

INSURANCE CANCELLATION AND NONRENEWAL RESTRICTIONS

Senator Patrice M. Arent proposes the following amendments:

1. Page 4, Line 118 through Page 5, Line 141:

- 118 (5) Notwithstanding Subsections (2) and (4), an insurer may not cancel or fail to renew
- 119 Š→ [an insurance policy] the following personal lines insurance policies ←Š solely on the basis
- 119a 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} Chapter 6a, Traffic Code ;
- 127a Š→ (B) is not in excess of ten miles per hour over the speed limit;
- 128 [(B)] (C) ←Š is not a Š→ [school zone] ←Š traffic violation under Š→ ;
- 128a (I) Subsection {41-6-46} 41-6a-601 (1);
- 128b (II) ←Š Section {41-6-48.5} 41-6a-604 ; Š→ or
- 128c (III) Section {41-6-49} 41-6a-605 ; and
- 129 [(C) is not in excess of ten miles per hour over the speed limit; and] ←Š
- 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} claim 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 Š→ [residential dwelling liability] homeowner's ←Š insurance policy, a