

ENGROSSED SENATE AMENDMENT  
TO  
ENGROSSED HOUSE BILL NO. 1793

BY: HAMILTON (Jeff),  
PELTIER, POPE and  
COLEMAN of the HOUSE

and

HERBERT of the SENATE

AN ACT RELATING TO INSURANCE; AMENDING 36 O.S. 1991,  
SECTION 941, WHICH RELATES TO CERTAIN PROHIBITED  
ACTIONS BY INSURERS; PROHIBITING THE DENIAL OF  
PREFERRED PREMIUM RATES IN CERTAIN CIRCUMSTANCES;  
MODIFYING ACTIONS WHICH ARE PROHIBITED; AND  
PROVIDING AN EFFECTIVE DATE.

AMENDMENT NO. 1. Strike the title, enacting clause and entire bill  
and insert

"AN ACT RELATING TO INSURANCE; AMENDING 36 O.S. 1991,  
SECTION 941, WHICH RELATES TO CERTAIN PROHIBITED ACTIONS BY  
INSURERS; PROHIBITING THE DENIAL OF PREFERRED PREMIUM RATES  
IN CERTAIN CIRCUMSTANCES; STATING EXCEPTIONS; CLARIFYING  
STATUTORY REFERENCE; AND PROVIDING AN EFFECTIVE DATE.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. AMENDATORY 36 O.S. 1991, Section 941, is  
amended to read as follows:

Section 941. A. No insurance carrier ~~who~~ which issues motor  
vehicle insurance policies in this state shall assign driving record  
points, cancel, refuse to renew ~~or~~, increase the premium rate, or  
deny preferred premium rates for any motor vehicle liability or  
collision insurance policy for the reason that the insured has been

involved in a motor vehicle collision ~~and was not at fault~~ unless the insured:

1. Was at fault in a collision within the preceding three (3) years according to the traffic records of the Department of Public Safety or of any city or town in this state; or

2. Has been involved in more than three collisions during the preceding three (3) years regardless of fault.

B. This section shall not apply to an insured who has been convicted of:

1. Homicide or assault arising out of the operation of any motor vehicle; or

2. A violation of Sections 11-902 or 761 of ~~this title~~ Title 47 of the Oklahoma Statutes as being impaired by or under the influence of alcohol or intoxicating liquor or who was under the influence of any substance included in the Uniform Controlled Dangerous Substances Act.

C. The Insurance Commissioner may suspend or revoke, after notice and hearing, the certificate of authority to transact insurance business in this state of any insurance carrier violating the provisions of this section or may censure the insurer or impose a fine.

SECTION 2. This act shall become effective September 1, 1992."

Passed the Senate the 31st day of March, 1992.

President of the Senate

Passed the House of Representatives the \_\_\_\_ day of

\_\_\_\_\_, 1992.

Speaker

of the House of  
Representatives