limits and supplementing P.L.1972, c.70 (C.39:6A-1 et seq.).

3

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

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7 1. a. An insurer who receives a request, from an attorney
8 admitted to the practice of law in this State, for disclosure of the
9 policy limits under a private passenger automobile insurance policy
10 issued by the insurer to an insured, shall provide written disclosure
11 of the policy limits to the attorney no later than 30 days from
12 receipt of the request. The disclosure shall indicate the limits of all
13 private passenger automobile insurance policies and any applicable
14 umbrella or excess liability insurance policies issued by the insurer
15 to the insured.

16 b. A request for disclosure of policy limits shall be in writing
17 and shall include:

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

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

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

25 (4) a copy of the accident report, if available, relating to the
26 motor vehicle accident.

27 c. Disclosure of policy limits under this section shall not
28 constitute an admission that the alleged injury or damage is subject to
29 the policy.

30 d. Information concerning the insurance policy shall not be
31 admissible as evidence at trial by reason of disclosure pursuant to this
32 section.

33 e. The Department of Banking and Insurance shall publish on its
34 website the email address of each insurer, which shall be supplied by
35 each insurer issuing private passenger automobile policies in this State,
36 for the purpose of receiving requests for policy limit disclosures
37 pursuant to this section.

38

39 2. This act shall take effect immediately, except subsection e. of
40 section 1 of this act shall take effect on the 60th day next following
41 enactment.

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STATEMENT

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46 This bill provides that an insurer who receives a request, from an
47 attorney admitted to the practice of law in this State, for disclosure
48 of the policy limits under a private passenger automobile insurance

S1558 SCUTARI

1 policy issued by the insurer to an insured, shall provide written
2 disclosure of the policy limits to the attorney within 30 days from
3 receipt of the request. The disclosure shall indicate the limits of all
4 private passenger automobile insurance policies and any applicable
5 umbrella or excess liability insurance policies issued by the insurer
6 to the insured.

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

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

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

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

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

18 Under the bill, disclosure of policy limits does not constitute an
19 admission that the alleged injury or damage is subject to the policy,
20 and information concerning the insurance policy is not admissible
21 as evidence at trial by reason of disclosure pursuant to the bill.

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

ASSEMBLY FINANCIAL INSTITUTIONS AND INSURANCE
COMMITTEE

STATEMENT TO

[First Reprint]

SENATE, No. 1558

STATE OF NEW JERSEY

DATED: MAY 14, 2021

The Assembly Financial Institutions and Insurance Committee reports favorably Senate Bill No. 1558 (1R).

This bill provides that an insurer who receives certain requests, from attorneys 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 reported, this bill is identical to Assembly Bill No. 3444 as amended and reported by the committee.

SENATE COMMERCE COMMITTEE

STATEMENT TO

SENATE, No. 1558

STATE OF NEW JERSEY

DATED: OCTOBER 22, 2020

The Senate Commerce Committee reports favorably Senate Bill No. 1558.

This bill provides that an insurer who receives certain requests, from attorneys 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; and

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

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 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.

STATEMENT TO

SENATE, No. 1558

with Senate Floor Amendments
(Proposed by Senator SCUTARI)

ADOPTED: NOVEMBER 16, 2020

These amendments provide that the automobile insurance policy disclosure required pursuant to the bill shall include a statement from the claimant, or an attorney representing the claimant, providing the claimant's insurer, policy number, and policyholder name, tort threshold selection, and personal injury protection coverage limit.

The amendments also provide that the disclosure shall be confidential and available only to the individual injured and the attorney representing the injured person and personnel in the office of the attorney.

ASSEMBLY, No. 3444

STATE OF NEW JERSEY 219th LEGISLATURE

INTRODUCED FEBRUARY 25, 2020

Sponsored by:

Assemblyman JON M. BRAMNICK
District 21 (Morris, Somerset and Union)
Assemblywoman JOANN DOWNEY
District 11 (Monmouth)
Assemblywoman ANNETTE QUIJANO
District 20 (Union)

SYNOPSIS

Requires automobile insurers to disclose policy limits upon request by an attorney under certain circumstances.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 5/5/2021)

1 AN ACT concerning disclosure of automobile insurance policy
2 limits and supplementing P.L.1972, c.70 (C.39:6A-1 et seq.).

3

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

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7 1. a. An insurer who receives a request, from an attorney
8 admitted to the practice of law in this State, for disclosure of the
9 policy limits under a private passenger automobile insurance policy
10 issued by the insurer to an insured, shall provide written disclosure
11 of the policy limits to the attorney no later than 30 days from
12 receipt of the request. The disclosure shall indicate the limits of all
13 private passenger automobile insurance policies and any applicable
14 umbrella or excess liability insurance policies issued by the insurer
15 to the insured.

16 b. A request for disclosure of policy limits shall be in writing
17 and shall include:

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

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

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

25 (4) a copy of the accident report, if available, relating to the
26 motor vehicle accident.

27 c. Disclosure of policy limits under this section shall not
28 constitute an admission that the alleged injury or damage is subject to
29 the policy.

30 d. Information concerning the insurance policy shall not be
31 admissible as evidence at trial by reason of disclosure pursuant to this
32 section.

33 e. The Department of Banking and Insurance shall publish on its
34 website the email address of each insurer, which shall be supplied by
35 each insurer issuing private passenger automobile policies in this State,
36 for the purpose of receiving requests for policy limit disclosures
37 pursuant to this section.

38

39 2. This act shall take effect immediately, except subsection e. of
40 section 1 of this act shall take effect on the 60th day next following
41 enactment.

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STATEMENT

45

46 This bill provides that an insurer who receives a request, from an
47 attorney admitted to the practice of law in this State, for disclosure
48 of the policy limits under a private passenger automobile insurance

1 policy issued by the insurer to an insured, shall provide written
2 disclosure of the policy limits to the attorney within 30 days from
3 receipt of the request. The disclosure shall indicate the limits of all
4 private passenger automobile insurance policies and any applicable
5 umbrella or excess liability insurance policies issued by the insurer
6 to the insured.

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

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

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

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

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

18 Under the bill, disclosure of policy limits does not constitute an
19 admission that the alleged injury or damage is subject to the policy,
20 and information concerning the insurance policy is not admissible
21 as evidence at trial by reason of disclosure pursuant to the bill.

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

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.

Governor Murphy Takes Action on Legislation

07/22/2021

TRENTON – Today, Governor Murphy signed the following bills into law:

S-1558/A-3444 (Scutari/Bramnick, Downey, Quijano) – Requires automobile insurers to disclose policy limits upon request by an attorney under certain circumstances

S-3926/A-5894 (Sweeney, Smith/Burzichelli, Kennedy, Karabinchak) – Authorizes certain offshore wind projects to construct power lines and obtain real property interests; grants BPU authority to supersede certain local governmental powers upon petition from offshore wind project

A-4250/S-2508 (Downey, Mukherji, Murphy/Gopal, Greenstein) – Revises law concerning notaries and notarial acts; authorizes electronic signatures

A-5310/S-3597 (Lopez/Vitale) – Increases limit on number of social affairs permits that can be issued for one premises from 25 to 52 for designated premises owned by municipality or for event sponsored by municipality

A-5758/S-3842 (Coughlin, Chiaravalloti, Mazzeo, Timberlake/Singleton, Turner) – Provides funding for experiential housing advocacy programs to provide legal services for low- and moderate-income tenants in need of housing assistance; appropriates \$2 million