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*Bill Analysis*  
Legislative Service Commission

## **S.B. 57\***

123rd General Assembly  
(As Reported by S. Insurance, Commerce & Labor)

**Sens. Hottinger, Ray**

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### **BILL SUMMARY**

- Modifies the umbrella liability component of the definition of "automobile liability or motor vehicle liability policy of insurance" for purposes of the Uninsured and Underinsured Motorist Law.

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### **CONTENT AND OPERATION**

#### **Background**

Under the Uninsured and Underinsured Motorist Law, no "automobile liability or motor vehicle liability policy of insurance" insuring against loss resulting from liability for bodily injury or death arising out of the ownership, maintenance, or use of a motor vehicle can be delivered or issued for delivery in Ohio unless both uninsured and underinsured motorist coverages are offered to persons insured under the policy for loss due to bodily injury or death suffered by such insureds. The Law defines "automobile liability or motor vehicle liability policy of insurance" as either of the following:

(1) Any insurance policy that serves as proof of financial responsibility for purposes of the Financial Responsibility Law for owners or operators of the motor vehicles specifically identified in the policy;

(2) Any umbrella liability insurance policy. (Sec. 3937.18(L).)

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\* This analysis was prepared before the report of the Senate Insurance, Commerce and Labor Committee appeared in the Senate Journal. Note that the list of co-sponsors and the legislative history may be incomplete.

**The bill**

The bill amends the definition of "automobile liability or motor vehicle liability policy of insurance," thereby affecting which policies are required to offer uninsured and underinsured motorist coverages. Under the bill, the second component of the definition is modified to mean any umbrella liability insurance policy *written as excess over one or more policies described in (1), above.* (See COMMENT.)

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**COMMENT**

An umbrella liability policy is a separate policy over and above any other basic liability policy the insured may have. It affords high limit coverage in excess of the limits of the primary policies as well as additional liability coverages. (*Glossary of Insurance Terms*, 5th Edition, Merritt Publishing.)

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**HISTORY**

| ACTION                                      | DATE     | JOURNAL ENTRY |
|---|----------|---------------|
| Introduced                                  | 02-10-99 | p. 124        |
| Reported, S. Insurance,<br>Commerce & Labor | ---      | ---           |

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