

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1989

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HOUSE BILL 68

Short Title: Revise Subclassification Plan.

(Public)

Sponsors: Representatives Anderson; Perdue, Stam, Warren, and Bowman.

Referred to: Commerce.

January 24, 1989

A BILL TO BE ENTITLED

AN ACT TO REVISE THE SUBCLASSIFICATION PLAN FOR NONFLEET PRIVATE PASSENGER AUTOMOBILE INSURANCE.

The General Assembly of North Carolina enacts:

Section 1. G.S. 58-124.33(e) reads as rewritten:

"(e) There shall be no Facility recoupment surcharge under G.S.58-248.34(f) and no Safe Driver Incentive Plan surcharge for any accident involving only damage to the operator's vehicle or to the property of another for which full payment or compensation has been made by the operator at fault; and when the motor vehicle insurer of the operator has not made any payment under any kind of insurance policy for such property damage to or on behalf of such operator. Notwithstanding the provision of this subsection, an insured still has a duty to report such accident to his insurer and to law enforcement authorities if such duty is required by the insurance contract or by law."

Sec. 2. G.S. 58-124.33 is amended by adding a new subsection to read:

"(e1) The subclassification plan promulgated pursuant to G.S 58-124.31(b) shall provide that there shall be no premium surcharge and no assessment of points for any accident in which the operator of the insured motor vehicle is not convicted of a moving traffic violation in connection with the accident and the motor vehicle insurer of the operator does not make any payment to or on behalf of the operator for property damage or personal injury incurred in connection with the accident."

Sec. 3. The North Carolina Rate Bureau shall file in accordance with G.S. 58-124.31, a revised subclassification plan to reflect the provisions of this act. The Bureau shall make a filing no later than September 1, 1989, and the plan shall become effective three months after the date the Commissioner approves the plan.

1           Sec. 4. This act shall become effective May 15, 1989.