**** BILL NO. ****

INTRODUCED BY ****

BY REQUEST OF THE ****

Working draft for review at TIC meeting Sept 11, 2026

A BILL FOR AN ACT ENTITLED: "AN ACT REVISING LAWS PERTAINING TO UNINSURED MOTOR VEHICLE LIABILITY INSURANCE TO ADD UNDERINSURED MOTOR VEHICLE LIABILITY INSURANCE; REQUIRING THE INSURED TO ACCEPT OR REJECT UNDERINSURED MOTOR VEHICLE LIABILITY INSURANCE; AND AMENDING SECTIONS 33-23-201 AND 69-12-343, MCA."

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

Section 1. Section 33-23-201, MCA, is amended to read:

"**33-23-201. Motor vehicle liability policies to include uninsured and underinsured motorist coverage -- rejection by insured.** (1) A motor vehicle liability policy insuring against loss resulting from liability imposed by law for bodily injury or death suffered by any person arising out of the ownership, maintenance, or use of a motor vehicle may not be delivered or issued for delivery in this state, with respect to any motor vehicle registered and principally garaged in this state, unless coverage is provided in the policy or supplemental to the policy, in limits for bodily injury or death set forth in 61-6-103, under provisions filed with and approved by the commissioner, for the protection of persons insured under the policy who are legally entitled to recover damages from owners or operators of uninsured and underinsured motor vehicles because of bodily injury, sickness, or disease, including death, resulting from the injury, sickness, or disease, caused by an accident arising out of the operation or use of the motor vehicle. ~~An uninsured motor vehicle is a land motor vehicle, the ownership, the maintenance, or the use of which is not insured or bonded for bodily injury liability at the time of the accident.~~

(2) The named insured has the right to reject the coverage. Unless the named insured requests the coverage in writing, the coverage need not be provided in or supplemental to a renewal policy when the named insured had rejected the coverage in connection with the policy previously issued to the named insured by the same insurer.

(3) For the purposes of this section, the following definitions apply:

(a) "Underinsured motor vehicle" means a land motor vehicle for which the ownership, maintenance, or use is insured or bonded for bodily injury liability at the time of the accident, but the limits of the liability are less than the total damages that the injured person is legally entitled to recover.

(b) "Uninsured motor vehicle" means a land motor vehicle for which the ownership, maintenance, or use is not insured or bonded for bodily injury liability at the time of the accident."

Section 2. Section 69-12-343, MCA, is amended to read:

"**69-12-343. Insurance requirements of transportation network carriers.** A transportation network carrier driver or transportation network carrier on the driver's behalf shall maintain primary motor vehicle liability insurance on the driver's personal vehicle that meets the following requirements:

(1) The insurance policy recognizes that the driver is a transportation network carrier driver or otherwise uses a personal vehicle to transport riders for compensation and covers the driver:

(a) while the driver is logged on to the transportation network carrier's digital network; or

(b) while the driver is engaged in a prearranged ride.

(2) (a) While a participating transportation network carrier driver is logged on to the transportation network carrier's digital network and is available to receive transportation requests but is not engaged in a prearranged ride, the motor vehicle liability insurance policy must provide:

(i) primary motor vehicle liability insurance in the amount of at least $50,000 for death and bodily injury per person, $100,000 for death and bodily injury per incident, and $25,000 for property damage; and

(ii) uninsured and underinsured motorist coverage when required by 33-23-201.

(b) The coverage requirements of subsection (2)(a) may be satisfied by any of the following:

(i) motor vehicle liability insurance maintained by the transportation network carrier driver;

(ii) motor vehicle liability insurance maintained by the transportation network carrier; or

(iii) any combination of subsections (2)(b)(i) and (2)(b)(ii).

(3) (a) While a transportation network carrier driver is engaged in a prearranged ride, the motor vehicle liability insurance policy must provide:

(i) primary motor vehicle liability insurance that provides at least $1,000,000 for death, bodily

injury, and property damage; and

(ii) uninsured and underinsured motorist coverage when required by 33-23-201.

(b) The coverage requirements of subsection (3)(a) may be satisfied by any of the following:

(i) motor vehicle liability insurance maintained by the transportation network carrier driver on the driver's personal vehicle;

(ii) motor vehicle liability insurance maintained by the transportation network carrier on the driver's personal vehicle; or

(iii) any combination of subsections (3)(b)(i) and (3)(b)(ii).

(4) If insurance maintained by the driver in subsection (2) or (3) has lapsed or does not provide the required limits of coverage, insurance maintained by a transportation network carrier must provide the coverage required by this section beginning with the first dollar of a claim and have the duty to defend such claim.

(5) Coverage under a motor vehicle liability insurance policy maintained by the transportation network carrier may not be dependent on a driver's personal motor vehicle liability insurer first denying a claim and a driver's personal motor vehicle liability insurance policy insurer may not be required to first deny a claim.

(6) Insurance required by this section may be placed with an insurer authorized under Title 33, including a surplus lines insurer.

(7) Insurance satisfying the requirements of this section satisfies mandatory insurance requirements in Title 61, chapter 6.

(8) A transportation network carrier driver shall carry proof of coverage satisfying subsections (2) and (3) at all times during the use of a personal vehicle in connection with a transportation network carrier's digital network. In the event of an accident, a transportation network carrier driver shall provide insurance coverage information to the directly interested parties, motor vehicle liability insurers, and investigating police officers upon request. Upon such request, a transportation network carrier driver shall also disclose to directly interested parties, motor vehicle liability insurers, and investigating police officers whether the driver was logged on to the transportation network carrier's digital network or engaged in a prearranged ride at the time of an accident."

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