A BILL TO BE ENTITLED
AN ACT TO PROVIDE FOR THE REPORTING BY THE DEPARTMENT OF
INSURANCE OF CERTAIN AGGREGATE PROPERTY INSURANCE CONSENT TO
RATE DATA, AS RECOMMENDED BY THE LEGISLATIVE RESEARCH
COMMISSION COMMITTEE ON REGULATORY AND RATE ISSUES IN
INSURANCE; TO REQUIRE MEMBER COMPANIES OF THE RATE BUREAU TO
OBTAIN AN INDIVIDUAL’S RECORDS OF TRAFFIC CONVICTIONS PRIOR TO
THE SALE OF A NEW POLICY OF MOTOR VEHICLE INSURANCE; AND TO
 proviDE ADDITIONAL METHODS OF PROVING ELIGIBLE RISK STATUS OR
NORTH CAROLINA RESIDENCY UNDER NORTH CAROLINA’S RATE EVASION
FRAUD STATUTES.

The General Assembly of North Carolina enacts:

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

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

(1) The percentage of policies for which a consent to rate has been obtained.
(2) The average difference between the approved premium and the consented
premium.

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

SECTION 2. G.S. 58-36-65(e) reads as rewritten:

"(e) Records of convictions for moving traffic violations to be considered under this
section shall be obtained at least annually from the Division of Motor Vehicles and applied by
the Bureau’s member companies in accordance with rules to be established by the Bureau. Prior
to the sale of a new policy of motor vehicle insurance, records of convictions for moving traffic
violations shall be obtained in accordance with rules established by the Bureau."

SECTION 3. G.S. 58-2-164(c2) reads as rewritten:

"(c2) To the extent relevant to a particular criterion for eligible risk status and for the
purpose of obtaining other than nonfleet private passenger motor vehicle insurance, reliable
proof of North Carolina residency or eligible risk status includes two or more of the following:
(1) A utility bill in the name of the applicant showing a North Carolina address for the principal place of business of the applicant.

(2) A receipt for real property taxes paid by the applicant to a North Carolina locality within the preceding 12-month period and showing the applicant's current North Carolina address.

(3) A valid North Carolina vehicle registration issued to the applicant and showing the applicant's current North Carolina address.

(4) A federal Income Tax Return filed by the applicant for the most recent prior filing period showing the applicant's name and current North Carolina address.

(5) The declaration page of the applicant's North Carolina commercial automobile policy dated no later than one year prior thereto.

(6) The driver's license of a corporate officer or member of the LLC of the applicant.

SECTION 4. This act is effective when it becomes law, and the Department of Insurance shall publish the information required by Section 1 of this act by October 1, 2017.