

1  
2  
3  
4  
5  
6  
7  
8  
9  
0  
1  
2  
3  
4  
5  
6  
7  
8  
9  
0  
1  
2  
3  
4

April 2, 2018

COMMITTEE SUBSTITUTE  
FOR ENGROSSED  
HOUSE BILL NO. 3236

By: Moore of the House

and

Brown of the Senate

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 so it may operate under its own power; or reimbursement of expenses

1 incurred by an insured when his or her motor vehicle is unable to  
2 operate under its own power.

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

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

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

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

20 SECTION 2. This act shall become effective November 1, 2018.

21 COMMITTEE REPORT BY: COMMITTEE ON RETIREMENT AND INSURANCE  
22 April 2, 2018 - DO PASS AS AMENDED  
23  
24