
A BILL FOR AN ACT

RELATING TO MOTOR VEHICLE INSURANCE.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. The legislature finds that the State faces
2 rising inflation due to the coronavirus disease 2019 (COVID-19)
3 pandemic.

4 The legislature further finds that motor vehicle insurance
5 minimum coverage requirements have remained unamended since the
6 enactment of Act 275, Session Laws of Hawaii 1998, nearly
7 twenty-five years ago. Accordingly, the required liability
8 insurance minimum coverage requirements currently in effect are
9 insufficient. The legislature further finds that with rising
10 inflation, the failure to increase these amounts will operate as
11 a tax on tort victims throughout our State. Therefore, the
12 legislature finds that it must take action to mitigate the
13 impacts on Hawaii residents.

14 Accordingly, the purpose of this Act is to increase the
15 minimum amounts of liability insurance coverage required for
16 motor vehicle insurance policies.



1 SECTION 2. Section 431:10C-301, Hawaii Revised Statutes,
2 is amended by amending subsection (b) to read as follows:

3 "(b) A motor vehicle insurance policy shall include:

4 (1) Liability coverage of not less than [~~\$20,000~~] \$100,000
5 per person, with an aggregate limit of [~~\$40,000~~]
6 \$200,000 per accident, for all damages arising out of
7 accidental harm sustained as a result of any one
8 accident and arising out of ownership, maintenance,
9 use, loading, or unloading of a motor vehicle;

10 (2) Liability coverage of not less than [~~\$10,000~~] \$40,000
11 for all damages arising out of damage to or
12 destruction of property including motor vehicles and
13 including the loss of use thereof, but not including
14 property owned by, being transported by, or in the
15 charge of the insured, as a result of any one accident
16 arising out of ownership, maintenance, use, loading,
17 or unloading, of the insured vehicle;

18 (3) With respect to any motor vehicle registered or
19 principally garaged in this State, liability coverage
20 provided therein or supplemental thereto, in limits
21 for bodily injury or death set forth in paragraph (1),



1 under provisions filed with and approved by the
2 commissioner, for the protection of persons insured
3 thereunder who are legally entitled to recover damages
4 from owners or operators of uninsured motor vehicles
5 because of bodily injury, sickness, or disease,
6 including death, resulting therefrom; provided that
7 the coverage required under this paragraph shall not
8 be applicable where any named insured in the policy
9 shall reject the coverage in writing; and

10 (4) Coverage for loss resulting from bodily injury or
11 death suffered by any person legally entitled to
12 recover damages from owners or operators of
13 underinsured motor vehicles. An insurer may offer the
14 underinsured motorist coverage required by this
15 paragraph in the same manner as uninsured motorist
16 coverage; provided that the offer of both shall:

17 (A) Be conspicuously displayed so as to be readily
18 noticeable by the insured;

19 (B) Set forth the premium for the coverage adjacent
20 to the offer in a manner that the premium is
21 clearly identifiable with the offer and may be



1 easily subtracted from the total premium to
2 determine the premium payment due in the event
3 the insured elects not to purchase the option;
4 and

5 (C) Provide for written rejection of the coverage by
6 requiring the insured to affix the insured's
7 signature in a location adjacent to or directly
8 below the offer."

9 SECTION 3. This Act does not affect rights and duties that
10 matured, penalties that were incurred, and proceedings that were
11 begun before its effective date.

12 SECTION 4. Statutory material to be repealed is bracketed
13 and stricken. New statutory material is underscored.

14 SECTION 5. This Act shall take effect upon its approval.

15

INTRODUCED BY: 
JAN 13 2023



H.B. NO. 76

Report Title:

Motor Vehicle Insurance; Mandatory Minimum Coverage

Description:

Increases the minimum amounts of liability insurance coverage required for motor vehicle insurance policies.

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