

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2017

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SENATE BILL 99
PROPOSED COMMITTEE SUBSTITUTE S99-PCS35311-TU-13

Short Title: Report Certain CTR Data/Auto Ins. Accuracy.

(Public)

Sponsors:

Referred to:

February 16, 2017

1 A BILL TO BE ENTITLED
2 AN ACT TO PROVIDE FOR THE REPORTING BY THE DEPARTMENT OF
3 INSURANCE OF CERTAIN AGGREGATE PROPERTY INSURANCE CONSENT TO
4 RATE DATA, AS RECOMMENDED BY THE LEGISLATIVE RESEARCH
5 COMMISSION COMMITTEE ON REGULATORY AND RATE ISSUES IN
6 INSURANCE, AND TO REQUIRE INSURANCE AGENTS TO INVESTIGATE A
7 POTENTIAL POLICYHOLDER'S DMV RECORDS PRIOR TO CHARGING A
8 PREMIUM FOR AUTOMOBILE INSURANCE COVERAGE.

9 The General Assembly of North Carolina enacts:

10 **SECTION 1.** G.S. 58-36-30 is amended by adding a new subsection to read:

11 "(b2) Notwithstanding subsection (b1) of this section, the Commissioner shall collect
12 annually from all insurers and publish on the Department's Web site no later than July 1 the
13 following data aggregated across all insurers for each geographical rate-making territory:

14 (1) The percentage of policies for which a consent to rate has been obtained.

15 (2) The average difference between the approved premium and the consented
16 premium.

17 The Commissioner shall designate the format and manner to collect the data to be
18 published. Any non-aggregated data obtained by the Commissioner, including data identifying
19 individual insurers or insureds, under this subsection is proprietary and confidential and is not a
20 public record under G.S. 132-1 or G.S. 58-2-100. This subsection applies only to insurance
21 against loss to residential real property with not more than four housing units."

22 **SECTION 2.** Article 33 of Chapter 58 of the General Statutes is amended by
23 adding a new section to read:

24 **"§ 58-33-107. Investigation by agent for premium accuracy.**

25 With respect to new business and as part of the rating and underwriting of nonfleet private
26 passenger motor vehicle insurance coverage, no insurer, agent, broker, or limited representative
27 shall charge, demand, or receive a premium for any policy of coverage for nonfleet private
28 passenger motor vehicle insurance before investigating and giving consideration to the
29 potential policyholder's accident and driving records as maintained by the North Carolina
30 Division of Motor Vehicles."

31 **SECTION 3.** This act is effective when it becomes law, and the Department of
32 Insurance shall publish the information required by Section 1 of this act by October 1, 2017.



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