

NORTH CAROLINA GENERAL ASSEMBLY
1965 SESSION

CHAPTER 898
SENATE BILL 193

1 AN ACT TO AMEND G.S. 20-279.21(b)(3) RELATING TO UNINSURED MOTORISTS
2 PROVISION OF A MOTOR VEHICLE LIABILITY INSURANCE POLICY.

3
4 The General Assembly of North Carolina do enact:

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6 **Section 1.** G.S. 20-279.21(b)(3), as the same appears in the 1963 Cumulative
7 Supplement to Recompiled Volume 1C of the General Statutes of North Carolina, is hereby
8 amended by adding a new sentence after the second sentence, at the end of line 18, to read as
9 follows:

10 "Such provision shall further provide that a written statement by the liability insurer, whose
11 name appears on the certification of financial responsibility made by the owner of any vehicle
12 involved in an accident with the insured, that such other motor vehicle was not covered by
13 insurance at the time of the accident with the insured shall operate as a prima facie presumption
14 that the operator of such other motor vehicle was uninsured at the time of the accident with the
15 insured, for the purposes of recovery under this provision of the insured's liability insurance
16 policy."

17 **Sec. 2.** G.S. 20-279.21(b)(3), as the same appears in the 1963 Cumulative
18 Supplement to Recompiled Volume 1C of the General Statutes of North Carolina, is hereby
19 amended by adding at the end thereof the following:

20 "For the purpose of this Section, an 'uninsured motor vehicle' shall be a motor vehicle as to
21 which there is no bodily injury liability insurance and property damage liability insurance in at
22 least the amounts specified in subsection (c) of G.S. 20-279.5, or there is such insurance but the
23 insurance company writing the same denies coverage thereunder, or has become bankrupt, or
24 there is no bond or deposit of money or securities as provided in G.S. 20-279.24 or G.S. 20-
25 279.25 in lieu of such bodily injury and property damage liability insurance, or the owner of
26 such motor vehicle has not qualified as a self-insurer under the provisions of G.S. 20-279.33, or
27 a vehicle that is not subject to the provisions of the Motor Vehicle Safety and Financial
28 Responsibility Act; but the term 'uninsured motor vehicle' shall not include:

- 29 1. a motor vehicle owned by the named insured;
- 30 2. a motor vehicle which is owned or operated by a self -insurer within the
31 meaning of any motor vehicle financial responsibility law, motor carrier law
32 or any similar law;
- 33 3. a motor vehicle which is owned by the United States of America, Canada, a
34 state, or any agency of any of the foregoing (excluding, however, political
35 subdivisions thereof);
- 36 4. a land motor vehicle or trailer, if operated on rails or crawler-treads or while
37 located for use as a residence or premises and not as a vehicle; or
- 38 5. a farm type tractor or equipment designed for use principally off public
39 roads, except while actually upon public roads."

40 **Sec. 3.** All laws and clauses of laws in conflict with this Act are hereby repealed.

41 **Sec. 4.** This Act shall be in full force and effect from and after its ratification.

42 In the General Assembly read three times and ratified, this the 10th day of June,

43 1965.