WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1986

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ENROLLED
Committee Substitute for
SENATE BILL NO. 200

(By Senator...Turkovich...Mr. President et al)

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PASSED March 4, 1986
In Effect 90 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.

(a) Any rates, rating schedules, or rating manuals for the liability, personal injury protection and collision coverages of a motor vehicle insurance policy submitted to or filed with the insurance commissioner shall provide for an appropriate reduction in premium charges as to such
coverages when the principal operator and spouse on the
covered vehicle is an insured who is fifty-five years of age
or older and who has successfully completed a motor
vehicle accident prevention course approved by the de-
partment of motor vehicles. Such reductions of premium
rates shall be made in compliance with the provisions of
subsections (a) and (b), section three of this article. Any
discount used by an insurer shall be presumed appropriate
unless credible data demonstrates otherwise.

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

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

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

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

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

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

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

(f) Each participant shall take an approved course
every three years to continue to be eligible for the reduc-
tion in premiums.
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

Chairman Senate Committee

Chairman House Committee

Originated in the Senate.

In effect ninety days from passage.

Clerk of the Senate

Clerk of the House of Delegates

President of the Senate

Speaker House of Delegates

The within _______ [Approved] this the _______ [March] day of _______, 1986.

Governor
PRESENTED TO THE
GOVERNOR

Date 3/11/86
Time 9:40 A.M.