

JAN 24 2024

A BILL FOR AN ACT

RELATING TO INSURANCE.

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

1 SECTION 1. Chapter 431, Hawaii Revised Statutes, is
2 amended by adding a new section to part III of article 10C to be
3 appropriately designated and to read as follows:

4 "§431:10C- Child passenger restraint system;
5 replacement. (a) In addition to any other requirements under
6 this part, a motor vehicle insurance policy shall provide
7 liability coverage for replacement of a child passenger
8 restraint system that was damaged or was in use by a child
9 during a collision for which liability coverage under the policy
10 is applicable due to the liability of an insured or uninsured
11 motorist.

12 (b) Upon the filing of a claim pursuant to a policy
13 described in this section, unless otherwise determined, an
14 insurer shall ask whether a child passenger restraint system was
15 in use by a child during a collision or was in the vehicle at
16 the time of a loss that is covered by the policy, and shall
17 replace the child passenger restraint system or reimburse the



1 claimant for the cost of purchasing a new passenger restraint
2 system pursuant to this section if it was in use by a child
3 during the collision or if it sustained a covered loss while in
4 the vehicle.


5 (c) An insured, upon acquiring a replacement child
6 passenger restraint system, may surrender to the department of
7 transportation the child passenger restraint system that was
8 replaced.

9 (d) For the purposes of this section, "child passenger
10 restraint" means a restraint system that conforms to
11 section 291-11.5."

12 SECTION 2. This Act does not affect rights and duties that
13 matured, penalties that were incurred, and proceedings that were
14 begun before its effective date.

15 SECTION 3. New statutory material is underscored.

16 SECTION 4. This Act shall take effect upon its approval.

17
INTRODUCED BY:  _____



S.B. NO. 3380

Report Title:

Insurance; Motor Vehicles; Child Passenger Restraints;
Replacement

Description:

Requires each motor vehicle insurance policy to cover the replacement cost of a child passenger restraint system damaged during a collision for which liability coverage under the policy is applicable.

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

