



UTAH STATE SENATE

UTAH STATE CAPITOL COMPLEX • WEST OFFICE BUILDING, SUITE W115
P.O. BOX 145115 • SALT LAKE CITY, UTAH 84114-5115 • (801) 538-1035

January 31, 2005

Mr. President:

The Business and Labor Committee recommends **S.B. 48, INSURANCE CANCELLATION AND NONRENEWAL RESTRICTIONS**, by Senator P. Arent, be replaced and favorably recommends **1st Sub. S.B. 48, INSURANCE CANCELLATION AND NONRENEWAL RESTRICTIONS** with the following amendments:

1. *Page 4, Line 118 through Page 6, Line 150:*

- 118 (5) Notwithstanding Subsections (2) and (4), an insurer may not cancel or fail to
119 renew
119 {an insurance policy} the following personal lines insurance policies solely
120 on the basis of:
120 (a) in the case of a motor vehicle insurance policy:
121 (i) a claim from the insured that:
122 (A) results from an accident in which the insured is not at fault; and
123 (B) is the only claim meeting the condition of Subsection (5)(a)(i)(A) within a
124 36-month period;
125 (ii) a single traffic violation by an insured that:
126 (A) is a violation of a speed limit under Title 41, Chapter 6, Traffic Rules and
127 Regulations;
128 (B) is not in excess of ten miles per hour over the speed limit;
128 {~~(B)~~} (C) is not a {school zone} traffic violation under :
(I) Subsection 41-6-46 (1);
(II) Section 41-6-48.5; or
(III) Section 41-6-49; and

Bill Number



SB0048S01

Action Class



S

Action Code



SCRSUBAMD

129 ~~{ (C) is not in excess of ten miles per hour over the speed limit; and }~~
130 (D) is the only violation meeting the conditions of Subsections (5)(a)(ii)(A) through
131 (C) within a 36-month period;
132 (iii) a claim for damage that:
133 (A) results solely from:
134 (I) wind;
135 (II) hail;
136 (III) lightning; or
137 (IV) an earthquake;
138 (B) is not preventable by the exercise of reasonable care; and
139 (C) is the only violation meeting the conditions of Subsections (5)(a)(iii)(A) and (B)
140 within a 36-month period; and
141 (b) in the case of a ~~{ residential dwelling liability }~~ homeowner's insurance policy, a
142 claim by the insured
143 that is for damage that:
144 (i) results solely from:
145 (A) wind;
146 (B) hail; ~~{ -or }~~
147 (C) lightning; or
148 (D) fire;
149 (ii) is not preventable by the exercise of reasonable care; and
150 (iii) is the only ~~{ violation }~~ claim meeting the conditions of Subsections (5)(b)(i) and (ii)
within
a 36-month period.
[~~5~~] (6) (a) (i) Subject to Subsection [~~5~~] (6)(b), if the insurer offers or purports to

Respectfully,

Scott K. Jenkins
Committee Chair

Voting: 5-0-4