

9. Jurisdictional Synopsis

Alabama

Requires that both Uninsured Motorist and Underinsured Motorist (UM/UIM) be offered but can drivers can reject it in writing.

Alaska

Uninsured and underinsured motorists coverage may be rejected by the insured in writing; if the insured has rejected the coverage, the coverage shall not be included in any supplemental, renewal, or replacement policy unless the insured subsequently requests the coverage in writing.

Arizona

The AZ DOI notes that every insurer writing automobile liability or motor vehicle liability policies in Arizona must make available and offer, by written notice, Uninsured Motorist, and Underinsured Motorist coverage. A policyholder can reject it however state law requires that all motor vehicle liability policies provide Underinsured Motorist protection unless it is deleted or reduced by agreement between the insured and the company.

Arkansas

Here private passenger automobile liability insurance covering liability arising out of the ownership, maintenance, or use of any motor vehicles in this state shall be delivered or issued in this state or issued as to any private passenger automobile principally garaged in this state unless the insured has the opportunity, which he or she may reject in writing, to purchase Underinsured Motorist coverage.

California

California requires that insurance companies must offer UM/UIM coverages with every auto insurance policy however policyholders can reject it and thus not place it on their policy. In CA, these coverages provide liability insurance when the party at fault does not have the state required minimum liability coverage, or the minimum liability coverage is insufficient to cover the injuries sustained in the accident. Likewise, Uninsured Motorist Property Damage covers possible reimbursement for damages your car sustains (BI and PD).

Colorado

Colorado law concerning insurance coverage for un-insured and under-insured motorists allows consumers to decide whether to purchase optional coverage. However, insurance providers must offer this option with any new or renewal car or motorcycle policy.

Effective January 1, 2008, Colorado has in place a new law will changes Colorado's UM coverage in two important ways:

Before the January 1, 2008 law change an insurance company could "offset" the amount paid by the at-fault driver's insurance company against the amount available under your own UM policy;

Before January 1, 2008, insurance companies were able to include "anti-stacking" language in their UM coverage's that prevented those who pay for multiple policies on multiple cars in the same household from adding the UM coverage's on each separate policy together in order to maximize coverage.

Colorado's new law makes the UM coverage you purchase "stack" on top of the total amount of insurance available from the "at-fault" driver. For example, since January 1, 2008, if you buy \$50,000 of UM coverage to protect your family, the entire \$50,000 will be available to you on top of the insurance available from the at-fault driver if you need it.

The law is directed at Underinsured Motorist coverage as well. This new Colorado law only applies to renewals of Underinsured Motorist coverage policies or new Underinsured Motorist policies issued after January 1, 2008. You have to find out when your policy renews. If your policy renews in July 2008, and you are in a collision in April 2008, the old law will govern. If you are not certain when your policy renews and would like to have this new law apply to your coverage, contact your agent, and see whether you can add this coverage before the renewal.

Connecticut

Connecticut General Statute's 38a-334 et seq. mandates that insurance policies provide Uninsured/Underinsured Motorist coverage protection for the innocent victims of "financially irresponsible" motorists.

In this state Uninsured Motorist coverage protects injured drivers in a situation where the at-fault driver

had no insurance, leaves the scene of the accident, and is never found. Underinsured Motorist coverage provides compensation for injured drivers when the at-fault driver does not have enough insurance coverage to compensate the injured party in full for his or her injuries.

Uninsured/Underinsured Motorist Bodily Injury coverage is required in this state with mandatory minimum limits of \$20,000/\$40,000. In addition, if you want to carry this coverage on multiple vehicles, the limits must be the same for each vehicle.

Delaware

The DE DOI states Uninsured/Underinsured Motorist coverage is not mandatory, but it is required that the coverage be offered to all policyholders. This coverage is designed to pay damages for injuries that could be received in accidents caused by drivers of uninsured and underinsured vehicles. This includes \$10,000 Property Damage Coverage, which applies only to accidents with uninsured vehicles and is subject to a \$250 deductible.

In Delaware Uninsured/Underinsured vehicle coverage is optional and available in limits up to the Bodily Injury Liability Limits or \$100,000/300,000 whichever is less.

District of Columbia

DC requires UM bodily injury \$25,000 per person / \$50,000 per accident and UMPD of \$5000 subject to a \$200 deductible. This part of the US also offers Underinsured Motorist but does not require it to be part of the policy.

Florida

This state offers both uninsured and Underinsured Motorist coverages but they are not required by law. Companies must offer the stacked option, but may or may not offer an un-stacked option.

Georgia

GA offers Underinsured Motorist coverages. If you choose to have uninsured / Underinsured Motorist Bodily Injury on your Georgia policy and you want it to apply to multiple cars, you must select the same limit for each car. In addition, the limits you choose must be less than, or equal to, your bodily injury limits.

Hawaii

HI law (431:10c-301) states what is required in a motor vehicle policy. Here it states that an insurer may offer the Underinsured Motorist coverage in the same manner as Uninsured Motorist coverage; if they offer of both shall:

Be conspicuously displayed to be readily noticeable by the insured;

Set forth the premium for the coverage adjacent to the offer in a manner that the premium is clearly identifiable with the offer and may be easily subtracted from the total premium to determine the premium payment due in the event the insured elects not to purchase the option; and

Provide for written rejection of the coverage by requiring the insured to affix the insured's signature in a location adjacent to or directly below the offer.

The HI law gives information on the ability to stack UM/UIM coverages and notes that these coverages are not to have limits greater than the bodily injury liability coverage limits on the policy. The offers for UM/UIM are to be made when the motor vehicle insurance policy is first applied for or issued. Once an insured has been provided the opportunity to purchase or reject the coverages in writing no further offer be required to be included with renewal or replacement policy issued to the insured.

Idaho

Uninsured and Underinsured Motorist coverages are offered in ID. In February 2008, Idaho House passed legislation (HB 429) that requires auto insurance policies provide Underinsured Motorist coverage unless the policyholder signs a form specifically rejecting the coverage. HB 429 would mandate insurers provide underinsured motorists coverage matching the state's minimum limits for all policyholders who purchase auto liability coverage, unless the policyholder rejects or modifies the coverage. The policyholder would still have the ability to reject - or increase - either or both coverages. The consumer would have the opportunity to reject these coverages prior to the initial policy being issued or at the time of the first renewal or replacement of a policy for an existing policyholder. A standard statement explaining UM and UIM coverage, and forms for rejecting either or both would be developed by the Department of Insurance under the bill.

Illinois

In Illinois, you must have Uninsured/Underinsured Motorist Bodily Injury on your auto insurance policy and if you want it to apply to multiple cars, you must select the same limit for each car. In addition, the limits you choose must be less than, or equal to, your bodily injury limits. The minimum UM/UIM required in Illinois is \$20,000/\$40,000.

Indiana

You are offered both UM/UIM in Indiana. If you choose to have Uninsured/Underinsured Motorist Bodily Injury on your policy and you want it to apply to multiple cars, you must select the same limit for each car. In addition, the limits you choose must be less than, or equal to, your bodily injury limits.

Iowa

Iowa law (Code section 516A.1) requires that uninsured and Underinsured Motorist coverage of \$20,000 be carried on all automobile insurance policies. However, the policyholder may reject such coverage on a written rejection form signed by the named insured.

Kansas

Kansas law requires that Uninsured Motorist and Underinsured Motorist be placed on your policy. Under K.S.A. 40-284(b), Uninsured Motorist coverage must include an Underinsured Motorist provision with coverage limits equal to the uninsured provision. Under K.S.A. 40-284(a), the policy limits of an Uninsured Motorist provision must be equal to the liability coverage in the insurance policy. Kansas law thus requires that Underinsured Motorist coverage in an automobile policy must have coverage limits equal to the liability coverage of the policy. However, K.S.A. 40-284(c) provides that the insured have the right to reject uninsured and Underinsured Motorist coverage in excess of the minimum required by law (\$25,000 per person/\$50,000 per accident). In order to properly reject Underinsured Motorist coverage in excess of the minimum required by law, the insured must provide a written rejection to its insurer.

In Kansas UM/UIM pays you or your passengers for medical, rehabilitation, and funeral costs. It also pays settlements of lawsuits resulting from an accident caused by an uninsured, underinsured, or hit-and-run

motorist. You and your family are covered as pedestrians or when riding your bike.

Kentucky

Uninsured and Underinsured Motorist are both offered in Kentucky. The limits for this coverage cannot exceed the limits on your bodily injury coverage. In addition, if you want to carry this coverage on multiple vehicles, the limits must be the same for each vehicle.

Louisiana

Uninsured/Underinsured Motorist Bodily Injury Coverages are both offered in Louisiana. As in many other states, the limits for these coverages cannot exceed the limits you select for your bodily injury coverage. In addition, if you want to carry these coverages on multiple vehicles, the limits must be the same for each vehicle.

Uninsured/Underinsured Motorist Property Damage coverages are also offered. If you choose to carry this coverage, you must also purchase Uninsured/Underinsured Motorist Bodily Injury coverage. This coverage cannot be carried on policies that have collision coverage. In addition, if you want to carry this coverage on multiple vehicles, the limits must be the same for each vehicle.

Maine

Maine's Underinsured Motorist statute requires coverage in every motor vehicle liability policy to protect persons insured pursuant to the policy from personal injury caused by an uninsured, underinsured, or hit-and-run motor vehicle operator. To help protect against damages caused to you and your passengers by an uninsured driver, Maine state law requires a minimum Uninsured/Underinsured Motorist coverage of \$50,000 per person up to a total of \$100,000 per accident for any bodily injury caused by the uninsured and/or underinsured driver.

Maryland

Uninsured Motorist Property Damage coverage is mandatory in the state of Maryland. Your limits for this coverage cannot exceed your property damage limits. UM/UIM of 20/40 is due plus 15 UMPD/UIMPD.

In Maryland, Uninsured Motorist (UM) coverage applies to situations where (1) the at-fault driver has no liability insurance ("uninsured"), and (2) where the at-fault driver has insufficient liability insurance limits ("underinsured"). The at-fault driver is considered underinsured if the at-fault driver's insurance limits for bodily injury are lower than the limits of the UM coverage.

UM coverage must be offered by an insurer who offers automobile liability insurance policies in Maryland. Section 19-509 of the Insurance Article defines an uninsured motor vehicle, states the amount of coverage that is required to be offered to the policyholder, and states the limit of liability of an UM insurer.

By statute, you are entitled to purchase UM bodily injury coverage in the same amounts as the liability bodily injury coverage you have on your policy or you may choose to waive any amount of coverage in excess of the statutory minimums.

In Maryland, UM coverage also includes Underinsured Motorist coverage, which is known as UIM coverage. It provides you with bodily injury protection and property damage protection in the event you are involved in an accident where the at-fault driver has an insurance policy with liability limits that are less than your

UM limits and your injuries or property damage exceed the at-fault driver's available limits. You can then claim the difference under your own insurance policy.

Massachusetts

Uninsured Motorist is required in Massachusetts. The MA Department of Insurance terms this coverage to be Bodily Injury Caused by an Uninsured Auto. It has a mandatory limit of \$20,000 per person and \$40,000 per accident. Underinsured Motorist is an optional coverage in MA. The DOI calls it BI caused by an underinsured auto. This optional coverage pays if you are injured by a motorist with liability limits less than the amount of the damages you are entitled to recover. The other motorist's policy pays its limits first and then yours pays any remaining losses up to the amount purchased. This coverage will not pay for damage to property.

Michigan

Michigan offers both uninsured and Underinsured Motorist Bodily Injury as optional coverages that compensate you for excess wage loss and pain and suffering. UM coverage only applies if a hit-and-run vehicle or Uninsured Motorist strikes you. If you select UM coverage, the same coverage limits must be selected for all vehicles on the policy.

Underinsured Motorist coverage is an optional coverage that provides benefits for losses that a covered person be legally entitled to recover because of a bodily injury sustained by the covered person caused by an accident in excess of the amount available from the other person's insurance.

The Office of Financial and Insurance Services (OFIS) has taken action in 2006 to protect consumers by ensuring that insurance policyholders have at least three years to file Underinsured Motorist benefit claims or lawsuits under new policy forms put into use in Michigan.

OFIS issued a prohibition order that specifically prohibits Michigan insurance companies, in new policy forms, from putting one-year limitations on claims or legal actions for Underinsured Motorist coverage.

Minnesota

Uninsured/Underinsured Motorist Bodily Injury coverage is required in this state with mandatory minimum limits of \$25,000/\$50,000. In addition, if you want to carry this coverage on multiple vehicles, the limits must be the same for each vehicle.

Mississippi

Uninsured and Underinsured Motorist coverages are offered and if the policyholder does not want the Uninsured Motorist Bodily Injury coverage then they must reject it in writing. If you choose to have Uninsured/Underinsured Motorist Bodily Injury on your policy and you want it to apply to multiple cars, you must select the same limit for each car. In addition, the limits you choose must be less than, or equal to, your bodily injury limits.

Missouri

Uninsured Motorist Bodily Injury coverage is mandatory in the state of Missouri. In addition, the limits you choose must be less than, or equal to, your bodily injury limits. The minimum limit you can purchase is \$25,000/\$50,000. Underinsured Motorist is optional. Protection covers the policyholder and family members if injured by a motorist who carries liability limits less than his/her proportionate share of the total

liability. Also provides coverage if the other driver's insurance be with a financially irresponsible insurer according to the MO insurance regulator.

UIM covers your bodily injuries and those of your passengers if you are hit by a car whose driver is at fault and does not have enough insurance to cover the expenses of the injuries, or if you are injured by a hit and run driver, and your Uninsured Motorist limits are exhausted. Underinsured Motorist coverage applies to bodily injury only.

Montana

Montana offers UM and UIM but neither coverage is required. Montana law requires that Uninsured Motorist coverage be offered, but it can be disclaimed (waived) by the person purchasing the insurance. Underinsured Motorist in MT insures you against injury by someone who has automobile insurance, but does not have enough to fully compensate you for your injuries and damages.

Nebraska

Nebraska offers Underinsured and Uninsured coverages however neither is required by state law. Each is supplemental or optional types of auto insurance in NE.

Nevada

In Nevada you are not required to carry medical payments or Uninsured/Underinsured Motorist coverage, but all insurance companies are required to offer you medical payments coverage of at least \$1,000 and Uninsured/Underinsured Motorist coverage in an amount equal to your bodily injury coverage.

The Nevada Division of Insurance notes that Uninsured/Underinsured Motorist protects the named insured, the named insured's resident relatives and occupants in the insured vehicle, if they sustain bodily injury in an accident in which the owner or operator of another motor vehicle is legally liable and does not have insurance (uninsured) or does not have enough insurance (underinsured). This coverage must be offered pursuant to Nevada Revised Statute 687B.145(2), but does not have to be accepted by the insured.

If you choose to have Uninsured Motorist Bodily Injury on your Nevada policy and you want it to apply to multiple cars, you must select the same limit for each car. In addition, the limits you choose must be less than, or equal to, your bodily injury limits.

New Hampshire

In New Hampshire UM/UIM is offered but not required. The NH Insurance Department notes that when an insured elects to purchase liability insurance in an amount greater than the minimum coverage required by RSA 259:61, the insured's Uninsured Motorist coverage should automatically be equal to the liability coverage elected. (RSA 264:15).

Umbrella or excess policies that provide excess limits to policies described in RSA 259:61 shall also provide Uninsured Motorist coverage equal to the limits of liability purchased unless the named insured rejects such coverage in writing. RSA 264:15 I "Rejection of such coverage by a named insured shall constitute a rejection of coverage by all insureds, shall apply to all vehicles then or thereafter eligible to be covered under the policy, and shall remain in effect upon policy amendment or renewal, unless the insured requests such coverage in writing."

New Jersey

Uninsured/Underinsured Motorist coverage may be required depending upon the type of insurance policy you choose to have in New Jersey. There are two types of policies available in NJ, a standard policy or a basic policy. New Jersey insurance coverage can be confusing since a minimum amount of UM/UIM coverage is required if you choose to have a standard policy but not if you choose the basic policy, which has less coverages. With a standard policy, you can even purchase higher limits if you want more UM/UIM coverage.

In NJ UIM pays you for property damage or bodily injury if you are in an auto accident caused by a driver who is insured, but who has less coverage than your Underinsured Motorist coverage.

If you choose to have Uninsured/Underinsured Motorist Bodily Injury on your New Jersey policy and you want it to apply to multiple cars, you must select the same limit for each car. In addition, the limits you choose must be less than, or equal to, your bodily injury limits. If the limits are less than your bodily injury limits, you will need to sign a rejection form.

According to the NJ Department of Banking and Insurance (DOBI), a Standard Policy provides a number of different coverage options and the opportunity to buy additional protection. Most New Jersey drivers choose this policy. If you want a policy with a broad range of choices that I can adjust to meet my needs and offers the most protection but at a higher cost than the standard policy is for you.

New Mexico

In New Mexico a policyholder must be offered UM/UIM and if it is not wanted it then must be rejected in writing. As the NM insurance commission notes the required coverages in New Mexico are Bodily Injury and Property Damage. The minimum required limits are \$25,000 per person and \$50,000 per accident for Bodily Injury and \$10,000 per accident for Property Damage. It is also required that Uninsured Motorist Coverage is included in the policy but if you decide you do not want this coverage, you must reject it in writing.

New York

Uninsured/Underinsured Motorist Bodily Injury coverage is mandatory in this state. The limits for this coverage cannot exceed the limits you select for your bodily injury coverage. In addition, if you have multiple vehicles, the same limits are applied to all vehicles.

With UM in NYS all family members who reside in your household, and occupants of your car, are covered in the event you or they are injured as the result of negligent actions by an uninsured vehicle or hit-and-run motorist. This mandatory coverage applies only concerning bodily injury due to accidents occurring in New York State, and does not cover auto body damage to your car or damage to other property.

For New York accidents, the amount of uninsured motorists protection required to be provided is the same minimum bodily injury limits as required for liability insurance. For a small additional charge, this Uninsured Motorist coverage can be extended to provide coverage for out-of-state accidents by endorsement, so you should check with your agent, broker, or insurer if you want this extension of coverage.

For an additional premium, you can purchase higher coverage limits of Supplementary Uninsured/Underinsured Motorists (SUM) coverage of up to \$250,000 per person per accident and \$500,000 per accident, subject to the per person limit (\$250,000/\$500,000). Many insurers offer higher limits of SUM coverage. SUM coverage also provides coverage for accidents occurring out-of-state, which are not covered

under the basic required Uninsured Motorist coverage. However, the amount of SUM coverage may not exceed the bodily injury liability limits of your policy.

North Carolina

As of January 2009, Uninsured and Underinsured Motorist coverages are required in North Carolina.

North Dakota

In North Dakota UM/UIM coverages are mandated by ND laws to be part of an auto insurance policy. In ND, a motorist must have UM in the limits of \$25,000 per person/ \$50,000 per accident. Uninsured Motorist provides you coverage for a bodily injury claim you would have against another driver who does not have insurance. In ND, this coverage does not pay for physical damage to your vehicle, only your bodily injury.

Underinsured Motorist coverage must be equal to the Uninsured Motorist coverage. Underinsured Motorist provides you coverage for a bodily injury claim you would have against another driver whose liability coverage is less than your underinsured coverage.

To help protect against damages caused to you and your passengers by an uninsured driver, North Dakota state law requires a minimum Uninsured/Underinsured Motorist coverage of \$25,000 per person up to a total of \$50,000 per accident for any bodily injury caused by the uninsured and/or underinsured driver.

Ohio

Uninsured and Underinsured Motorist coverages are optional in Ohio. If you choose to have Uninsured/Underinsured Motorist Bodily Injury on your Ohio policy and you want it to apply to multiple cars, you must select the same limit for each car. In addition, the limits you choose must be less than, or equal to, your bodily injury limits. If UM/UIM is not wanted then it needs to be rejected in writing.

Oklahoma

Oklahoma auto insurers are required to offer UM/UIM to policyholders but it is not mandated and thus is optional coverage that a motorist can reject. In OK, UM coverage pays you, resident members of your family, and occupants of your car for personal injuries caused by an uninsured motorist, and Underinsured Motorist or a hit and run driver. As we mentioned while you are not required by law to carry this coverage, companies are required to offer it with every policy.

Oregon

Oregon state law requires a minimum Uninsured/Underinsured Motorist coverage of \$25,000 per person up to a total of \$50,000 per accident for any bodily injury caused by the uninsured and/or underinsured driver. UMBI coverage requires your insurance company to pay all expenses that would normally be paid by the other person's company if you are hurt by an uninsured motorist. Consider increasing this coverage on your policy, because an Uninsured Motorist probably cannot compensate you for your losses.

In 2005, Senate Bill 923 corrected a problem in the provisions of the Oregon Insurance Code governing Uninsured Motorist coverage in motor vehicle liability insurance policies. Uninsured Motorist coverage, including Underinsured Motorist coverage, allows an insured injured claimant to collect from his or her policy when the person who is at fault either has no coverage or has insufficient coverage to fully compensate the injured claimant. The amount paid under Uninsured Motorist coverage is supposed to be equal to the difference between the amount paid by the at-fault person's coverage and the lesser of the

amount of the claim or the payment limit of the Uninsured Motorist coverage. The problem under current law is that underinsured coverage works only when the injured claimant's coverage is greater than the amount of coverage provided by the at-fault person. This limitation sometimes causes a problem when there are multiple claimants against the at-fault person's coverage.

SB 923 required an insured's Uninsured Motorist coverage benefits and underinsurance coverage benefits to provide coverage for bodily injury or death when the limits for the insured's Uninsured Motorist coverage equal the limits of the liability policy of the person at fault and the amount of liability insurance recovered is less than the limits of the insured's Uninsured Motorist coverage.

Pennsylvania

Uninsured Motorist and Underinsured Motorist coverages are both optional in Pennsylvania. In 1990, PA laws changed so that Uninsured Motorist coverage and Underinsured Motorist coverage is no longer mandatory. Even with UM/UIM coverages being optional there must be a mandatory offer of such coverages. Stacking of UM or UIM coverage is allowed in PA. This coverage allows you to multiply the amount of uninsured or Underinsured Motorist coverage by the number of vehicles on your policy. It costs extra to stack uninsured or Underinsured Motorist coverage.

Rhode Island

According to the Rhode Island Insurance Division most automobile liability policies contain three major parts: liability for bodily injury (commonly called BI), liability for property damage (PD) and uninsured/underinsured motorists coverage (usually referred to as UM/UIM). Uninsured Motorist coverage protects you. It pays if you are injured by a hit-and-run driver or a driver who does not have auto insurance. This coverage, in effect, takes the place of what the other driver should have purchased but did not. Coverage is also provided for underinsured drivers, those who have insurance, but not enough to cover your claim. This coverage, too, has policy limits. It covers bodily injury and property damage (property damage is subject to a deductible of \$200).

In Rhode Island, you may decline to purchase Uninsured/Underinsured Motorist coverage if you choose to buy only minimum limits of bodily injury and property damage liability as required by law. Bodily Injury, Property Damage Liability, and Uninsured/Underinsured Motorist coverage are the basic coverages contained in liability policies and are mandatory under the laws of Rhode Island (with the exception as mentioned for UM).

South Carolina

South Carolina requires Uninsured Motorist Bodily Injury and property damage. As of January 2007, the minimum automobile liability insurance limits that insurers are required to offer were increased to \$25,000 if caused by bodily injury to one person in any one accident and, subject to the limit for one person; \$50,000 because of bodily injury to two or more persons in any one accident; and \$25,000 because of injury to or destruction of property of others in any one accident. UMPD comes with a \$200 deductible.

The limits for this coverage cannot exceed the limits on your bodily injury coverage. In addition, if you want to carry this coverage on multiple vehicles, the limits must be the same for each vehicle.

Underinsured Motorist coverage is not required. In SC, a form that offers additional uninsured or optional Underinsured Motorist coverage, must be used by insurers for all newly issued automobile insurance

policies. The form must show that the insurance company gave a meaningful offer of these optional coverages.

South Dakota

In South Dakota Uninsured Motorist and Underinsured coverage is mandatory. According to the SD division of insurance, Uninsured Motorist coverage is required for all policies. It pays you, resident members of your family, and occupants of your auto for personal injuries caused by an Uninsured Motorist or a hit and run driver. No coverage for damage to your vehicle is provided.

As the SD DOI explains Underinsured Motorist coverage is very similar to Uninsured, except that the coverage is for personal injuries caused by a motorist with inadequate insurance. If a motorist has 25/50 coverage, and you have 100/300 of underinsured motorist, your insurance will cover you once the medical costs exceed \$25,000 (for one person) up to a maximum of \$100,000 minus \$25,000 of the other person's liability, \$75,000 of your Uninsured Motorist coverage.

These coverages are not "stackable," in that if the medical bills exceed \$100,000 in the above example, you cannot add the liable party's \$25,000 of liability coverage and your \$100,000 of underinsured coverage.

SD Codified Law section 58-11-9.4 states that Underinsured Motorist coverage to be available with liability policies. No motor vehicle liability policy of insurance may be issued or delivered in this state with respect to any motor vehicle registered or principally garaged in this state, except for snowmobiles, unless Underinsured Motorist coverage is provided therein at a face amount equal to the bodily injury limits of the policy. However, the coverage required by this section may not exceed the limits of one hundred thousand dollars because of bodily injury to or death of one person in any one accident and, subject to the limit for one person, three hundred thousand dollars because of bodily injury to or death of two or more persons in any one accident, unless additional coverage is requested by the insured.

Tennessee

Uninsured and Underinsured Motorist are both optional in Tennessee. If you choose to have Uninsured/Underinsured Motorist Bodily Injury on your policy and you want it to apply to multiple cars, you must select the same limit for each car. In addition, the limits you choose must be less than, or equal to, your bodily injury limits.

TN law requires you to purchase UMBI with limits equal to your bodily injury liability coverage limit unless you reject in writing this coverage. The lowest UMBI coverage limit allowed by Tennessee law is \$25,000 per person/\$50,000 per accident. Uninsured Motorist Property Damage coverage is also available with coverage of \$10,000 per accident with a \$200 deductible.

Texas

Uninsured Motorist and Underinsured Motorist coverages are not required but rejection of coverages is required in writing. UM/UIM covers your expenses from an accident caused by an Uninsured Motorist or a motorist who did not have enough insurance to cover your bills, up to your policy's dollar limits. Also pays for accidents caused by a hit-and-run driver if you reported the accident promptly to police.

Bodily injury UM/UIM pays without deductibles for medical bills, lost wages, pain and suffering, disfigurement, and permanent or partial disability.

Property damage UM/UIM pays for auto repairs, a rental car, and damage to items in your car. There is an automatic \$250 deductible. This means you must pay the first \$250 of the repairs yourself.

If you choose to have Uninsured/Underinsured Motorist Bodily Injury on your Texas policy and you want it to apply to multiple cars, you must select the same limit for each car. In addition, the limits you choose must be less than, or equal to, your bodily injury limits.

Utah

Utah insurance companies must explain and offer Uninsured Motorist and Underinsured Motorist coverages but the policyholder can waive in writing these optional coverage. Therefore, Utah law requires you to purchase Uninsured Motorist Bodily Injury Coverage with limits equal to the lesser of the limits of your Bodily Injury Liability Coverage unless you tell your insurer in writing that you want lower limits or you want to reject the coverage entirely.

Vermont

Vermont insurance laws require that you purchase uninsured and Underinsured Motorist Bodily Injury coverages of at least 50/100 and 10 for UM property damage. This is a total coverage of 50/100/10 that stands for: \$50,000 for bodily injury or death per person UM/UIM, \$100,000 for bodily injury or death per person UM/UIM and \$10,000 for property damage per accident (subject to a \$150 deductible) UMPD.

Virginia

If you decide to satisfy the requirements of the Virginia financial responsibility law by buying auto insurance, your policy must contain three major parts – (A) liability insurance for bodily injury, (B) liability insurance for property damage, and (C) Uninsured/Underinsured Motorist coverage.

Uninsured/Underinsured Motorist coverage is mandatory in the state of Virginia. This coverage pays for medical expenses, lost wages, and other general damages when policyholders, authorized drivers, or passengers are injured in an accident caused by a driver who has no insurance or insufficient coverage. Uninsured/Underinsured Motorist coverage may also pay for injuries sustained in hit-and-run accidents.

The minimum amount of UM/UIM coverage required by law is \$25,000/\$50,000 and then \$20,000 of Uninsured Motorist Property Damage (UMPD). The \$20,000 UMPD coverage is subject to a \$200 deductible when a loss is caused by a hit-and-run driver who cannot be identified.

Washington

Uninsured and Underinsured Motorist coverages are optional in Washington State however; they must be offered by an insurance carrier and rejected in writing by the policyholder if they do not want these additional coverages.

In WA Underinsured Motorist Bodily Injury is an optional coverage that pays for medical expenses, lost wages, and other damages when policyholders, authorized drivers, or passengers are injured in an accident caused by a driver who has insufficient auto insurance coverage.

The Revised Code of Washington (RCW) 48.22.030 discusses Underinsured Motorist coverage. Here it states that no new policy or renewal of an existing policy insuring against loss resulting from liability imposed by law for bodily injury, death, or property damage, suffered by any person arising out of the ownership,

maintenance, or use of a motor vehicle shall be issued with respect to any motor vehicle registered or principally garaged in this state unless coverage is provided...for the protection of persons insured who are legally entitled to recover damages from owners or operators of underinsured motor vehicles, hit-and-run motor vehicles, and phantom vehicles because of bodily injury, death, or property damage. Except as to property damage, underinsured coverage shall be in the same amount as the insured's third party liability coverage unless the insured rejects all or part of the coverage.

A named insured or spouse may reject, in writing, underinsured coverage for bodily injury or death, or property damage. If a named insured or spouse has rejected underinsured coverage, such coverage shall not be included in any supplemental or renewal policy unless a named insured or spouse subsequently requests such coverage in writing.

West Virginia

West Virginia offers Uninsured and Underinsured Motorist coverages. West Virginia law has an Uninsured/Underinsured Motorist coverage requirement in a person's auto insurance policy. The Uninsured/Underinsured Motorist coverage has to be for \$20,000 for every person and \$40,000 for every accident for any injuries that are caused by a driver who is not covered by car insurance. UMPD of \$10,000 is offered but not required.

While the limits listed above are mandatory minimum requirements, WV laws require that all insurers offer higher optional limits of Uninsured Motorist coverage and provide the option to purchase Underinsured Motorist coverage. The mandatory optional offering of coverages are as follows:

Uninsured Motorist (maximum):
Property damage: \$50,000
Bodily injury: \$100,000/\$300,000

Underinsured Motorist (minimum):
Property damage: \$10,000
Bodily injury: \$ 20,000/\$ 40,000

Increased Underinsured Motorist coverage may be purchased up to the limits of liability coverage carried on the policy.

The state of West Virginia requires that you purchase Uninsured motor vehicle coverage with limits not less than \$20,000 per person and \$40,000 per accident for uninsured bodily injury losses and \$10,000 for uninsured property loss under your basic automobile coverage. Insurers must also offer excess uninsured / underinsured limits. WV law requires that you as a policyholder be given the opportunity to purchase Uninsured Motorist coverage in an amount not less than the liability limit or limits selected on the excess or umbrella policy. In WV Uninsured Motorist protects you and passengers in your car if you are injured by a driver who was at fault or an unidentified driver who was at-fault but does not have insurance to pay for your damages.

The state of West Virginia does not require you to purchase Underinsured Motorist under your basic auto insurance policy however; the law does state that you must be given the opportunity to purchase this coverage in an amount not less than your liability coverage.

Wisconsin

Wisconsin requires Uninsured Motorist coverage but not underinsured motorist. The limits for Uninsured Motorist coverage in WI must be less than, or equal to, the limits you select for your bodily injury coverage. In addition, if you want to carry this coverage on multiple vehicles, the limits must be the same for each vehicle.

With Underinsured Motorist in WI, if you choose this type of coverage then the limits for this coverage cannot exceed the limits on your bodily injury coverage. In addition, if you want to carry this coverage on multiple vehicles, the limits must be the same for each vehicle.

Wyoming

Uninsured Motorist coverage will be included in an automobile liability policy delivered in Wyoming unless you reject the coverage in writing. This is done at the time you make application for a policy. If chosen as coverage on your auto insurance policy in WY the minimum Uninsured Motorist coverage is \$25,000 for bodily injury coverage per person and \$50,000 per accident. Wyoming does not require insurers to offer Underinsured Motorist coverage, just Uninsured Motorist coverage.