

ENGROSSED HOUSE AMENDMENT
TO
ENGROSSED SENATE BILL NO. 304

By: Shurden of the Senate
and
Leist of the House

An Act relating to insurance; amending 36 O.S. 1991,
Section 941, which relates to motor vehicle
insurance policies; expanding prohibitions against
assignment of driving record points and
cancellation, refusal to renew, or increase of
premium rate for motor vehicle insurance policies
due to certain traffic violations; making certain
exception; correcting and clarifying statutory
references; and declaring an emergency.

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 motor vehicle insurance
policies; expanding prohibitions against assignment of
driving record points and cancellation, refusal to renew,
or increase of premium rate for motor vehicle insurance
policies due to certain traffic violations; making certain
exception; correcting and clarifying statutory references;
and declaring an emergency.

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 issues motor vehicle insurance policies in this state shall assign driving record points, cancel, refuse to renew or increase the premium rate for any motor vehicle liability or collision insurance policy for the ~~reason that~~ the following reasons:

1. The insured has been involved in a motor vehicle collision and was not at fault;

2. The insured has been cited for a traffic violation for speeding which does not exceed ten (10) miles per hour over the speed limit and was not involved in a motor vehicle collision or accident at the time the citation was issued, except that this provision shall not apply if the insured has received more than three prior citations for moving traffic violations which have resulted in fines or convictions.

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, Section 2-101 et seq. of Title 63 of the Oklahoma Statutes.

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. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval."

Passed the House of Representatives the 29th day of March, 1995.

Speaker of the House of
Representatives

Passed the Senate the ____ day of _____, 1995.

President of the Senate