

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2009

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HOUSE DRH50023-MH-11 (1/26)

Short Title: Allow UM/UIM Stacking.

(Public)

Sponsors: Representative Faison.

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT TO ALLOW INTERPOLICY STACKING OF UNDERINSURED AND
3 UNINSURED MOTORIST COVERAGE.

4 The General Assembly of North Carolina enacts:

5 **SECTION 1.** G.S. 20-279.21 is amended by adding the following new subsection
6 to read:

7 "(p) Notwithstanding any other law to the contrary, if a claimant is legally entitled to
8 recover damages from the owner or operator of an uninsured motor vehicle, the limit of
9 motorist coverage applicable to the claimant shall be determined by adding the highest limit
10 available under the uninsured motorist coverage to the highest limit available under the
11 underinsured motorist coverage available under that person's policy or policies for a total limit
12 that is the sum of both coverage limits so that the claimant receives the full benefit of both
13 coverages. If the claimant is an insured under the uninsured or underinsured motorist coverage
14 on separate or additional policies, the limit of motorist coverage applicable to the claimant is
15 determined by combining the highest limit available for both uninsured and underinsured
16 motorist coverage under each policy. If a claimant is legally entitled to recover damages from
17 the owner or operator of an underinsured motor vehicle, the limit of motorist coverage
18 applicable to the claimant shall be determined by adding the highest limit available under the
19 underinsured motorist coverage available under that person's policy or policies to the coverage
20 amount available under the policy of the owner or operator of the underinsured motor vehicle
21 so that the motorist coverage available to the claimant is not diminished by the policy of the
22 owner or operator of the underinsured motor vehicle. This subsection applies only to insurance
23 on nonfleet private passenger motor vehicles as described in G.S. 58-40-10."

24 **SECTION 2.** This act becomes effective January 1, 2010, and applies to policies
25 issued or renewed on or after that date.



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