SPONSOR: Rep. Paradee & Sen. Sokola
Reps. Bennett, J. Johnson, Keeley, Viola; Sen. McDowell

HOUSE OF REPRESENTATIVES
149th GENERAL ASSEMBLY

# HOUSE BILL NO. 413
AS AMENDED BY
HOUSE AMENDMENT NO. 1

AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO DISCLOSURE OF INFORMATION RELATED TO AUTOMOBILE INSURANCE.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF DELAWARE:

Section 1. Amend § 2907, Title 21 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows:

§2907 Disclosure of information relating to insurance.

(a) A Delaware attorney who represents an injured person, or an individual injured in a motor vehicle accident who is not represented by an attorney, may, prior to the filing of a civil action for bodily injuries sustained as a result of a motor vehicle accident, request in writing that the insurer disclose the bodily injury limits of liability of any motor vehicle liability policy, as defined by 2902(a) of Title 21, that may be applicable to the claim.

(b) The requesting party shall provide the insurer with the date of the motor vehicle accident, the name and last known address of the alleged liable party if it has been reported to the requesting party, a copy of the police report, if any, and the claim number, if available.

(c) When requesting the bodily injury limits of liability, the requesting party shall also submit to the insurer the injured person's medical records, medical bills, and wage-loss documentation, pertaining to the claimed injury and supporting the damages referenced in subsection (d).

(d) If the total of the medical bills and wage losses submitted equals or exceeds $12,500, the insurer shall respond in writing within 30 days of receipt of the request, and shall disclose the bodily injury limits of liability at the time of the accident of all its motor vehicle liability policies, regardless of whether the insurer contests the applicability of the policy to the injured person's claim.

(e) Disclosure of the bodily injury policy limits under this section shall not constitute an admission that the alleged injury or damage is subject to the policy.



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(f) Information concerning the insurance policy is not by reason of disclosure pursuant to this subsection admissible as evidence at trial.

(g) The disclosure shall be confidential and available only to the individual injured and the attorney representing the injured person and personnel in the office of the attorney.