

Existing law provides that an insurer and insured may agree to exclude named persons from coverage of a policy of motor vehicle liability insurance.

New law provides that the named insured of a motor vehicle and the operator who has been excluded from coverage shall be solidarily liable for the damages caused by the operator's negligent or intentional acts that occur as a result of his operation of the vehicle.

New law applies only when the named insured provides express permission to the excluded driver to operate the vehicle.

New law limits the liability that can be attributed to the named insured to the minimum required automobile insurance as provided by R.S. 32:900, unless the named insured is the parent or tutor of the excluded driver, is vicariously liable for the acts or omissions of the excluded driver, or is responsible for the acts or omissions of the excluded driver.

New law provides that the insurer shall not be liable for bodily injury, loss, or damage under any coverage of the policy if the operator was properly excluded, as set forth by the provisions of existing law (R.S. 32:900(L)), and that the insurer is not obligated to provide a defense or to pay the costs of defense.

Effective August 1, 2014.

(Adds R.S. 22:1295.1)