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**NCOIL ADOPTS RESOLUTION SUPPORTING  
“NO PAY, NO PLAY” LAWS TO CURB UNINSURED DRIVERS**

**Savannah, Georgia, March 9, 2014**—On March 8, legislators at the NCOIL Spring Meeting here adopted a resolution urging states, as one approach to reduce numbers of uninsured motorists, to impose limits on how much an uninsured driver can receive when injured in an auto accident. The controversial proposal, which passed the Property-Casualty Insurance Committee after much discussion, would allow uninsured motorists to collect economic damages, such as wage replacement, but would prohibit, with certain exemptions, the uninsured from recouping non-economic damages, such as for pain and suffering.

Rep. Don Gosen (MO), a co-sponsor of the *Resolution in Support of “No Pay, No Play” Laws to Address the Problem of Uninsured Motorists Knowingly Driving Uninsured*, said that such laws “have the potential to reduce costs, discourage fraud, and promote fairness and are a common-sense way to tackle a growing problem. We’re not trying penalize someone whose coverage lapses for a few days. What we’re trying to do is make it less appealing to consciously violate laws designed to protect people on the road.”

Rep. George Keiser (ND), fellow co-sponsor of the resolution, agreed, saying that “‘No pay, no play’ laws come down to a matter of personal responsibility. At a certain point,” he commented, “if people are not insured then it’s reasonable to believe that they intend to break the law, and that’s simply unfair to drivers who follow the rules and purchase insurance. ‘No pay, no play’ is one tool for legislators to consider, and I look forward to NCOIL discussion of other approaches.”

Prior to Committee adoption of the resolution, Birny Birnbaum of the Center for Economic Justice (CEJ) urged the Committee to decline approval, commenting, among other things, that “no pay, no play” unfairly penalizes people who cannot afford insurance and does not address core issues related to unaffordability. Insurer representatives at the Committee session supported the resolution.

Although its language strongly supports banning non-economic damage awards for uninsured drivers, the resolution does encourage certain exemptions—such as when an uninsured motorist is injured when he or she is a pedestrian or is hurt by a driver who drove under the influence.

Eleven states have “no pay, no play” requirements in place, though they vary. In California, the restrictions were the result of a voter referendum.

The P-C Insurance Committee adopted the “no pay, no play” resolution on March 8 in an 18 to 6 vote. The Executive Committee unanimously approved the resolution on March 9.

The Spring Meeting took place in at the Hyatt Regency Savannah in Savannah, Georgia, from March 7 to 9.

NCOIL is an organization of state legislators whose main area of public policy interest is insurance legislation and regulation. Most legislators active in NCOIL either chair or are members of the committees responsible for insurance legislation in their respective state houses across the country. More information is available at [www.ncoil.org](http://www.ncoil.org).

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