

SENATOR SCHMIT: The second portion of the amendment, Senator Higgins, indicates that when a person that is insured has an accident with an uninsured motorist the insured motorist's company is not then allowed to add a surcharge to the insured motorist's policy to cover the cost of the uninsured motorist's damage.

SENATOR HIGGINS: Okay, thank you, Senator Schmit. As I understand this committee amendment, what it is saying, Senators, is this. You pay a \$1,000 a year for insurance and through no fault of your own you have an accident and the other party is at fault, they are ticketed, and then your insurance company whom you have been paying insurance to for years on automobile insurance turns around and raises your rates because you were unfortunate enough to be involved in an accident through no fault of your own, because they have to pay for the repairs to your car which you have been paying a premium on all those years and they have to pay for your medical expenses if there are any. Insurance companies have been doing this for years. Every time you have an accident, if the other guy is at fault, they will pay all your costs, then they subrogate, as attorneys say, or they turn around...your insurance company goes to the other guy's insurance company and says, okay, your guy was found at fault in court, he was given the ticket, now you give us back the money we paid for the repairs of our insured's car and his medical expenses. So we...this amendment is not saying that we are dictating to the insurance companies how to rate their automobile policies. They do that now. Senator Chris Beutler is sitting up there, when he has a son or a daughter that turns 16, his insurance rates are going to double even though that son or daughter may never have had an accident. We don't dictate the rates. The insurance companies go and file for them. And if the amendment, as Senator Schmit explained it, is not to allow insurance companies to raise your rates because they fulfilled the agreement to pay for damages to your car, then I don't think that is a good idea. I mean, why should insurance companies be allowed to raise your rates when you have had an accident and you weren't at fault? Now they already automatically raise them if you are at fault, unless Senator Schmit didn't explain the amendment properly. But that is the way I understood it when he explained it. Senator Schmit, do you have any other comments? Senator Conway, would you yield to a question, please?