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 non-renewal 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 liability insurance policy unless such nonrenewal is preceded by at least forty-five days of advance notice to the named insured of such insurer's election not to renew such policy: Provided, That subject to this section, nothing contained in this article shall be construed so as to prevent an insurer from refusing to issue an automobile liability policy upon application to such insurer, nor shall any provision of this article be construed to prevent an insurer from refusing to renew such a policy upon expiration, except as to the notice requirements of this section, and except further as to those applicants lawfully submitted pursuant to the West Virginia assigned


Provided, however, That the failure by an insurer to renew an outstanding automobile liability insurance policy which has been in existence for two consecutive years or longer constitutes a cancellation of such policy and is subject to hearing and review as 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 L. Chestnut  
Chairman House Committee

Originated in the Senate.

To take effect July 1, 1978.

W. D. Davis Jr.  
Clerk of the Senate

C. A. Blankenship  
Clerk of the House of Delegates

W. T. Bratton Jr.  
President of the Senate

Donald L. Hoog  
Speaker House of Delegates

The within ___________ this the ______ day of ______, 1978.

John D. Dingell  
Governor