

# Senate Bill 254

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## SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Modifies amount of reimbursement owed to provider of personal injury protection benefits when total benefits exceed damages.

## A BILL FOR AN ACT

1  
2 Relating to personal injury protection benefits; creating new provisions; and amending ORS 742.544.

3 **Be It Enacted by the People of the State of Oregon:**

4 **SECTION 1.** ORS 742.544 is amended to read:

5 742.544. (1) A provider of personal injury protection benefits shall be reimbursed for personal  
6 injury protection payments made on behalf of any person only to the extent that the total amount  
7 of benefits paid exceeds the [*economic damages as defined in ORS 31.710*] **damages** suffered by that  
8 person. As used in this section, "total amount of benefits" means the amount of money recovered  
9 by a person from:

10 (a) Applicable underinsured motorist benefits described in ORS 742.502 (2);

11 (b) Liability insurance coverage available to the person receiving the personal injury protection  
12 benefits from other parties to the accident;

13 (c) Personal injury protection payments; and

14 (d) Any other payments by or on behalf of the party whose fault caused the damages.

15 (2) Nothing in this section requires a person to repay more than the amount of personal injury  
16 protection benefits actually received.

17 **SECTION 2. The amendments to ORS 742.544 by section 1 of this 2007 Act apply to motor**  
18 **vehicle liability policies issued or renewed on or after the effective date of this 2007 Act.**

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**NOTE:** Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted. New sections are in **boldfaced** type.