

ACT 21

S.B. NO. 2190

A Bill for an Act Relating to Motor Vehicle Insurance.

*Be It Enacted by the Legislature of the State of Hawaii:*

SECTION 1. Act 347, Session Laws of Hawaii 1987, is amended by adding a new section to part III, article 10C of chapter 431, to read as follows:

**“§431:10C- Right to reimbursement of deductible paid; when.** If an insured is involved in an accident with an uninsured motorist and the insured paid a deductible amount for damages incurred in that accident, and if the insurer recovers any money from the uninsured motorist, the insurer shall reimburse the insured, provided that:

- (1) The amount recovered shall be divided equally between the insured and the insurer;
- (2) The amount of the insured’s reimbursement shall not exceed the deductible paid; and
- (3) If the amount of damages exceeds \$2,500, the insurer shall:
  - (A) Pay the full amount of the deductible to the insured; or
  - (B) Initiate proceedings against the uninsured motorist to recover damages.”

SECTION 2. New statutory material is underscored.<sup>1</sup>

SECTION 3. This Act shall take effect upon its approval.

(Approved April 25, 1988.)

**Note**

1. Edited pursuant to HRS §23G-16.5.