

WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1978



ENROLLED

SENATE BILL NO. 173

(By Mr. Robert M. Hinkle & Mr. M^S Graw)



PASSED March 11 1978

In Effect July 1, 1978 ~~Passage~~

ENROLLED

Senate Bill No. 173

(By MR. ROGERS, MR. HINKLE and MR. MCGRAW)

[Passed March 11, 1978; in effect July 1, 1978.]

AN ACT to amend and reenact section four, article six-a, chapter thirty-three of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to automobile liability insurance policies and the effect of nonrenewal of a policy which has been in effect for two consecutive years or longer.

Be it enacted by the Legislature of West Virginia:

That section four, article six-a, chapter thirty-three of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended and reenacted to read as follows:

ARTICLE 6A. CANCELLATION OR NONRENEWAL OF AUTOMOBILE LIABILITY POLICIES.

§33-6A-4. Advance notice of nonrenewal required; assigned risk policies; when nonrenewal constitutes cancellation.

1 No insurer shall fail to renew an outstanding automobile
2 liability insurance policy unless such nonrenewal is pre-
3 ceded by at least forty-five days of advance notice to the
4 named insured of such insurer's election not to renew such
5 policy: *Provided*, That subject to this section, nothing
6 contained in this article shall be construed so as to
7 prevent an insurer from refusing to issue an automobile
8 liability policy upon application to such insurer, nor shall
9 any provision of this article be construed to prevent an
10 insurer from refusing to renew such a policy upon ex-
11 piration, except as to the notice requirements of this
12 section, and except further as to those applicants law-
13 fully submitted pursuant to the West Virginia assigned

14 risk plan: *Provided, however,* That the failure by an
15 insurer to renew an outstanding automobile liability
16 insurance policy which has been in existence for two
17 consecutive years or longer constitutes a cancellation
18 of such policy and is subject to hearing and review as
19 provided by section five of this article.

The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

James L. Davis
Chairman Senate Committee

Clarence C. Chastain
Chairman House Committee

Originated in the Senate.

To take effect July 1, 1978.

J. C. Willson, Jr.
Clerk of the Senate

C. A. Blankenship
Clerk of the House of Delegates

W. T. Brotherton, Jr.
President of the Senate

Donald L. Kopp
Speaker House of Delegates

The within is approved this the 24
day of March, 1978.

John D. Roper
Governor



APPROVED AND SIGNED BY THE GOVERNOR

RECEIVED
MAR 17 10 56 AM '78
OFFICE OF THE GOVERNOR

Date March 24, 1978
Time 11:15 A.M.

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OFFICE
SECY. OF STATE