



Southwestern Insurance Information Service

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FACT SHEET

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NO PAY, NO PLAY

Texans are required by law to carry a minimum amount of auto liability insurance if they own or operate a motor vehicle. If you cause an accident, auto liability coverage will pay for the bodily injury and property damage losses of the other parties. While most Texans are law abiding citizens and purchase auto liability insurance, a shocking 25-30 percent of our citizens remain uninsured. Criminals driving on our streets such as drunk drivers, drug dealers and car thieves also pose a threat to responsible citizens who comply with state laws.

If an uninsured motorist causes an accident, you might not be able to collect damages. However, under our current civil justice system, if you are involved in an accident with an uninsured motorist, impaired driver or fleeing felon, they have the right to sue you and collect huge damages if they are injured-even while engaging in their criminal behavior!

"No Pay, No Play" is a proposal being introduced as legislation prohibiting uninsured drivers, impaired drivers, or fleeing criminals from collecting non-economic damages from liability lawsuits if they are injured while unlawfully operating a vehicle.

"No Pay, No Play" will still allow all citizens to recover their economic damages, such as medical expenses, lost wages, etc. However, unlawful citizens will no longer be able to gain huge monetary settlements for their illegal behavior.

A bill similar to "No Pay, No Play" was passed by the Louisiana Legislature last session. In 1996, California voters passed, by a three to one margin, a ballot initiative almost identical to Louisiana's legislation. Additionally, the California Supreme Court upheld the constitutionality of the initiative. As proved by these two states, "No Pay, No Play" is a common sense proposal that has broad support.

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Not surprisingly, the Trial Bar and some special interest consumer groups have opposed "No Pay, No Play." However, "No Pay, No Play" provides an appropriate means of enforcing insurance requirements. It prohibits an unlawful person from gaining a windfall from their behavior.

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