

OPINION SUMMARY

MISSOURI COURT OF APPEALS EASTERN DISTRICT

STATE FARM MUTUAL AUTOMOBILE) No. ED95936
INSURANCE COMPANY,)
)
Appellant,) Appeal from the Circuit Court
) of Ralls County
)
vs.)
)
CLYDE ARDREY and HELEN ARDREY,)
)
Respondents.) Filed: November 29, 2011

An out-of-state driver carried insurance in an amount less than Missouri's statutory minimum limits, but his policy required that those limits would increase to meet Missouri's requirements. The party injured in an accident caused by the out-of-state driver settled with that driver for an amount equal to those increased limits. The trial court nevertheless concluded that the out-of-state driver was an uninsured motorist and therefore entered judgment in favor of the injured party and her husband and against their insurer for their full uninsured motor-vehicle policy limits.

REVERSED

DIVISION TWO HOLDS: The out-of-state driver's insurance company was obligated by the terms of its own policy to meet the statutory minimum limits of liability set forth in Missouri's financial responsibility law. Therefore the out-of-state driver was not an uninsured motorist, as that term is defined in the insurer's policies.

Opinion by: Lawrence E. Mooney, J. Kathianne Knaup Crane, P.J. and
Kenneth M. Romines, J. concur.

Attorneys for Appellant: Scott C. Harper and Aaron I. Mandel

Attorneys for Respondents: John G. Simon and Rachel L. Roman

**THIS SUMMARY IS NOT PART OF THE OPINION OF THE COURT.
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