

✓ Mr. 200

WEST VIRGINIA LEGISLATURE

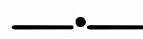
REGULAR SESSION, 1986



ENROLLED

Committee Substitute for
SENATE BILL NO. 200

(By Senator *Tonkovich, Mr. President, et al*)



PASSED *March 6,* 1986

In Effect *90 days from* Passage



ENROLLED

COMMITTEE SUBSTITUTE

FOR

Senate Bill No. 200

(SENATORS TONKOVICH, MR. PRESIDENT, KARRAS, WHITACRE,
JONES, CHERNENKO AND SHAW, *original sponsors*)

[Passed March 6, 1986; in effect ninety days from passage.]

AN ACT to amend article twenty, chapter thirty-three of the code of West Virginia, one thousand nine hundred thirty-one, as amended, by adding thereto a new section, designated section eighteen, relating to reduced automobile insurance premiums for persons fifty-five years of age or older.

Be it enacted by the Legislature of West Virginia:

That article twenty, chapter thirty-three of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended by adding thereto a new section, designated section eighteen, to read as follows:

ARTICLE 20. RATES AND RATING ORGANIZATIONS.

§33-20-18. Reduction of premium charges for persons fifty-five years of age or older.

- 1 (a) Any rates, rating schedules, or rating manuals for
- 2 the liability, personal injury protection and collision cov-
- 3 erages of a motor vehicle insurance policy submitted to
- 4 or filed with the insurance commissioner shall provide for
- 5 an appropriate reduction in premium charges as to such

6 coverages when the principal operator and spouse on the
7 covered vehicle is an insured who is fifty-five years of age
8 or older and who has successfully completed a motor
9 vehicle accident prevention course approved by the de-
10 partment of motor vehicles. Such reductions of premium
11 rates shall be made in compliance with the provisions of
12 subsections (a) and (b), section three of this article. Any
13 discount used by an insurer shall be presumed appropriate
14 unless credible data demonstrates otherwise.

15 (b) The premium reduction required by this section
16 shall be effective for an insured and spouse for a three-
17 year period after successful completion of the approved
18 course, except that the insurer may require, as a condition
19 of maintaining the discount, that the insured and spouse:

20 (1) Not be involved in an accident for which the in-
21 sured or spouse is at fault;

22 (2) Not be convicted, plead guilty or nolo contendere
23 to a moving traffic violation, or to a traffic related alcohol
24 or narcotics offense; and

25 (3) Have maintained a driving record free of violations
26 and liability for accidents for a three-year period prior to
27 course completion.

28 (c) Upon successfully completing the approved course,
29 each person shall be issued a certificate by the organiza-
30 tion offering the course which shall be used to qualify for
31 the premium discount required by this section.

32 (d) This section shall not apply in the event the ap-
33 proved course is taken as punishment specified by a court
34 or other governmental entity resulting from a moving
35 traffic violation.

36 (e) This reduction in premium charges shall not apply
37 to insurers already giving a reduction in premium charges
38 to persons fifty-five years of age or older which is equal
39 to or greater than the reduction approved by the commis-
40 sioner.

41 (f) Each participant shall take an approved course
42 every three years to continue to be eligible for the reduc-
43 tion in premiums.

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

Samuel DeLoach

Chairman Senate Committee

Floyd Fuller

Chairman House Committee

Originated in the Senate.

In effect ninety days from passage.

Todd C. Helli

Clerk of the Senate

Donald Z. Kopp

Clerk of the House of Delegates

Sam Tompkins

President of the Senate

Joseph P. Allright

Speaker House of Delegates

The within *approved* this the *26th*
day of *March*, 1986.

Arch A. Moore Jr.

Governor

PRESENTED TO THE
GOVERNOR

Date 3/11/86.

Time 9:40 a.m.

RECEIVED

1903 MAR 29 PM 8 50
SECRETARY OF STATE

FILED BY T. E. ...
SECRETARY OF STATE OF
WEST VIRGINIA

THIS DATE 3/26/06