

ASSEMBLY BILL

No. 855

Introduced by Assembly Member Beth Gaines

February 26, 2015

An act to amend Section 11580.06 of the Insurance Code, relating to insurance.

LEGISLATIVE COUNSEL'S DIGEST

AB 855, as introduced, Beth Gaines. Insurance: liability provisions.

Existing law governs the regulation of automobile liability insurance and motor vehicle liability insurance. Existing law defines various terms for those purposes.

This bill would make technical, nonsubstantive changes to that provision.

Vote: majority. Appropriation: no. Fiscal committee: no. State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 11580.06 of the Insurance Code is
2 amended to read:
3 11580.06. Except as ~~may be~~ otherwise provided in this article:
4 (a) The term “motor vehicle” means ~~any~~ a vehicle designed for
5 use principally upon streets and highways and subject to motor
6 vehicle registration under the laws of this state.
7 (b) The term “insured” shall include the person or persons to
8 whom any policy subject to this article is issued as named insured
9 and any other person to whom coverage is afforded under the terms
10 of any such policy.

- 1 (c) The term “bodily injury” shall include sickness or disease,
2 including death resulting therefrom.
- 3 (d) The term “automobile” means ~~any~~ a self-propelled motor
4 vehicle, with neither more than nor less than four wheels, designed
5 for use principally upon streets and highways and subject to motor
6 vehicle registration under the laws of this state.
- 7 (e) The term “arrest” shall have the same meaning as set forth
8 in Section 834 of the Penal Code.
- 9 (f) The term “operated by” or “when operating” shall be
10 conclusively presumed to describe the conduct of the person sitting
11 immediately behind the steering controls of the motor vehicle. The
12 person shall be conclusively presumed to be the sole operator of
13 the motor vehicle.
- 14 (g) The term “use” when applied to a motor vehicle shall only
15 mean operating, maintaining, loading, or unloading a motor vehicle.
- 16 (h) The word “terms” when used with reference to a policy or
17 endorsement includes the provision of coverage, exclusions,
18 restrictions, conditions, deductions, and limits.
- 19 (i) Unless otherwise provided in this code, the term “leased
20 motor vehicle” means a motor vehicle leased or rented by a lessor
21 licensed to lease motor vehicles under a written contract for a
22 period of six months or longer.