

304.39-030 Right to basic reparation benefits.

- (1) If the accident causing injury occurs in this Commonwealth every person suffering loss from injury arising out of maintenance or use of a motor vehicle has a right to basic reparation benefits, unless he has rejected the limitation upon his tort rights as provided in KRS 304.39-060(4).
- (2) If the accident causing injury occurs outside this Commonwealth but within the United States, its territories and possessions, or Canada, the following persons and their survivors suffering loss from injury arising out of maintenance or use of a motor vehicle have a right to basic reparation benefits:
 - (a) Basic reparation insureds;
 - (b) The driver and other occupants of a secured vehicle who have not rejected the limitation upon their tort rights, other than:
 1. A vehicle, except for a vehicle as provided in paragraph (c) of this subsection, which is regularly used in the course of the business of transporting persons or property and which is one (1) of five (5) or more vehicles under common ownership; or
 2. A vehicle owned by an obligated government other than this Commonwealth, its political subdivisions, municipal corporations, or public agencies; and
 - (c) The driver and other occupants of a bus, who have not rejected the limitation upon their tort rights, are Kentucky residents, and boarded a bus in Kentucky, if the bus is:
 1. A secured vehicle;
 2. Registered in Kentucky;
 3. Regularly used in the course of the business of transporting persons or property; and
 4. One (1) of five (5) or more vehicles under common ownership.

Effective: July 14, 2000

History: Amended 2000 Ky. Acts ch. 372, sec. 1, effective July 14, 2000. --
Created 1974 Ky. Acts ch. 385, sec. 3, effective July 1, 1975.