

31A-19a-211 Premium rate reduction for seniors -- Motor vehicle accident prevention course -- Curriculum -- Certificate -- Exception.

- (1)
 - (a) Each rate, rating schedule, and rating manual for the liability, personal injury protection, and collision coverages of private passenger motor vehicle insurance policies submitted to or filed with the commissioner shall provide for an appropriate reduction in premium charges for those coverages if the principal operator of the covered vehicle:
 - (i) is a named insured who is 55 years of age or older; and
 - (ii) has successfully completed a motor vehicle accident prevention course as outlined in Subsection (2).
 - (b) Any premium reduction provided by an insurer under this section is presumed to be appropriate unless credible data demonstrates otherwise.
- (2)
 - (a) The curriculum for a motor vehicle accident prevention course under this section shall include:
 - (i) how impairment of visual and audio perception affects driving performance and how to compensate for that impairment;
 - (ii) the effects of fatigue, medications, and alcohol on driving performance, when experienced alone or in combination, and precautionary measures to prevent or offset ill effects;
 - (iii) updates on rules of the road and equipment, including safety belts and safe, efficient driving techniques under present day road and traffic conditions;
 - (iv) how to plan travel time and select routes for safety and efficiency; and
 - (v) how to make crucial decisions in dangerous, hazardous, and unforeseen situations.
 - (b)
 - (i) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the Department of Public Safety may make rules to establish and clarify standards pertaining to the curriculum and teaching methods of a course under this section.
 - (ii) These rules may include provisions allowing the department to conduct on-site visits to ensure compliance with agency rules and this chapter.
 - (iii) These rules shall be specific as to time and manner of visits and provide for methods to prohibit or remedy forcible visits.
- (3)
 - (a) The premium reduction required by this section shall be effective for a named insured for a three-year period after successful completion of the course outlined in Subsection (2).
 - (b) The insurer may require, as a condition of maintaining the premium reduction, that the named insured not be convicted or plead guilty or nolo contendere to a moving traffic violation for which points may be assessed against the named insured's driver license except for a violation under Subsection 53-3-221(12).
- (4) Each person who successfully completes the course outlined in Subsection (2) shall be issued a certificate by the organization offering the course. The certificate qualifies the person for the premium reduction required by this section.
- (5) This section does not apply if the approved course outlined in Subsection (2) is attended as a penalty imposed by a court or other governmental entity for a moving traffic violation.

Amended by Chapter 382, 2008 General Session