



# LAW1199.COM NEWSLETTER™

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safetyofficerattorneys.com ★ www.law1199.com ★ By SCOTT O'MARA, MICHAEL PADILLA, RICK PINCKARD & BRAD FIELDS

## PROTECTION FROM UNINSURED AND UNDERINSURED MOTORISTS

By MICHAEL PADILLA

Perhaps the single most important coverage in your automobile insurance policy is protection from uninsured and underinsured motorists. It applies when bodily injury is caused by a vehicle driven by a motorist who has little or no insurance. The purpose of uninsured/underinsured motorist coverage (known as "U/UM" coverage) is to ensure that you and your family, if injured by a financially irresponsible driver, are protected to the extent you would have been protected if the driver at fault had carried sufficient liability insurance.

U/UM coverage is only required to be offered in primary automobile liability policies. It is not required for excess or umbrella policies, unless specifically endorsed in such policies. An excess or umbrella policy is a liability policy which goes beyond your primary automobile policy.

The parties covered under the policy would include the named insured on the declaration page; the spouse of the named insured; relatives of the named insured if they are residents of the same household; and any other person or persons present in or upon the insured vehicle.

*U/UM coverage is a relatively inexpensive way of securing expanded protection for you and your family.*

U/UM coverage is a relatively inexpensive way of securing expanded protection for you and your family. The general rule is to purchase as much of this coverage as your budget will allow.

It can be obtained by comparing the policies that different insurance companies sell and what they cost, and then deciding what is right for you.

In the event a safety member suffers a job-related injury caused by an uninsured/underinsured driver, the member may be able to draw upon U/UM coverage for this purpose. The general thinking is that you should purchase at least \$1,000,000 in coverage, and even more if economically possible. In the unfortunate scenario where you were to suffer a career-ending injury, you most likely would need coverage of between \$1,000,000 and \$5,000,000.

*The more U/UM coverage you are willing to purchase, the greater your coverage will be, and the greater the protection for you and your family.*

Therefore, the more you are willing to purchase, the greater your coverage will be, and the greater the protection for you and your family.

The essential factors in evaluating third-party cases relative to auto accidents are:

- ❶ Liability against a third party must be established.
- ❷ The third party must have sufficient insurance or assets from which the settlement or judgment can be obtained.
- ❸ The damage sustained must be of such a nature as to make development of the case economically sound.

*For a third-party claim to have merit, the third party must have sufficient insurance or assets from which a settlement or judgment can be obtained.*

With the purchase of U/UM coverage, you again extend more protection to you and your family.

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### NOTICE

*Making a false or fraudulent Workers' Compensation claim is a felony subject to up to 5 years in prison or a fine of up to \$50,000 or double the value of the fraud, whichever is greater, or by both imprisonment and fine.*

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