

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2017

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SENATE BILL 99
Commerce and Insurance Committee Substitute Adopted 4/26/17
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PROPOSED HOUSE COMMITTEE SUBSTITUTE S99-PCS15225-TU-25

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

(Public)

Sponsors:

Referred to:

February 16, 2017

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:



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- 1 (1) A utility bill in the name of the applicant showing a North Carolina address
- 2 for the principal place of business of the applicant.
- 3 (2) A receipt for real property taxes paid by the applicant to a North Carolina
- 4 locality within the preceding 12-month period and showing the applicant's
- 5 current North Carolina address.
- 6 (3) A valid North Carolina vehicle registration issued to the applicant and
- 7 showing the applicant's current North Carolina address.
- 8 (4) A federal Income Tax Return filed by the applicant for the most recent prior
- 9 filing period showing the applicant's name and current North Carolina
- 10 address.
- 11 (5) The declaration page of the applicant's North Carolina commercial
- 12 automobile policy dated no later than one year prior thereto.
- 13 (6) The driver's license of a corporate officer or member of the LLC of the
- 14 applicant."

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