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SENATE MEMORIAL 48

47TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2006

INTRODUCED BY

Michael S. Sanchez

A MEMORIAL

REQUESTING THE INSURANCE DIVISION OF THE PUBLIC REGULATION
COMMISSION TO LEAD A STUDY ON THE EFFECT OF UNINSURED AND
UNDERINSURED MOTORISTS ON PEOPLE WHO ARE INJURED IN AUTOMOBILE
ACCIDENTS AND AN ANALYSIS OF POSSIBLE METHODS FOR DEALING WITH
THIS PROBLEM.

WHEREAS, according to the insurance research council, New
Mexico has the second-highest rate of uninsured motorists in
the United States, estimated at thirty percent; and

WHEREAS, many drivers ignore motor vehicle insurance
requirements, cannot afford to carry insurance or carry
insufficient insurance; and

WHEREAS, people who are injured in an automobile accident
by a motorist who is uninsured must rely on their own health
insurance coverage to pay for the injuries that result from

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1 that accident; and

2 WHEREAS, treatment for these injuries often requires
3 specialized and long-term care, and the medical and
4 rehabilitative costs arising from these injuries can be
5 substantial; and

6 WHEREAS, many people in New Mexico do not have health
7 insurance coverage or have insurance that does not cover the
8 full costs of treating these injuries; and

9 WHEREAS, the constitution of New Mexico prohibits state
10 contributions to private individuals to help offset personal
11 monetary losses due to such accidents and injuries, but models
12 for providing such monetary assistance may be possible under
13 certain circumstances;

14 NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF THE STATE
15 OF NEW MEXICO that the insurance division of the public
16 regulation commission be requested to lead a study on the
17 effect of uninsured and underinsured motorists on people who
18 are injured in automobile accidents and an analysis of possible
19 methods for dealing with this problem; and

20 BE IT FURTHER RESOLVED that the legislative finance
21 committee and the risk management division of the general
22 services department be requested to participate in the study;
23 and

24 BE IT FURTHER RESOLVED that the New Mexico mortgage
25 finance authority and the land title trust fund be examined as

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1 possible models for funding damages of people injured in
2 automobile accidents by uninsured motorists; and

3 BE IT FURTHER RESOLVED that the findings and
4 recommendations of the study be presented to the appropriate
5 interim legislative committee no later than November 2006; and

6 BE IT FURTHER RESOLVED that copies of this memorial be
7 transmitted to the insurance division of the public regulation
8 commission, the legislative finance committee and the risk
9 management division of the general services department.