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Insurance; primary and excess coverage

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Insurance

Insurance; primary and excess coverage

NEV. REV. STAT. § 690B.025 (amended).
AB 282 (Committee on Commerce); 1987 STAT. Ch 200

Existing law provides that if two or more insurance policies\(^1\) are in effect when a vehicle\(^2\) operated by a person\(^3\) in pursuit of a certain business\(^4\) is involved in an incident, the policy issued to the business must be considered primary.\(^5\) Chapter 200 limits existing law when a vehicle is lent to a customer by a garageman\(^6\) for use during completion of repairs\(^7\) or service on the customer’s own vehicle.\(^8\) Under those circumstances, Chapter 200 specifies that the customer’s policy is primary.\(^9\) In addition, Chapter 200 requires the garageman to provide notice to the customer that the customer’s policy of insurance will provide primary coverage while the customer is operating the vehicle.\(^10\)

CH

1. NEV. REV. STAT. § 679A.112 2 (definition of policy).
2. NEV. REV. STAT. § 598.690 3 (definition of motor vehicle).
3. The same provisions also apply to an agent or employee of the person. NEV. REV. STAT. § 690B.025 1(a).
4. Id. § 690B.025 1(a) (includes the business of selling, repairing, servicing, delivering, testing, road testing, parking or storing motor vehicles).
5. Id. § 690B.025 1(b) (amended by 1987 Nev. Stat. ch. 200, sec. 1, at ___) (any other policy provides excess coverage). If another person operates the vehicle, the policy issued to the operator is deemed primary. Id. If the vehicle is operated in a pursuit other than business, the operator’s policy must be deemed primary and any policy issued to the business must be considered to provide excess coverage. Id. § 690B.025 1 (amended by 1987 Nev. Stat. ch. 200, sec. 1, at ___). See generally NEV. REV. STAT. § 687B.145 (proration of recovery or benefits between policies of casualty insurance).
6. NEV. REV. STAT. § 598.690 2 (definition of garageman).
7. Id. § 598.690 5 (definition of repair).
8. 1987 Nev. Stat. ch. 200, sec. 1, at ___ (enacting NEV. REV. STAT. § 690B.025 1(c)).
9. Id.
10. Id.