

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1991

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SENATE BILL 39
Insurance Committee Substitute Adopted 4/11/91

Short Title: No S.D.I.P. Points for 1st Accident.

(Public)

Sponsors:

Referred to:

February 7, 1991

A BILL TO BE ENTITLED

AN ACT TO PROVIDE THAT NO SAFE DRIVER INCENTIVE PLAN POINTS SHALL BE ASSESSED FOR THE FIRST ACCIDENT WITHIN THREE YEARS IF THERE IS PROPERTY DAMAGE ONLY AND NO MOVING VIOLATION INVOLVED.

The General Assembly of North Carolina enacts:

Section 1. G.S. 58-36-75 is amended by adding a new subsection to read:

"(a1) The subclassification plan shall provide that there shall be no premium surcharge, increase in premium on account of cession to the Reinsurance Facility, or assessment of points against an insured where: (i) the insured is involved and is at fault in a 'minor accident,' as defined in subsection (a) of this section; (ii) the insured is not convicted of a moving traffic violation in connection with the accident; (iii) neither the vehicle owner, principal operator, nor any licensed operator covered under the vehicle owner's policy has a driving record consisting of one or more convictions for a moving traffic violation or one or more at-fault accidents during the three-year period immediately preceding the date of the application for a policy or the date of the preparation of the renewal of a policy; and (iv) the insured has been covered by liability insurance with the same company or company group continuously for at least the five years immediately preceding the accident."

Sec. 2. The North Carolina Rate Bureau shall promulgate an amendment to the subclassification plan to reflect the provisions of this act. The Bureau shall make a filing no later than September 1, 1991, and the plan promulgated shall become effective January 1, 1992. The plan shall apply only to at-fault accidents that occur on or after

1 January 1, 1992. With respect to any at-fault accidents occurring prior to January 1,
2 1992, the surcharge and period for which the surcharge is applied and collected shall be
3 determined by the subclassification plan in effect at the time the at-fault accident
4 occurred.

5 Sec. 3. This act is effective upon ratification.