

STATE OF OKLAHOMA

2nd Session of the 56th Legislature (2018)

COMMITTEE SUBSTITUTE
FOR ENGROSSED
HOUSE BILL 3236

By: Moore of the House

and

Brown of the Senate

COMMITTEE SUBSTITUTE

An Act relating to insurance; defining terms;
prohibiting using certain information for certain
rate calculation; providing exception to prohibition;
providing for codification; and providing an
effective date.

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

SECTION 1. NEW LAW A new section of law to be codified
in the Oklahoma Statutes as Section 945 of Title 36, unless there is
created a duplication in numbering, reads as follows:

A. As used in this section:

1. "Towing service" means any act which consists of towing or
moving a motor vehicle from one place to another under other than
its own power; and

2. "Emergency road service" means any act to adjust, repair or
replace the equipment, tires or mechanical parts of a motor vehicle

1 so it may operate under its own power; or reimbursement of expenses
2 incurred by an insured when his or her motor vehicle is unable to
3 operate under its own power.

4 B. No insurer may consider claims for towing services or
5 emergency road service for purposes of determining whether to
6 cancel, refuse to renew or increase the premium of a personal auto
7 insurance policy regardless of whether such coverage is included in
8 the policy or is an endorsement to the policy.

9 C. Nothing in this section shall prohibit an insurer from
10 cancelling, refusing to renew or increasing the premium of the
11 towing services or emergency road service coverage of an insured, if
12 within a consecutive twelve-month period the insured:

13 1. Files more than three (3) claims for towing services for any
14 one covered personal motor vehicle or files more than five (5)
15 aggregate claims for towing services for all of the insured's
16 personal motor vehicles which are covered by the insurer; or

17 2. Files more than three (3) claims for emergency road service
18 for any one covered personal motor vehicle or files more than five
19 (5) aggregate claims for emergency road service for all of the
20 insured's personal motor vehicles which are covered by the insurer.

21 SECTION 2. This act shall become effective November 1, 2018.
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23 56-2-3551 CB 7/17/2018 10:02:58 AM
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