

### **304.39-110 Required minimum tort liability insurance.**

- (1) The requirement of security for payment of tort liabilities is fulfilled by providing:
  - (a) Either:
    1. Split limits liability coverage of not less than twenty-five thousand dollars (\$25,000) for all damages arising out of bodily injury sustained by any one (1) person, and not less than fifty thousand dollars (\$50,000) for all damages arising out of bodily injury sustained by all persons injured as a result of any one (1) accident, plus liability coverage of not less than twenty-five thousand dollars (\$25,000) for all damages arising out of damage to or destruction of property, including the loss of use thereof, as a result of any one (1) accident arising out of ownership, maintenance, use, loading, or unloading, of the secured vehicle; or
    2. Single limits liability coverage of not less than sixty thousand dollars (\$60,000) for all damages whether arising out of bodily injury or damage to property as a result of any one (1) accident arising out of ownership, maintenance, use, loading, or unloading, of the secured vehicle;
  - (b) That the liability coverages apply to accidents during the contract period in a territorial area not less than the United States of America, its territories and possessions, and Canada; and
  - (c) Basic reparation benefits as defined in KRS 304.39-020(2).
- (2) Subject to the provisions on approval of terms and forms, the requirement of security for payment of tort liabilities may be met by a contract the coverage of which is secondary or excess to other applicable valid and collectible liability insurance. To the extent the secondary or excess coverage applies to liability within the minimum security required by this subtitle it must be subject to conditions consistent with the system of required liability insurance established by this subtitle.
- (3) Security for a motorcycle is fulfilled by providing only the coverages set forth in subsections (1)(a) and (b) of this section.

**Effective:** June 29, 2017

**History:** Amended 2017 Ky. Acts ch. 157, sec. 1, effective June 29, 2017. -- Amended 1986 Ky. Acts ch. 437, sec. 31, effective July 15, 1986. -- Amended 1984 Ky. Acts ch. 19, sec. 2, effective July 13, 1984; and ch. 86, sec. 1, effective July 13, 1984. -- Amended 1976 Ky. Acts ch. 75, sec. 4, effective March 29, 1976. -- Created 1974 Ky. Acts ch. 385, sec. 11, effective July 1, 1975.

**Legislative Research Commission Note** (6/29/2017). 2017 Ky. Acts ch. 157, sec. 3 provided that amendments made to subsection (1) of this statute in 2017 Ky. Acts ch. 157, sec. 1 regarding the required minimum tort liability for motor vehicle damage to property shall apply to policies issued or renewed on or after January 1, 2018.