

STATE OF OKLAHOMA

2nd Session of the 43rd Legislature (1992)

COMMITTEE SUBSTITUTE
FOR ENGROSSED
HOUSE BILL NO. 1793

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

and

HERBERT of the SENATE

COMMITTEE SUBSTITUTE

(INSURANCE - 36 O.S. 1991, SECTION 941 - PROHIBITED
ACTIONS -

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.

43-2-2061 JY